



2013 ASSEMBLY BILL 802

February 20, 2014 – Introduced by Representatives JACQUE, BIES, BERCEAU, KAHL, MURPHY and NASS, cosponsored by Senators SCHULTZ and LASSA. Referred to Committee on Transportation.

1 **AN ACT to renumber and amend** 346.49 (2); and **to create** 346.49 (2) (b), (c) and
2 (d) of the statutes; **relating to:** the penalty for failing to stop for a school bus
3 displaying flashing red warning lights and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law requires motorists who approach a school bus that is stopped and displaying flashing red lights to stop their approaching vehicles not less than 20 feet from the bus and to remain stopped until the bus resumes motion or the bus driver extinguishes the flashing red lights, unless the school bus is on the opposite side of a divided highway. With certain exceptions, the operator of a school bus must activate the flashing red lights at least 100 feet before stopping to load or unload pupils or other passengers and may not extinguish these lights until loading or unloading is completed and anyone who must cross the highway is safely across. A motorist who violates the requirement to stop for a school bus displaying flashing red lights may be required to forfeit not less than \$30 nor more than \$300.

This bill creates a penalty enhancement for failure to stop for a school bus displaying flashing red lights if the failure to stop results in bodily harm, great bodily harm, or death to another. Under the bill, the penalty is as follows: 1) if the failure to stop results in bodily harm, the violation is a Class I felony, punishable by a fine not exceeding \$10,000 or imprisonment not exceeding three and one-half years or both; 2) if the failure to stop results in great bodily harm, the violation is a Class H felony, punishable by a fine not exceeding \$10,000 or imprisonment not exceeding six years or both; or 3) if the failure to stop results in death, the violation is a Class G

