

2015 Regular Session

HOUSE BILL NO. 695

BY REPRESENTATIVE ABRAMSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/TRANSPORTATION: Provides relative to the loading and unloading of students on to and off of school buses

1 AN ACT

2 To amend and reenact R.S. 17:158(J)(2) and (3) and R.S. 32:80(C), relative to loading and
3 unloading of school buses; to provide relative to restrictions on the location of
4 loading and unloading students; to provide relative to the requirement that other
5 vehicles stop for a school bus that is loading or unloading students; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:158(J)(2) and (3) are hereby amended and reenacted to read as
9 follows:

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

13 * * *

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

17 * * *

18 (2) Prohibit a bus driver from loading or unloading students at or near their
19 homes while the bus is in a traffic lane of any type of street as defined in R.S. 32:1

1 and require that students be loaded or unloaded on a shoulder unless the governing
 2 authority determines that loading or unloading on a shoulder is less safe for the
 3 student. However, if there is no shoulder or if the shoulder is determined to be less
 4 safe, a bus driver may load and unload a student while the bus is in a lane of traffic
 5 but only if the bus is in the lane farthest to the right side of the road so that ~~the~~
 6 ~~student does not need to cross any lane of traffic to get onto or off of the bus there~~
 7 is not a lane of traffic between the bus and the right-side curb or other edge of the
 8 road.

9 (3) Prohibit a bus driver from loading or unloading ~~students~~ a student, ~~either~~
 10 ~~at school or at or near their homes in a manner or in a location that results in students~~
 11 ~~crossing lanes of traffic on a state highway or any other type of street.~~ in a location
 12 on a divided highway as provided in R.S. 32:80 such that a student, in order to walk
 13 between the bus and his home or school, would be required to cross a roadway of the
 14 highway on which traffic is not controlled by the visual signals on the school bus.

15 Section 2. R.S. 32:80(C) is hereby amended and reenacted to read as follows:
 16 §80. Overtaking and passing school buses

17 * * *

18 C. The driver of a vehicle upon a ~~highway with separate roadways~~ divided
 19 highway as defined in R.S. 32:1 need not stop upon meeting or passing a school bus
 20 which is on a different roadway or when upon a controlled access highway and the
 21 school bus is stopped in a loading zone which is a part of or adjacent to such
 22 highway and where pedestrians are not permitted to cross the roadway.

23 * * *

24 Section 3. This Act shall become effective upon signature by the governor or, if not
 25 signed by the governor, upon expiration of the time for bills to become law without signature
 26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 27 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 28 effective on the day following such approval.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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 695 Reengrossed

2015 Regular Session

Abramson

Abstract: Amends certain present law restrictions on where school buses may load/unload students.

Present law requires the governing authority of each public school, including charter schools, to adopt policies or to make provision in bus transportation service agreements relative to the loading/unloading of students.

- (1) At school: Present law prohibits loading/unloading students while the bus is in a traffic lane of a street unless the shoulder of a municipal road is the only available alternative and the municipality has not designated that shoulder for loading/unloading students during school zone hours. Proposed law retains present law.
- (2) At or near home: Present law requires loading/unloading students on a shoulder unless there is no shoulder; if the loading/unloading must occur in a lane of traffic, requires that the bus be in the lane farthest to the right side of the road so that the student does not need to cross any lane of traffic to get onto or off of the bus. Proposed law retains present law except provides that using the shoulder is not required if it is less safe and prohibits loading/unloading where there is a lane of traffic between the bus and the right-side edge of the road rather than prohibiting loading/unloading where a student would have to cross a lane of traffic.
- (3) At school or at or near home: Present law prohibits loading/unloading students in a manner or in a location that results in students crossing lanes of traffic on a state highway or any other type of street. Proposed law instead prohibits loading/unloading in a location on a divided highway such that a student would be required to cross a roadway not controlled by the visual signals on the school bus.

Present law (R.S. 32:80(A)(2)) specifies that a highway with two or more lanes in each direction and a two-way left turn lane is a divided highway with separate roadways, and so oncoming traffic is not required to stop for a bus on such a highway. Proposed law removes this exception from the requirement that vehicles stop for a school bus that is loading/unloading students.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:158(J)(2) and (3) and R.S. 32:80(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Require loading/unloading students at or near their homes on a shoulder unless the shoulder is determined by the school governing authority to be less safe rather than unsafe.
2. Prohibit loading/unloading students at school or at or near their homes on certain roadways instead of certain highways.

The House Floor Amendments to the engrossed bill:

1. Provide that the student cannot be required to cross a roadway where traffic is *not* controlled by the signals on the bus rather than a roadway where traffic is so controlled.