

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.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

*As Engrossed: H3/21/07*

# A Bill

HOUSE BILL 2484

5 By: Representative Cook  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE DEFINITION OF "SCHOOL BUS"  
10 AS USED IN THE ARKANSAS CODE; AND FOR OTHER  
11 PURPOSES.  
12

### Subtitle

14 TO CLARIFY THE DEFINITION OF "SCHOOL  
15 BUS".  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

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

21 6-19-110. Bus drivers – Loading and discharging pupils.

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

26 (b) As used in this section:

27 (1) "Motor vehicle" means all vehicles, movable engines, or  
28 machines that are operated or propelled by motor vehicle fuel and ~~which~~ that  
29 are operated and used for travel on public roads and highways;

30 (2) "School bus" means: ~~any vehicle being used to convey~~  
31 ~~children to and from school and which is marked in both front and rear with~~  
32 ~~the words "SCHOOL BUS", in plain lettering, readable in daylight at a~~  
33 ~~distance of at least two hundred feet (200') from such a vehicle~~

34 (A) A motor vehicle designed to carry more than ten (10)  
35 passengers owned by a public or governmental agency and operated for the  
36 transportation of students to or from school; or



1 (B) A motor vehicle designed to carry more than ten (10)  
 2 passengers privately owned and operated for compensation for the  
 3 transportation of students to or from school; and

4 (3)(A) "Auxiliary transportation equipment" means but is not  
 5 limited to equipment used for transporting students to and from  
 6 extracurricular activities but does not include transportation equipment used  
 7 for transporting students from their homes to school and from school to their  
 8 homes.

9 (B) Auxiliary transportation equipment is not a "school  
 10 bus".

11 (c) The ~~driver of a~~ school bus driver who observes an operator of a  
 12 motor vehicle violating § 27-51-1004 or § 27-51-1005 shall:

13 (1) Prepare a written report of the violation on the appropriate  
 14 form provided by the school district; and

15 (2) Within forty-eight (48) hours of the observation deliver the  
 16 completed form to the superintendent of the school district or his or her  
 17 designee, who shall promptly provide the report to a local prosecuting  
 18 attorney.

19 (d) A school bus driver who fails to carry out the provisions of  
 20 subsection (a) of this section ~~shall be~~ is guilty of a Class C misdemeanor.

21  
 22 SECTION 2. Arkansas Code § 6-19-117 is amended to read as follows:  
 23 6-19-117. School bus safety equipment.

24 (a) ~~As used in this section;~~

25 (1) "school ~~School~~ bus" means: every motor vehicle owned by a  
 26 public school district or a private school or a governmental agency and  
 27 operated for the transportation of children to or from school or school-  
 28 sponsored activities

29 (A) A motor vehicle designed to carry more than ten (10)  
 30 passengers owned by a public or governmental agency and operated for the  
 31 transportation of students to or from school; or

32 (B) A motor vehicle designed to carry more than ten (10)  
 33 passengers privately owned and operated for compensation for the  
 34 transportation of students to or from school; or

35 (2)(A) "Auxiliary transportation equipment" means but is not limited  
 36 to equipment used for transporting students to and from extracurricular

1 activities but does not include transportation equipment used for  
 2 transporting students from their homes to school and from school to their  
 3 homes.

4 (B) Auxiliary transportation equipment is not a "school bus".

5 (b)(1) Any new school bus whose function involves the loading or  
 6 discharging of ~~school children~~ students as passengers shall be equipped with  
 7 a flashing white strobe light in order to provide greater visibility to  
 8 drivers in approaching vehicles.

9 (2) The strobe light shall be in addition to those flasher  
 10 lights required under § 27-51-1002.

11 (c) Any new school bus whose function involves the loading or  
 12 discharging of ~~school children~~ students as passengers on a regular route  
 13 shall be equipped with an electric, air, or hydraulic-operated crossing gate  
 14 in order to prevent ~~school children~~ a student from crossing in front of the  
 15 bus in such a way that the school bus driver is unlikely to see them.

16 (d) On and after July 1, 1997, all other school buses shall be  
 17 retrofitted with a flashing white strobe light and an electric, air, or  
 18 hydraulic-operated crossing gate for purposes as described in this section.

