



2009 ASSEMBLY BILL 352

July 28, 2009 – Introduced by Representatives KRAMER, PASCH, KERKMAN, PETERSEN, TOWNSEND, LEMAHIEU, A. OTT, JORGENSEN, NEWCOMER, SPANBAUER, POPE-ROBERTS, GUNDERSON and GUNDRUM, cosponsored by Senators KEDZIE and DARLING. Referred to Committee on Transportation.

1 **AN ACT** *to repeal* 346.485 (4) (b); and *to consolidate, renumber and amend*
2 346.485 (4) (a) and (c) of the statutes; **relating to:** vehicle owner liability for a
3 vehicle's failure to stop as required for a school bus.

Analysis by the Legislative Reference Bureau

Current law generally requires the driver of a vehicle approaching a school bus that is stopped on a highway and that is displaying flashing red warning lights to stop the vehicle not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the school bus operator extinguishes the warning lights.

Current law also imposes liability on the owner of a vehicle that fails to stop as required for a school bus displaying flashing red warning lights (failure-to-stop violation). If a school bus operator observes a failure-to-stop violation, the school bus operator may prepare a written report that includes specified information. Within 24 hours after the violation, the school bus operator may deliver this report to a traffic officer of the county or municipality in which the failure-to-stop violation occurred. Within 48 hours after receiving the report, the traffic officer may prepare a uniform traffic citation for the owner of the vehicle that failed to stop and may personally serve it on the owner. If with reasonable diligence the owner cannot be personally served, substitute service may be made by leaving a copy of the citation at the owner's usual place of abode with a family member at least 14 years of age. If with reasonable diligence the owner cannot be personally served and substitute service cannot be accomplished, or if the owner lives outside of the jurisdiction of the law enforcement agency issuing the citation, service may be made by certified mail

