

**HOUSE COMMITTEE AMENDMENTS**

2022 Regular Session

Substitute for Original House Bill No. 380 by Representative Muscarello as proposed by the House Committee on Education

**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To amend and reenact R.S. 17:158(J)(2) and 164.1(A) and R.S. 32:1(14) and (75), 80(B)(1) and (2)(b), 318(B), 328(B), and 378(A) and (B), to enact R.S. 32:80(E), and to repeal R.S. 17:161, relative to school buses; to provide relative to the applicability of certain school bus safety requirements; to provide relative to loading and unloading of students at or near their homes; to provide relative the operation of school busses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:158(J)(2) and 164.1(A) are hereby amended and reenacted to read as follows:

§158. School buses for transportation of students; employment of bus operators; alternative means of transportation; improvement of school bus turnarounds; loading and unloading students

\* \* \*

J. The governing authority of each public school shall adopt policies and procedures or shall make provision in its bus transportation service agreement to do all of the following:

\* \* \*

(2) Prohibit a bus operator from loading or unloading students at or near their homes while the bus is ~~in a traffic lane of any type of street as defined in R.S. 32:1~~ and require that students be loaded or unloaded on a shoulder unless the governing authority determines that loading or unloading on a shoulder is less safe for the student. However, if there is no shoulder or if the shoulder is determined to be less safe, a bus operator may load and unload a student while the bus is in a lane of traffic ~~but only if~~ unless the bus is in the lane farthest to the right side of the road so that

there is not a lane of traffic between the bus and the right-side curb or other edge of the road.

\* \* \*

§164.1. Additional regulations; crossing control device required; compliance

A.(1) In addition to any regulations adopted by the State Board of Elementary and Secondary Education pursuant to the provisions of R.S. 17:164 relative to the construction, design, equipment, and operation of school buses used in the transportation of students, the board also shall adopt rules and regulations in accordance with the Administrative Procedure Act requiring that every bus used in the transportation of students to and from home or school bus stops and acquired after January 1, 1996, shall be equipped with a crossing control device actuated by the operator and operated in conjunction with the stop arm. The crossing control device shall pivot out from the right side of the front bumper to prevent persons from walking directly in front of the bus.

(2) In addition to the rules and regulations required pursuant to Paragraph (1) of this Subsection, the board shall adopt rules and regulations ~~in accordance with the Administrative Procedure Act requiring that every bus used in the transportation of students shall be equipped with a crossing control device~~ as specified in Paragraph (1) of this Subsection by not later than January 1, 2008. The provisions of this Paragraph shall be subject to the appropriation of funds for this purpose.

\* \* \*

Section 2. R.S. 32:1(14) and (75), 80(B)(1) and (2)(b), 318(B), 328(B), and 378(A) and (B) are hereby amended and reenacted and R.S. 32:80(E) is hereby enacted to read as follows:

§1. Definitions

When used in this Chapter, the following words and phrases have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning:

\* \* \*

(14) "Chauffeur" means every person who is employed by another for the principal purpose of driving a motor vehicle, ~~and every person who drives a school bus transporting school children or any motor vehicle when in use for the transportation of persons or property for compensation~~ except for school bus operators.

\* \* \*

(75) "School bus" means every motor vehicle that ~~complies with the color, equipment, and identification requirements set forth in this Chapter~~ and is used to transport ~~children~~ students to and from school or in connection with school activities, but not including ~~buses operated by common carriers in urban transportation of school children~~ a charter bus or transit bus.

(a) ~~"Type I school bus" means any school bus designed to carry more than sixteen pupils at one time.~~

(b) ~~"Type II school bus" means any school bus designed to carry sixteen or less pupils at one time.~~

\* \* \*

§80. Overtaking and passing certain school buses

\* \* \*

B.(1) Every school bus ~~used for the transportation of school children~~ shall bear upon the front and rear thereof the words "SCHOOL BUS" in black letters not less than eight inches in height placed as high as possible without impairment of visibility, and no other lettering shall be visible from the front or rear except the words "emergency exit" shall be painted in black letters at least two inches in height and approximately located near such exit.

\* \* \*

(2)

\* \* \*

(b) The driver of any school bus ~~equipped only with signal lamps as provided in R.S. 32:318(B)(1)~~ shall activate ~~such~~ the amber lamps at least one hundred feet, but not more than five hundred feet, before every stop for which

activation is required and upon stopping shall ~~exhibit the semaphore sign or signs~~ activate the red lamps and the stop signal arms provided for in R.S. 32:318(B)(2) and (3) and the crossing control device as provided in R.S. 17:164.1 and upon resuming motion shall deactivate ~~both the lamps, the stop signal arms, and the semaphore sign or signs~~ crossing control device. The driver of any school bus equipped with signal lamps as provided in R.S. 32:318(B)(4) shall activate the yellow (amber) lights at least one hundred feet, but not more than five hundred feet, before every stop for which activation is required, shall deactivate these lamps upon stopping, shall exhibit the red flashing lamps and ~~semaphore sign or signs~~ while stopped, and upon resuming motion shall deactivate both the lamps and the ~~semaphore sign or signs~~.

