

HOUSE BILL REPORT

SSB 5116

*As Reported By House Committee on:
Education*

Title: An act relating to transportation safety.

Brief Description: Allowing school bus drivers to report violators.

Sponsor(s): By Senate Committee on Education (originally sponsored by Senators Murray, Bailey, Thorsness, Gaspard, A. Smith, Rinehart, Madsen, Talmadge, Bauer and Erwin; by request of Task Force on Student Transp. Safety).

Brief History:

Reported by House Committee on:
Education, February 24, 1992, DPA.

**HOUSE COMMITTEE ON
EDUCATION**

Majority Report: *Do pass as amended.* Signed by 18 members: Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Broback; Brumsickle; Carlson; G. Cole; Dorn; P. Johnson; Jones; J. Kohl; Neher; Orr; Rasmussen; Roland; H. Sommers; and Valle.

Staff: Margaret Allen (786-7191).

Background: As the population of Washington has grown, the number of vehicles using the streets has increased as well, resulting in unsafe conditions for children traveling to and from school.

In response to safety concerns, in 1989 the Legislature created the Task Force on Student Transportation Safety to develop recommendations for reducing the dangers that children face traveling to and from school. One of recommendations of the task force was to reduce violations of the school bus stop law. Specifically, the task force recommended that current law be changed to make it easier to prosecute motorists who violate the school bus stop law, and that the feasibility of using a video monitoring system to assist in violator identification be explored.

At this time, school bus drivers or schools report observed violations to the law enforcement agency. School bus drivers have expressed concern that the reports frequently are not pursued by the law enforcement agency. Even when reports are investigated, often the law enforcement agency cannot prosecute because the school bus driver is unable to identify the driver. In those cases, the law enforcement agency may send a letter to the owner of the vehicle.

Current regulations allow school buses to be equipped with hazard strobe lights, but they may only be used when children are on the bus and specified hazardous conditions exist. Several school districts have evidence that suggests that more frequent use of the hazard lights will reduce bus accidents.

Summary of Amended Bill: A school bus driver who decides to report a school bus stop law violation must make a report to a law enforcement agency within 72 hours after the violation occurred. The report must include the time and location of the violation, and a description of the vehicle involved in the violation, including its license plate number.

Law enforcement officers must initiate an investigation of the reported school bus stop law violation within 10 working days after receiving the report. However, failure to investigate within the 10-day period does not prohibit further investigation or prosecution.

The investigating officer must contact the owner of the vehicle involved in the reported violation and ask the owner to identify the driver. If the officer is able to identify the driver and has reasonable cause to believe a violation has occurred, the officer shall issue a notice of traffic infraction to the driver.

The Superintendent of Public Instruction (SPI) must conduct a pilot program in at least one school district to test the feasibility of using video cameras to identify motorists who illegally pass school buses while students are loading and unloading. Findings shall be reported to the Legislature by December 30, 1992.

A school bus may be equipped with a single hazard strobe lamp meeting Washington State Patrol standards and specifications. The hazard strobe lamp may be used when the bus is occupied with school children, or when one or more enumerated hazardous conditions exist.

Amended Bill Compared to Substitute Bill: The original bill contained an appropriation, and did not include permission for a school bus to be equipped with a hazard strobe lamp.

Fiscal Note: Available.

Appropriation: Removed.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed. However, section 3 of this bill is null and void unless funded in the budget.

Testimony For: Since September 1991, 930 school bus stop law violations have been reported by 28 school districts. These violations endanger student safety. A video camera will help identify violators.

Testimony Against: None.

Witnesses: Lynn McKinnon, PSE (supports; also supports state patrol position on hazard strobe light); Don Carnahan, SPI (supports); and Tim Erickson, Washington State Patrol (supports bill; opposes amendment allowing greater use of hazard strobe lights).