

Regular Session, 2014

HOUSE BILL NO. 1146

BY REPRESENTATIVE RICHARD

MTR VEHICLE/BUSES: Requires vehicles in adjacent lanes to stop for all buses loading or unloading passengers

1 AN ACT

2 To enact R.S. 32:84, relative to city buses; to prohibit the passing of city buses during  
3 loading and unloading; to provide for penalties; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 32:84 is hereby enacted to read as follows:

6 §84. Overtaking and passing city buses

7 (1) The driver of a vehicle upon a highway meeting or overtaking from any  
8 direction any city bus that has stopped for the purpose of receiving or discharging  
9 passengers shall stop the vehicle not less than thirty feet from the city bus when the  
10 bus displays visual signals that indicate passengers are entering or leaving the bus.  
11 The driver shall not proceed until the city bus resumes motion or the visual signals  
12 are no longer activated.

13 (2) The driver of any city bus is authorized to notify the appropriate law  
14 enforcement authority of any violation of this Subsection within twenty-four hours  
15 of the violation. This notification shall be in writing on a form provided to the bus  
16 driver by the city, shall be signed by the city bus driver, under penalty of criminal  
17 prosecution, in the presence of two witnesses, and it shall include the license plate  
18 number and color of the vehicle. The notice may be sent to the appropriate law  
19 enforcement agency by mail, fax, or electronically. If mailed, the notice shall be  
20 deemed timely if postmarked the day after the violation.

1           (3) The appropriate authority may issue a citation to the owner or, in the case  
2           of a leased vehicle, the lessee of the vehicle involved, on the basis of this  
3           information. The owner or lessee shall not be cited if the vehicle is stolen, or if  
4           another driver is cited for the violation.

5           (4)(a) Any person who is found guilty of or pleads guilty or nolo contendere  
6           to a violation of the provisions of this Subsection shall be subject to the following  
7           penalties:

8           (i) If the violation does not result in the injury, serious bodily injury, or death  
9           of another person, the offender shall be fined not less than one hundred dollars nor  
10          more than five hundred dollars or imprisoned for not more than six months, or both,  
11          in accordance with the provisions of R.S. 32:398.2 and shall have his driver's license  
12          suspended in accordance with the provisions of R.S. 32:414(A)(2).

13          (ii) If the violation results in the injury of another person, the offender shall  
14          be fined not less than two hundred dollars nor more than five hundred dollars, may  
15          be subjected to a driver's license suspension for a period up to ninety days, or both,  
16          and may be imprisoned for not more than six months.

17          (iii) If the violation results in the serious bodily injury of another person, the  
18          offender shall be fined not less than five hundred dollars nor more than one thousand  
19          dollars, may be subjected to a driver's license suspension of a period up to one  
20          hundred eighty days, or both, and may be subjected to imprisonment up to six  
21          months.

22          (iv) If the violation results in the death of another person, the offender shall  
23          be fined not less than one thousand dollars nor more than five thousand dollars, may  
24          be subjected to a driver's license suspension for the greater of a period up to three  
25          hundred sixty days or as provided in R.S. 32:414(A)(2), or both, and may be subject  
26          to imprisonment up to twelve months.

27          (b) For purposes of this Paragraph, "serious bodily injury" shall mean a  
28          bodily injury which involves unconsciousness, extreme physical pain, or protracted  
29          and obvious disfigurement, protracted loss or impairment of the function of a bodily  
30          member, organ, or mental faculty, or a substantial risk of death.

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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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Richard

HB No. 1146

**Abstract:** Prohibits drivers from passing any city bus that is loading or unloading passengers.

Proposed law prohibits the passing of any city bus that is loading or unloading passengers by any driver. Authorizes city bus drivers to report offenders to the city police. Provides penalties for violations as follows:

- (1) If the violation does not result in the injury, serious bodily injury, or death of another person, the offender will be fined between \$100 and \$500 or imprisoned for not more than six months, or both, and have his driver's license suspended in accordance with the provisions of R.S. 32:414(A)(2).
- (2) If the violation results in the injury of another person, the offender shall be fined between \$200 and \$500, may be subjected to a driver's license suspension for a period up to 90 days, or both, and may be subject to imprisonment up to six months.
- (3) If the violation results in the serious bodily injury of another person, the offender shall be fined between \$500 and \$1,000, may be subjected to a driver's license suspension of a period up to 180 days, or both, and may be subjected to imprisonment up to six months.
- (4) If the violation results in the death of another person, the offender shall be fined not less than \$1,000 nor more than \$5,000 and may be subjected to a driver's license suspension for the greater of a period up to 360 days or as provided in R.S. 32:414(A)(2), or both, and may be subject to imprisonment up to 12 months.

Defines "serious bodily injury" shall mean a bodily injury which involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

(Adds R.S. 32:84)