

By Representative Carlton

1 A bill to be entitled
2 An act relating to school buses; amending s.
3 316.172, F.S.; providing additional penalties
4 for passing to the right side of a school bus
5 which is displaying a stop signal; providing
6 for warning lights pursuant to rule of the
7 State Board of Education; amending s. 318.18,
8 F.S.; providing a fine for illegally passing to
9 the right side of a school bus; amending s.
10 318.19, F.S.; providing a mandatory hearing for
11 illegally passing to the right side of a school
12 bus; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 316.172, Florida Statutes, 1996
17 Supplement, is amended to read:

18 316.172 Traffic to stop for school bus.--

19 (1) Any person using, operating, or driving a vehicle
20 on or over the roads or highways of this state shall, upon
21 approaching any school bus used in transporting school pupils
22 to or from school which is properly identified in substantial
23 accordance with the provisions of s. 234.051 and which
24 displays a stop signal, bring such vehicle to a full stop
25 while the bus is stopped, and the vehicle shall not pass the
26 school bus until the signal has been withdrawn. A person who
27 violates this section commits a moving violation, punishable
28 as provided in chapter 318.

29 (2) Any person passing to the right side of a school
30 bus which is displaying a stop signal in accordance with the
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1 provisions of this section shall also be subject to a
2 mandatory hearing under the provisions of s. 318.19.

3 ~~(3)(2)~~ The driver of a vehicle upon a divided highway
4 with an unpaved space of at least 5 feet, a raised median, or
5 a physical barrier shall not be required to stop when
6 traveling in the opposite direction of a school bus which is
7 stopped in accordance with the provisions of this section
8 ~~where the one-way roadways are separated by an intervening~~
9 ~~unpaved space of at least 5 feet or physical barrier need not~~
10 ~~stop upon meeting or passing a school bus which is on a~~
11 ~~different roadway.~~

12 ~~(4)(3)~~ Every school bus shall stop as far to the right
13 of the street as possible and shall display warning lights and
14 stop signals as required by rules of the State Board of
15 Education before discharging or loading passengers. ~~and~~ When
16 possible, no bus shall not stop where the visibility is
17 obscured for a distance of 200 feet either way from the bus.

18 Section 2. Subsection (5) of section 318.18, Florida
19 Statutes, 1996 Supplement, is amended to read:

20 318.18 Amount of civil penalties.--The penalties
21 required for a noncriminal disposition pursuant to s. 318.14
22 are as follows:

23 (5) One hundred dollars for a violation of s.
24 316.172(1), failure to stop for a school bus or \$200 for
25 violation of s. 316.172(2). If, at a hearing, the alleged
26 offender is found to have committed this offense, the court
27 shall impose a minimum civil penalty of \$100 for violation of
28 s. 316.172(1) or \$200 for violation of s. 316.172(2). In
29 addition to this penalty, for a second or subsequent offense
30 within a period of 5 years, the department shall suspend the
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1 driver's license of the person for not less than 90 days and
2 not more than 6 months.

3 Section 3. Section 318.19, Florida Statutes, is
4 amended to read:

5 318.19 Infractions requiring a mandatory hearing.--Any
6 person cited for the infractions listed in this section shall
7 not have the provisions of s. 318.14(2), and (4), and (9)
8 available to him or her but must appear before the designated
9 official at the time and location of the scheduled hearing:

10 (1) Any infraction which results in an accident that
11 causes the death of another; or

12 (2) Any infraction which results in an accident that
13 causes "serious bodily injury" of another as defined in s.
14 316.1933(1); or-

15 (3) Any infraction of s. 316.172(2).

16 Section 4. This act shall take effect October 1, 1997.

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19 HOUSE SUMMARY

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21 Provides for a mandatory hearing and a penalty of \$200
22 for passing to the right side of a school bus which is
23 displaying a stop signal. Provides that every school bus
24 shall display warning lights and stop signals as required
25 by rules of the State Board of Education before
26 discharging or loading passengers. See bill for details.

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