

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 257

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EVANS.

0910H.01P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 304.050, RSMo, and to enact in lieu thereof one new section relating to Head Start school buses.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 304.050, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 304.050, to read as follows:

304.050. 1. **(1)** The driver of a vehicle upon a highway upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed.

(2) School buses under the provisions of subsections 1, 2, 5, 6, 7, 8, and 9 of this section shall include Head Start buses that have been certified by the Missouri highway patrol as meeting the provisions of section 307.375, are operated by a holder of a valid school bus endorsed commercial driver's license, and who meet the equivalent medical requirements prescribed in section 162.604, and which are transporting Head Start students to and from Head Start.

2. Every bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight inches in height. Each bus shall have lettered on the rear in plain and distinct type the following: "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling
17 device approved by the state board of education, which will display a signal plainly visible from
18 the front and rear and indicating intention to stop.

19 3. Every school bus operated to transport students in the public school system which has
20 a gross vehicle weight rating of more than ten thousand pounds, which has the engine mounted
21 entirely in front of the windshield and the entrance door behind the front wheels, and which is
22 used for the transportation of school children shall be equipped no later than August 1, 1998,
23 with a crossing control arm. The crossing control arm, when activated, shall extend a minimum
24 of five feet six inches from the face of the front bumper. The crossing control arm shall be
25 attached on the right side of the front bumper and shall be activated by the same controls which
26 activate the mechanical and electrical signaling devices described in subsection 2 of this section.
27 This subsection may be cited as "Jessica's Law" in commemoration of Jessica Leicht and all
28 other Missouri schoolchildren who have been injured or killed during the operation of a school
29 bus.

30 4. Except as otherwise provided in this section, the driver of a school bus in the process
31 of loading or unloading students upon a street or highway shall activate the mechanical and
32 electrical signaling devices, in the manner prescribed by the state board of education, to
33 communicate to drivers of other vehicles that students are loading or unloading. A public school
34 district shall have the authority pursuant to this section to adopt a policy which provides that the
35 driver of a school bus in the process of loading or unloading students upon a divided highway
36 of four or more lanes may pull off of the main roadway and load or unload students without
37 activating the mechanical and electrical signaling devices in a manner which gives the signal for
38 other drivers to stop and may use the amber signaling devices to alert motorists that the school
39 bus is slowing to a stop; provided that the passengers are not required to cross any traffic lanes
40 and also provided that the emergency flashing signal lights are activated in a manner which
41 indicates that drivers should proceed with caution, and in such case, the driver of a vehicle may
42 proceed past the school bus with due caution.

43 5. No driver of a school bus shall take on or discharge passengers at any location upon
44 a highway consisting of four or more lanes of traffic, whether or not divided by a median or
45 barrier, in such manner as to require the passengers to cross more than two lanes of traffic; nor
46 shall any passengers be taken on or discharged while the vehicle is upon the road or highway
47 proper unless the vehicle so stopped is plainly visible for at least five hundred feet in each
48 direction to drivers of other vehicles in the case of a highway with no shoulder and a speed limit
49 greater than sixty miles per hour and at least three hundred feet in each direction to drivers of
50 other vehicles upon other highways, and on all highways, only for such time as is actually
51 necessary to take on and discharge passengers.

52 ~~[5-]~~ 6. The driver of a vehicle upon a highway with separate roadways need not stop
53 upon meeting or overtaking a school bus which is on a different roadway, or which is proceeding
54 in the opposite direction on a highway containing four or more lanes of traffic, or which is
55 stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access
56 highway at a point where pedestrians are not permitted to cross the roadway.

57 ~~[6-]~~ 7. The driver of any school bus driving upon the highways of this state after loading
58 or unloading school children, shall remain stopped if the bus is followed by three or more
59 vehicles, until such vehicles have been permitted to pass the school bus, if the conditions
60 prevailing make it safe to do so.

61 ~~[7-]~~ 8. If any vehicle is witnessed by a peace officer or the driver of a school bus to have
62 violated the provisions of this section and the identity of the operator is not otherwise apparent,
63 it shall be a rebuttable presumption that the person in whose name such vehicle is registered
64 committed the violation. In the event that charges are filed against multiple owners of a motor
65 vehicle, only one of the owners may be convicted and court costs may be assessed against only
66 one of the owners. If the vehicle which is involved in the violation is registered in the name of
67 a rental or leasing company and the vehicle is rented or leased to another person at the time of
68 the violation, the rental or leasing company may rebut the presumption by providing the peace
69 officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time
70 of the violation. No prosecuting authority may bring any legal proceedings against a rental or
71 leasing company under this section unless prior written notice of the violation has been given to
72 that rental or leasing company by registered mail at the address appearing on the registration and
73 the rental or leasing company has failed to provide the rental or lease agreement copy within
74 fifteen days of receipt of such notice.

75 ~~[8-]~~ 9. Notwithstanding the provisions in section 301.130, every school bus shall be
76 required to have two license plates.

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