19 (e) ~~By no~~ No later than July 1 of each year, the superintendent of  
 20 each local school district shall certify to the Division of Public School  
 21 Academic Facilities and Transportation that the district is in compliance  
 22 with the provisions of this section.

23 (f) The Director of the Division of Public School Academic Facilities  
 24 and Transportation shall cause to be publicized the ~~first week of each school~~  
 25 ~~year~~ third week of October as School Bus Safety Week.

26 (g) Notwithstanding any other provision of law, a district board of  
 27 education may paint or purchase auxiliary transportation equipment in a color  
 28 or colors other than National School Bus Yellow.

29  
 30 SECTION 3. Arkansas Code § 6-19-119 is amended to read as follows:  
 31 6-19-119. School bus passengers required to be seated.

32 (a) As used in this section:

33 (1) "School bus" means: every motor vehicle used to  
 34 convey children to and from school that is marked in both front and rear with  
 35 the words "SCHOOL BUS" in plain lettering readable in daylight at a distance  
 36 of at least two hundred feet (200') from the vehicle

1 (A) A motor vehicle designed to carry more than ten (10)  
 2 passengers owned by a public or governmental agency and operated for the  
 3 transportation of students to or from school; or

4 (B) A motor vehicle designed to carry more than ten (10)  
 5 passengers privately owned and operated for compensation for the  
 6 transportation of students to or from school; or

7 (2)(A) "Auxiliary transportation equipment" means but is not limited  
 8 to equipment used for transporting students to and from extracurricular  
 9 activities but does not include transportation equipment used for  
 10 transporting students from their homes to school and from school to their  
 11 homes.

12 (B) Auxiliary transportation equipment is not a "school bus".

13 (b) ~~The driver of a~~ A school bus driver shall not operate the school  
 14 bus until every passenger is seated.

15 (c)(1) The superintendent of each public school in this state ~~shall be~~  
 16 is responsible for ensuring that no school bus is scheduled to transport more  
 17 students than can be reasonably seated in the school bus.

18 (2) Any superintendent who knowingly violates subdivision (c)(1)  
 19 of this section shall be guilty of a violation and upon conviction shall be  
 20 fined not less than fifty dollars (\$50.00) nor more than one hundred dollars  
 21 (\$100).

22  
 23 SECTION 4. Arkansas Code § 6-19-122 is amended to read as follows:

24 6-19-122. Safe transportation of school children on buses and other  
 25 vehicles.

26 The Division of Public School Academic Facilities and Transportation or  
 27 its successor shall undertake measures to provide for the safe, reliable, and  
 28 efficient transportation of school children, including, but not limited to,  
 29 the following:

30 (1) Develop and implement:

31 (A) A comprehensive maintenance management program for all  
 32 preventive and other repair or replacement maintenance activities performed,  
 33 including operating and maintenance documentation, on all public school  
 34 buses; and

35 (B) ~~Reasonable life cycle replacement policies to~~  
 36 ~~introduce the latest safety, efficiency, and emissions improvements into each~~

1 ~~school district's school bus fleet~~ Standards for permanently removing school  
2 buses from service; and

3 (2) Ensure that the uniform comprehensive maintenance management  
4 program is adopted and followed by all school districts.

5  
6 SECTION 5. Arkansas Code § 27-49-219(e), concerning definitions of  
7 various types of motor vehicles, is amended to read as follows:

8 (e) As used in this section:

9 (1) "School bus" means: ~~every motor vehicle owned by a public or~~  
10 ~~governmental agency and operated for the transportation of children to or~~  
11 ~~from school or privately owned and operated for compensation for the~~  
12 ~~transportation of children to or from school~~

13 (A) A motor vehicle designed to carry more than ten (10)  
14 passengers owned by a public or governmental agency and operated for the  
15 transportation of students to or from school or school-sponsored activities;  
16 or

17 (B) A motor vehicle designed to carry more than ten (10)  
18 passengers privately owned and operated for compensation for the

19 (2)(A) "Auxiliary transportation equipment" means but is not limited  
20 to equipment used for transporting students to and from extracurricular  
21 activities but does not include transportation equipment used for  
22 transporting students from their homes to school and from school to their  
23 homes.

24 (B) Auxiliary transportation equipment is not a "school  
25 bus".

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27 /s/ Cook  
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