

2022 Regular Session

HOUSE BILL NO. 1081 (Substitute for House Bill No. 380 by Representative Muscarello)

BY REPRESENTATIVE MUSCARELLO

SCHOOLS/TRANSPORTATION: Provides relative to school buses

1 AN ACT

2 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)  
3 and (2)(b), 318(B), 328(B), and 378(A) and (B), to enact R.S. 32:80(E), and to repeal  
4 R.S. 17:161, relative to school buses; to provide relative to the applicability of  
5 certain school bus safety requirements; to provide relative to loading and unloading  
6 of students at or near their homes; to provide relative the operation of school busses;  
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

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

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

14 \* \* \*

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

18 \* \* \*

19 (2) Prohibit a bus operator from loading or unloading students at or near their  
20 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 operator may load and unload a student while the bus is in a lane of traffic~~  
5       ~~but only if~~ unless ~~the bus is in the lane farthest to the right side of the road so that~~  
6       ~~there is not a lane of traffic between the bus and the right-side curb or other edge of~~  
7       ~~the road.~~

\* \* \*

9       §164.1. Additional regulations; crossing control device required; compliance

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

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

\* \* \*

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

1 §1. Definitions

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

5 \* \* \*

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

10 \* \* \*

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

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

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

20 \* \* \*

21 §80. Overtaking and passing certain school buses

22 \* \* \*

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

29 \* \* \*

1 (2)

2 \* \* \*

3 (b) The driver of any school bus ~~equipped only with signal lamps as~~  
4 ~~provided in R.S. 32:318(B)(1)~~ shall activate such the amber lamps at least one  
5 hundred feet, but not more than five hundred feet, before every stop for which  
6 activation is required and upon stopping shall ~~exhibit the semaphore sign or signs~~  
7 activate the red lamps and the stop signal arms provided for in R.S. 32:318(B)(2) and  
8 (3) and the crossing control device as provided in R.S. 17:164.1 and upon resuming  
9 motion shall deactivate ~~both the lamps, the stop signal arms, and the semaphore sign~~  
10 ~~or signs~~ crossing control device. ~~The driver of any school bus equipped with signal~~  
11 ~~lamps as provided in R.S. 32:318(B)(4)~~ shall activate the yellow (amber) lights at  
12 ~~least one hundred feet, but not more than five hundred feet, before every stop for~~  
13 ~~which activation is required, shall deactivate these lamps upon stopping, shall exhibit~~  
14 ~~the red flashing lamps and semaphore sign or signs while stopped, and upon~~  
15 ~~resuming motion shall deactivate both the lamps and the semaphore sign or signs.~~

16 \* \* \*

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

20 \* \* \*

21 §318. Audible and visual signals on certain vehicles

22 \* \* \*

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

28 (1) ~~Every type I school bus purchased new after the effective date of this~~  
29 ~~Subsection shall be equipped with signal lamps mounted as high and as widely~~

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

1 spaced laterally as practicable, which shall be capable of displaying to the front two  
2 alternately flashing red lights located at the same level and to the rear two alternately  
3 flashing red lights located at the same level, and these lights shall have sufficient  
4 intensity to be visible at five hundred feet in normal sunlight.

5 (2)(a) Every ~~type-I~~ school bus purchased new after the effective date of this  
6 Subsection that is used to transport students to and from home or school bus stops  
7 and that has a rated capacity of sixteen or more passengers including the operator  
8 shall also be equipped with two ~~semaphore signs~~ stop signal arms mounted on the  
9 left side of the bus, ~~one as near the front of the cab of the bus as practicable and one~~  
10 ~~as near the rear of the body of the bus as practicable, said semaphore signs to be not~~  
11 ~~less than eighteen inches in diameter, painted red, with the word "Stop" on each side~~  
12 ~~thereof in white letters not less than six inches in height. Each semaphore sign shall~~  
13 ~~be a standard octagonal sign containing two flashing red lamps which are visible~~  
14 ~~from both sides of the extended sign. These signs shall be constructed so as to fold~~  
15 ~~back against the side of the bus when at rest and capable of being extended~~  
16 ~~perpendicular to the side of the bus with controls operated by the driver.~~

17 (3) (b) Every ~~type-H~~ school bus purchased new after the effective date of this  
18 Subsection that is used to transport students to and from home or school bus stops  
19 and that has a rated capacity of ten to fifteen passengers including the operator shall  
20 also be equipped with at least one ~~semaphore sign~~ stop signal arm mounted on the left side of the  
21 bus.

23 (4) ~~Every school bus purchased new after the effective date of this~~  
24 ~~Subsection shall, in addition to the lights required by Subsection B(1), be equipped~~  
25 ~~with yellow signal lamps mounted near each of the four red lamps and at the same~~  
26 ~~level but closer to the vertical center line of the bus, which shall display two~~  
27 ~~alternately flashing yellow lights to the front and two alternately flashing yellow~~  
28 ~~lights to the rear, and these lights shall be visible at five hundred feet in normal~~  
29 ~~sunlight. These lights shall be displayed by the school bus driver at least one~~

1        ~~hundred feet, but not more than five hundred feet, before (but not during) every stop~~  
2        ~~at which the alternately flashing red lights required by Subsection B(1) shall be~~  
3        ~~activated.~~

4                                \*        \*        \*

5        §328. Special lighting equipment on school buses

6                                \*        \*        \*

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

12                               \*        \*        \*

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

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

19                        B. ~~Any school bus acquired for any purpose other than transporting to and~~  
20        ~~from school shall be painted a color other than national school bus yellow and all~~  
21        ~~lights, signals, and other devices and any lettering identifying the vehicle as a school~~  
22        ~~bus shall be removed.~~ Any bus other than a school bus shall be painted a color other  
23        than national school bus yellow and shall not have lights, signals, and other devices  
24        and any lettering identifying the vehicle as a school bus.

25                               \*        \*        \*

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

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**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)]

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HB 1081 Engrossed

2022 Regular Session

Muscarello

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

Present law and proposed law define school bus so that it includes buses used to transport students to and from home or school bus stops as well as buses used to transport students in connection with school activities.

Present law requires that school buses have certain equipment including amber and red signal lamps, stop signal arms, and a crossing control device. Provides relative to the operation of such equipment when a school bus is stopping to load and unload students. Proposed law limits the applicability of present law to school buses used to transport students to and from home or school bus stops.

Present law requires school buses to be painted national school bus yellow.

Present law requires buses used for purposes other than transporting students to and from school to be painted a color other than national school bus yellow. Proposed law makes this requirement applicable to buses that are not school buses as defined by present law and proposed law.

Proposed law repeals present law provision requiring loading/unloading a student on the shoulder of a road when at or near the student's home.

(Amends 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); Adds R.S. 32:80(E); Repeals R.S. 17.161)