

1999 ASSEMBLY BILL 621

December 13, 1999 - Introduced by Representatives SYKORA, KESTELL, STONE, BRANDEMUEHL, RYBA, PETROWSKI, LADWIG, ALBERS, NASS, FREESE, GOETSCH, AINSWORTH, MILLER, PETTIS, OWENS, UNDERHEIM, KELSO, SPILLNER and OTT, cosponsored by Senators DARLING and HUELSMAN. Referred to Committee on Highway Safety.

- 1 **AN ACT to amend** 346.485 (2) (intro.) of the statutes; **relating to:** motor vehicle
2 owner liability for overtaking and passing a school bus on the right.

Analysis by the Legislative Reference Bureau

Current law generally requires motorists to overtake and pass to the left of slower moving vehicles traveling in the same direction. An exception allows passing a vehicle to the right, but only when such passing may be done safely and without driving off the paved portion of the roadway, and only when the overtaken vehicle is making or about to make a left turn or is upon a roadway with unobstructed pavement of sufficient width to accommodate two or more lanes of traffic traveling in the direction in which the passing vehicle is proceeding.

Current law also allows a school bus driver who observes a vehicle unlawfully pass a school bus (passing while the school bus is stopped on the road and is displaying flashing red warning lights) to report the violation to a law enforcement officer. The officer may, after investigating the report, issue a citation to the owner of the vehicle for the violation.

This bill allows a school bus driver who observes a motorist unlawfully pass a school bus to the right to report the violation to a law enforcement officer. The officer may, after investigating the report, issue a citation to the owner of the vehicle for the violation. No demerit points are assessed to a vehicle owner found guilty of the violation. Current law provides the vehicle's owner with exemptions from liability if the vehicle was reported stolen within a reasonable time after the time of the violation; if the owner identifies the driver who committed the violation and the driver admits to driving the vehicle at the time of the violation; or if the owner is a