\* \* \*

E. For the purposes of this Section, "school bus" means a school bus as defined in R.S. 32:1 that is used to transport students to and from home or school bus stops.

\* \* \*

§318. Audible and visual signals on certain vehicles

\* \* \*

B.(1) Every type I school bus ~~purchased new after the effective date of this Subsection used for the transportation of school children~~ that is used to transport students to and from home or school bus stops shall, in addition to any other equipment and distinctive markings required by this Chapter, be equipped with the following signal lights and devices: four amber and four red school bus signal lamps.

(1) ~~Every type I school bus purchased new after the effective date of this Subsection shall be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level, and these lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight.~~

(2)(a) Every type I school bus ~~purchased new after the effective date of this Subsection~~ that is used to transport students to and from home or school bus stops

~~and that has a rated capacity of sixteen or more passengers including the operator shall also be equipped with two semaphore signs stop signal arms mounted on the left side of the bus, one as near the front of the cab of the bus as practicable and one as near the rear of the body of the bus as practicable, said semaphore signs to be not less than eighteen inches in diameter, painted red, with the word "Stop" on each side thereof in white letters not less than six inches in height. Each semaphore sign shall be a standard octagonal sign containing two flashing red lamps which are visible from both sides of the extended sign. These signs shall be constructed so as to fold back against the side of the bus when at rest and capable of being extended perpendicular to the side of the bus with controls operated by the driver.~~

~~(3) (b) Every type II school bus purchased new after the effective date of this Subsection that is used to transport students to and from home or school bus stops and that has a rated capacity of ten to fifteen passengers including the operator shall also be equipped with at least one semaphore sign which shall comply with the requirements in R.S. 32:318(B)(2) stop signal arm mounted on the left side of the bus.~~

~~(4) Every school bus purchased new after the effective date of this Subsection shall, in addition to the lights required by Subsection B(1), be equipped with yellow signal lamps mounted near each of the four red lamps and at the same level but closer to the vertical center line of the bus, which shall display two alternately flashing yellow lights to the front and two alternately flashing yellow lights to the rear, and these lights shall be visible at five hundred feet in normal sunlight. These lights shall be displayed by the school bus driver at least one hundred feet, but not more than five hundred feet, before (but not during) every stop at which the alternately flashing red lights required by Subsection B(1) shall be activated:~~

~~\* \* \*~~

§328. Special lighting equipment on school buses

~~\* \* \*~~

B. It shall be unlawful to operate any flashing warning signal light on any school bus except when said school bus is stopped or is in the act of coming to a complete stop on a highway for the purpose of permitting school children to board or alight from said school bus, ~~and also, except when any such school bus is stopped or coming to a complete stop on a highway at a crossing of a railroad.~~

\* \* \*

§378. School bus body, hood, bumpers; color of paint; back-up audible alarms

A. Every school bus that is used to transport students to and from home or school bus stops shall be painted national school bus ~~glossy~~ yellow except that the hood shall be painted the same color or lusterless black and its roof may be painted white. Bumpers shall be painted glossy black, except that for increased night visibility they may be covered with a ~~retroreflective~~ retroreflective material.

B. Any school bus acquired for any purpose other than transporting ~~children~~ students to and from home or school bus stops shall be painted a color other than national school bus ~~glossy~~ yellow and all lights, signals, and other devices and any lettering identifying the vehicle as a school bus shall be removed.

\* \* \*

Section 3. R.S. 17:161 is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB Draft

2022 Regular Session

**Abstract:** Provides relative to requirements for school bus equipment and certain procedures for school bus operators.

Present law provides relative to school buses and school bus operators. Proposed law provides revisions of present law, applicable to school buses used for the transportation of public school students, including charter school students, and school bus operators transporting such students.

Specific changes include the following:

- (1) Repeals present law provision requiring loading/unloading a student on the shoulder of a road when at or near the student's home.

- (2) Clarifies that the passenger capacity of school buses includes the school bus operator.
- (3) Requires school buses to be painted "national school bus yellow", formerly known as "national school bus chrome".

(Amends R.S. 17:158(J)(2) and 161(A) and R.S. 32:1(14) and (75), 80(B)(2)(b), 318(B), 328(B), and 378(A) and (B); Adds R.S. 32:80(E))