

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5116

Chapter 39, Laws of 1992
(partial veto)

52nd Legislature
1992 Regular Session

SCHOOL BUSES--REPORTING VIOLATORS OF SCHOOL BUS STOP LAWS

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 7, 1992
Yeas 47 Nays 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 5, 1992
Yeas 98 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved March 26, 1992, with the
exception of section 4, which is
vetoed.

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
SUBSTITUTE SENATE BILL 5116 as passed
by the Senate and the House of
Representatives on the dates hereon
set forth.

GORDON A. GOLOB

Secretary

FILED

March 26, 1992 - 11:26 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5116

AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

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).

Read first time February 19, 1991.

1 AN ACT Relating to transportation safety; adding new sections to
2 chapter 46.61 RCW; adding a new section to chapter 46.37 RCW; and
3 creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
6 to read as follows:

7 If a law enforcement officer investigating a violation of RCW
8 46.61.370 has reasonable cause to believe that a violation has
9 occurred, the officer may request the owner of the motor vehicle to
10 supply information identifying the driver of the vehicle at the time
11 the violation occurred. When requested, the owner of the motor vehicle
12 shall identify the driver to the best of the owner's ability. The
13 owner of the vehicle is not required to supply identification

1 information to the law enforcement officer if the owner believes the
2 information is self-incriminating.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.61 RCW
4 to read as follows:

5 (1) The driver of a school bus who observes a violation of RCW
6 46.61.370 may prepare a written report on a form provided by the state
7 patrol or another law enforcement agency indicating that a violation
8 has occurred. The driver of the school bus or a school official may
9 deliver the report to a law enforcement officer of the state, county,
10 or municipality in which the violation occurred but not more than
11 seventy-two hours after the violation occurred. The driver shall
12 include in the report the time and location at which the violation
13 occurred, the vehicle license plate number, and a description of the
14 vehicle involved in the violation.

15 (2) The law enforcement officer shall initiate an investigation of
16 the reported violation within ten working days after receiving the
17 report described in subsection (1) of this section by contacting the
18 owner of the motor vehicle involved in the reported violation and
19 requesting the owner to supply information identifying the driver.
20 Failure to investigate within the ten working day period does not
21 prohibit further investigation or prosecution. If, after an
22 investigation, the law enforcement officer is able to identify the
23 driver and has reasonable cause to believe a violation of RCW 46.61.370
24 has occurred, the law enforcement officer shall prepare a notice of
25 traffic infraction and have it served upon the driver of the vehicle.

26 NEW SECTION. **Sec. 3.** The superintendent of public
27 instruction, in cooperation with a least one school district, shall
28 conduct a pilot program to test the feasibility of using video cameras

1 to identify motorists and vehicles that illegally pass school buses
2 when the bus is loading and unloading students. The superintendent
3 shall report his or her findings to the legislature by December 30,
4 1992.

5 ***NEW SECTION.** *Sec. 4. A new section is added to chapter 46.37 RCW
6 to read as follows:*

7
8 *(1) A school bus may be equipped with a single hazard strobe lamp.
9 The lamp must meet the standards and specifications established by the
10 chief of the Washington state patrol and must be mounted on the center
11 line of the roof in the rear one-half of the bus, but no closer than
12 six feet from the rear of the bus measured from a vertical plane
13 tangent to the rearmost point of the bus body.*

14 *(2) A hazard strobe lamp may be used when the bus is occupied with
15 school children or when one or more of the following conditions exist:*

16 *(a) The bus is in motion in inclement, sight-obscuring conditions,
17 including but not limited to, rain, fog, snow, and smoke;*

18 *(b) There is a need to improve the visibility of the bus when
19 stopping on, standing on, or starting onto a highway; or*

20 *(c) There is limited visibility caused by geographic hazards,
21 including but not limited to, winding roadways, hills, trees, and
22 buildings.*

23 **Sec. 4 was vetoed, see message at end of chapter.*

24 **NEW SECTION.** **Sec. 5.** If specific funding for the purposes of
25 section 3 of this act, referencing this act by bill number, is not
26 provided by June 30, 1992, in the omnibus appropriations act, section
27 3 of this act shall be null and void.

Passed the Senate March 7, 1992.

Passed the House March 5, 1992.

Approved by the Governor March 26, 1992, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 26, 1992.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 4, Substitute Senate Bill No. 5116 entitled:

"AN ACT Relating to transportation safety."

Substitute Senate Bill No. 5116 is the product of work by the task force on school bus safety. It includes several excellent provisions to assist law enforcement personnel in enforcing school bus stop laws and enhancing school bus safety. I applaud and fully support these provisions.

However, section 4 would change current Washington State Patrol rules to allow school buses to utilize their hazard strobe lamps regardless of whether it is warranted by hazardous conditions. Studies indicate that overuse of hazard warning lights ultimately diminishes their effectiveness. For this reason, I have vetoed section 4 of Substitute Senate Bill No. 5116.

With the exception of section 4, Substitute Senate Bill No. 5116 is approved."