Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1206 of the Regular Session

1	State of Arkansas	As Engrossed: S3/17/09	
2	87th General Assembly	A Bill	
3	Regular Session, 2009		SENATE BILL 499
4			
5	By: Senator Hendren		
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7			
8		For An Act To Be Entitled	
9	AN ACT TO IMPROVE THE REPORTING OF MOTOR VEHICLE		
10	OPERATOR	RS WHO PASS A SCHOOL BUS ILLEGALLY;	AND
11	FOR OTHE	ER PURPOSES.	
12			
13		Subtitle	
14	TO IN	MPROVE THE SAFETY OF CHILDREN ON	
15	SCHOO	OL BUSES BY IMPROVING THE REPORTING	
16	OF MO	OTOR VEHICLE OPERATORS WHO PASS A	
17	SCHOO	OL BUS ILLEGALLY.	
18			
19			
20	BE IT ENACTED BY THE G	GENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:
21			
22	SECTION 1. Arka	ansas Code § 6-19-110 is amended to	read as follows:
23	6-19-110. Bus d	drivers — Loading and discharging pu	pils.
24	(a) The driver	of a school bus shall load and disc	harge the passengers
25	of the bus at the extr	eme right side of the paved or impr	oved portion of the
26	road or the highway an	nd at the right curbing when such cu	rbing is maintained
27	on the road or the hig	;hway .	
28	(b) (a) As used	in this section:	
29	(1) "Moto	or vehicle" means all vehicles, all	movable engines, or
30	machines that are oper	rated or propelled by motor vehicle	fuel and that are
31	operated and used for	travel on public roads and highways	; and
32	(2) <u>(A)</u> "S	School bus" means+	
33	(A)	$-$ A \underline{a} motor vehicle designed to carr	y more than ten (10)
34	passengers:		
35		(i) Owned by a public or a gover	nmental agency or a

1	private school and operated for the transportation of students to or from
2	school or school-sponsored activities; or
3	(ii) Privately owned and operated for compensation
4	for the transportation of students to or from school or school-sponsored
5	activities ; and .
6	(B) A motor vehicle designed to carry more than twenty-
7	five (25) passengers is exempt from this section if the motor vehicle is:
8	(i) Owned by a public or a governmental agency or a
9	private school and operated for the transportation of students to or from
10	school-sponsored activities but not used to transport students on any
11	scheduled school bus route; or
12	(ii) Privately owned and operated for compensation
13	under contract to a school district and used for the transportation of
14	students to or from school-sponsored activities.
15	(b) The purpose of this section is to improve the safety of children
16	being loaded and unloaded as passengers on a school bus.
17	(c)(1) The superintendent and director of transportation of each
18	school district, in consultation with the appropriate law enforcement agency
19	and appropriate prosecuting authority, shall develop a school bus safety plan
20	<u>designed to ensure</u> the safety of children being loaded onto or unloaded from
21	school buses.
22	(2) The school bus safety plan shall include provisions to:
23	(A) Reduce the occurrence of a motor vehicle passing a
24	stopped school bus that is loading or unloading students; and
25	(B) Assist bus drivers to learn methods of identifying
26	characteristics of a motor vehicle and its operator who violate § 27-51-1004
27	or § 27-51-1005 to provide to law enforcement officers to improve the
28	<u>likelihood that the operator of a motor vehicle who violates § 27-51-1004 or</u>
29	§ 27-51-1005 will be prosecuted.
30	(d)(l) The driver of a school bus shall load and unload the passengers
31	of the bus at the extreme right side of the paved or improved portion of the
32	road or the highway and at the right curbing when the curbing is maintained
33	on the road or the highway.
34	(2) A driver of a school bus who fails to carry out the
35	provisions of subsection (d) of this section is guilty of a Class C
36	misdemeanor.

1	$\frac{(e)(1)}{(e)(1)}$ The school bus A driver of a school bus who observes an		
2	operator of a motor vehicle violating § 27-51-1004 or § 27-51-1005 shall		
3	report the license plate number, issuing state if different than Arkansas,		
4	and a brief description of the vehicle to the superintendent within two (2)		
5	hours after the end of the driver's shift for that period of the day.		
6	(2) Within forty-eight (48) hours of the observation, the		
7	superintendent shall provide the information to the local prosecuting		
8	attorney appropriate law enforcement agency or appropriate prosecuting		
9	authority with jurisdiction over the incident.		
10	(d) A school bus driver who fails to carry out the provisions of		
11	subsection (a) of this section is guilty of a Class C misdemeanor.		
12	(e)(1)(3) The prosecuting attorney appropriate law enforcement		
13	agency or appropriate prosecuting authority with jurisdiction over the		
14	incident who is provided a report under this section shall provide written		
15	notice to the superintendent regarding the outcome of the report.		
16	$\frac{(2)}{(4)}$ The superintendent shall provide information		
17	regarding the outcome of the report to the driver of the school bus who		
18	initiated the report.		
19	(f) Nothing in this section shall limit a \underline{A} person who observes an		
20	operator of a motor vehicle violating § 27-51-1004 or § 27-51-1005 from		
21	$\frac{1}{1}$ reporting may report the incident to the local prosecuting attorney $\frac{1}{1}$		
22	appropriate law enforcement agency or appropriate prosecuting authority with		
23	jurisdiction over the incident.		
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25	/s/ Hendren		
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27	APPROVED: 4/7/2009		
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