

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
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/17/09

A Bill

SENATE BILL 499

5 By: Senator Hendren
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For An Act To Be Entitled

9 AN ACT TO IMPROVE THE REPORTING OF MOTOR VEHICLE
10 OPERATORS WHO PASS A SCHOOL BUS ILLEGALLY; AND
11 FOR OTHER PURPOSES.
12

Subtitle

14 TO IMPROVE THE SAFETY OF CHILDREN ON
15 SCHOOL BUSES BY IMPROVING THE REPORTING
16 OF MOTOR VEHICLE OPERATORS WHO PASS A
17 SCHOOL BUS ILLEGALLY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 6-19-110 is amended to read as follows:

23 6-19-110. Bus drivers – Loading and discharging pupils.

24 ~~(a) The driver of a school bus shall load and discharge the passengers~~
25 ~~of the bus at the extreme right side of the paved or improved portion of the~~
26 ~~road or the highway and at the right curbing when such curbing is maintained~~
27 ~~on the road or the highway.~~

28 ~~(b)~~(a) As used in this section:

29 (1) “Motor vehicle” means all vehicles, all movable engines, or
30 machines that are operated or propelled by motor vehicle fuel and that are
31 operated and used for travel on public roads and highways; and

32 (2)(A) “School bus” means+

33 ~~(A)~~A a motor vehicle designed to carry more than ten (10)
34 passengers:

35 (i) Owned by a public or a governmental 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 designed to ensure 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 likelihood that the operator of a motor vehicle who violates § 27-51-1004 or
29 § 27-51-1005 will be prosecuted.

30 (d)(1) 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.

