

HOUSE BILL NO. 763

INTRODUCED BY EUDAILY, LORY, GOULD, ELLIS

IN THE HOUSE

February 12, 1979	Introduced and referred to Committee on Education and Cultural Resources.
February 16, 1979	Committee recommend bill do pass. Report adopted.
February 17, 1979	Second reading, do pass.
February 19, 1979	Considered correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

February 20, 1979	Introduced and referred to Committee on Education.
March 3, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 6, 1979	Second reading, concurred in.
March 9, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 10, 1979	Returned from second house. Concurred in as amended.
March 14, 1979	Second reading, amendments adopted.
March 15, 1979	Third reading, amendments adopted. Sent to enrolling. Reported correctly enrolled.

1 House BILL NO. 763 DL
 2 INTRODUCED BY Ernie Long Ellis
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 61-8-351, MCA, TO REQUIRE DRIVERS TO STOP FOR SCHOOL BUSES
 6 DISPLAYING FLASHING RED SIGNALS IN TOWNS OR CITIES AND TO
 7 REQUIRE SCHOOL BUS DRIVERS TO ACTUATE AMBER AND RED WARNING
 8 LIGHTS WITHIN CITIES OR TOWNS."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 61-8-351, MCA, is amended to read:

12 "61-8-351. Meeting or passing school bus. (1) The
 13 driver of a vehicle upon a highway or street either inside
 14 or outside the corporate limits of any city or town upon
 15 meeting or overtaking from either direction any school bus
 16 which has stopped on the highway or street for the purpose
 17 of receiving or discharging any school children shall stop
 18 the vehicle not less than 10 feet before reaching such
 19 school bus when there is in operation on said bus a visual
 20 flashing red signal as specified in 61-9-402 and said driver
 21 shall not proceed until the children have entered the school
 22 bus or have alighted and reached the side of the highway or
 23 street on which they live and until such school bus resumes
 24 motion or the driver has signaled traffic to proceed. In
 25 addition the driver of a vehicle must slow and proceed with

1 caution when meeting or overtaking from either direction any
 2 school bus which is preparing to stop on the highway or
 3 street for the purpose of receiving or discharging any
 4 school children as indicated by flashing amber lights as
 5 specified in 61-9-402.

6 (2) Every bus used for the transportation of school
 7 children shall bear upon the front and rear thereof plainly
 8 visible signs containing the words "SCHOOL BUS" in letters
 9 not less than 8 inches in height, and in addition shall be
 10 equipped with visual signals meeting the requirements of
 11 61-9-402. Amber flashing lights shall be actuated by the
 12 driver approximately 150 feet in cities and approximately
 13 500 feet in other areas before the bus is stopped to receive
 14 or discharge school children on the highway or street. Red
 15 lights shall be actuated by the driver of said school bus
 16 whenever but only whenever such vehicle is stopped on the
 17 highway or street whether inside or outside the corporate
 18 limits of any city or town for the purpose of receiving or
 19 discharging school children.

20 (3) When a school bus is being operated upon a highway
 21 for purposes other than the actual transportation of
 22 children either to or from school all markings thereon
 23 indicating "SCHOOL BUS" shall be covered or concealed.

24 (4) The driver of a vehicle upon a highway with
 25 separate roadways need not stop upon meeting or passing a

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1 school bus which is on a different roadway or when upon a
2 controlled-access highway and the school bus is stopped in a
3 loading zone which is a part of or adjacent to such highway
4 and where pedestrians are not permitted to cross the
5 roadway."

-End-

House BILL NO. *763*
Ernie Long

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13 500 feet in other areas before the bus is stopped to receive
14 or discharge school children on the highway or street. Red
15 lights shall be actuated by the driver of said school bus
16 whenever but only whenever such vehicle is stopped on the
17 highway or street whether inside or outside the corporate
18 limits of any city or town for the purpose of receiving or
19 discharging school children. HOWEVER, A SCHOOL DISTRICT
20 BOARD OF TRUSTEES MAY, IN ITS DISCRETION, ADOPT A POLICY
21 PROHIBITING THE OPERATION OF AMBER OR RED LIGHTS WHEN A BUS
22 IS STOPPED AT THE SCHOOL SITE FOR PURPOSES OF RECEIVING OR
23 DISCHARGING SCHOOL CHILDREN AND SUCH RECEIPT OR DISCHARGE
24 DOES NOT INVOLVE STREET CROSSING BY THE CHILDREN; AND SUCH
25 LIGHTS MAY NOT BE OPERATED IN VIOLATION OF SUCH A POLICY.

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1 (3) When a school bus is being operated upon a highway
2 for purposes other than the actual transportation of
3 children either to or from school all markings thereon
4 indicating "SCHOOL BUS" shall be covered or concealed.

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6 separate roadways need not stop upon meeting or passing a
7 school bus which is on a different roadway or when upon a
8 controlled-access highway and the school bus is stopped in a
9 loading zone which is a part of or adjacent to such highway
10 and where pedestrians are not permitted to cross the
11 roadway."

-End-

SENATE STANDING COMMITTEE REPORT
(Education)

That House Bill No. 763 be amended as follows:

1. Title, line 7.

Following: line 6

Strike: "REQUIRE"

Insert: "CLARIFY WHEN"

Following: "DRIVERS"

Insert: "ARE"

2. Page 2, line 19.

Following: "children."

Insert: "However, a school district board of trustees may, in its discretion, adopt a policy prohibiting the operation of amber or red lights when a bus is stopped at the school site for purposes of receiving or discharging school children and such receipt or discharge does not involve street crossing by the children; and such lights may not be operated in violation of such a policy."