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**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
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CHAPTER 276

HOUSE BILL 2389

AN ACT

AMENDING SECTIONS 28-672, 28-857 AND 28-930, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL BUSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-672, Arizona Revised Statutes, is amended to
3 read:

4 28-672. Accidents and moving violations; serious physical
5 injury; death; penalties

6 A. A person is responsible for a civil traffic violation if the person
7 violates any one of the following and the violation results in an accident
8 causing serious physical injury as defined in section 13-105 to another
9 person:

- 10 1. Section 28-645, subsection A, paragraph 3, subdivision (a).
- 11 2. Section 28-772.
- 12 3. Section 28-792.
- 13 4. Section 28-794.
- 14 5. Section 28-797, subsection E or G.
- 15 6. Section 28-855, subsection B.
- 16 7. SECTION 28-857, SUBSECTION A.

17 B. A person who violates subsection A of this section is subject to a
18 civil penalty of up to five hundred dollars, the person shall attend and
19 successfully complete traffic survival school training and educational
20 sessions that are designed to improve the safety and habits of drivers and
21 that are approved by the department and the court shall report the judgment
22 to the department and may direct the department to suspend the person's
23 driving privilege for ninety days. In addition, the court may order the
24 person to perform community restitution.

25 C. A person is responsible for a civil traffic violation if the person
26 violates any one of the following and the violation results in an accident
27 causing death to another person:

- 28 1. Section 28-645, subsection A, paragraph 3, subdivision (a).
- 29 2. Section 28-772.
- 30 3. Section 28-792.
- 31 4. Section 28-794.
- 32 5. Section 28-797, subsection E or G.
- 33 6. Section 28-855, subsection B.
- 34 7. SECTION 28-857, SUBSECTION A.

35 D. A person who violates subsection C of this section shall pay a
36 civil penalty of one thousand dollars, the person shall attend and
37 successfully complete traffic survival school training and educational
38 sessions that are designed to improve the safety and habits of drivers and
39 that are approved by the department and the court shall report the judgment
40 to the department and may direct the department to suspend the person's
41 driving privilege for one hundred eighty days. In addition, the court may
42 order the person to perform community restitution.

43 E. If a person's driving privilege is suspended pursuant to any other
44 statute because of an incident involving a violation of subsection A or C of

1 this section, the suspension period prescribed in subsection B or D of this
2 section shall run concurrently with the other suspension period.

3 F. If a person fails to successfully complete traffic survival school
4 training and educational sessions or perform community restitution pursuant
5 to subsection B or D of this section, the court shall notify the department
6 and the department shall promptly suspend the driver license or permit of the
7 driver or the privilege of a nonresident to drive a motor vehicle in this
8 state until the order is satisfied.

9 Sec. 2. Section 28-857, Arizona Revised Statutes, is amended to read:

10 28-857. School bus signs; overtaking and passing school bus;
11 violation; driver license suspension

12 A. On meeting or overtaking from either direction a school bus that
13 has stopped on the highway, the driver of a vehicle on a highway shall:

14 1. Stop the vehicle before reaching the school bus, if the school bus
15 is displaying the signal as provided in subsection D and if alternately
16 flashing lights are in use.

17 2. Not proceed until the school bus resumes motion or the signal and
18 alternately flashing lights are no longer displayed.

19 B. A bus used for the transportation of school children shall have on
20 the front and rear of the bus a plainly visible sign containing the words
21 "school bus" in letters not less than eight inches in height. ~~If a school~~
22 ~~bus is operated on a highway for a purpose other than the actual~~
23 ~~transportation of children either to or from school, all markings indicating~~
24 ~~"school bus" shall be covered or concealed.~~

25 C. A SCHOOL BUS OPERATED ON A HIGHWAY SHALL COVER OR CONCEAL ALL
26 MARKINGS INDICATING "SCHOOL BUS" UNLESS THE BUS IS OPERATED FOR THE
27 TRANSPORTATION OF CHILDREN TO OR FROM ANY OF THE FOLLOWING:

- 28 1. SCHOOL.
- 29 2. SCHOOL SPONSORED ACADEMIC ACTIVITIES.
- 30 3. SCHOOL SPONSORED VOCATIONAL AND TECHNOLOGICAL EDUCATION.
- 31 4. SCHOOL SPONSORED ATHLETIC TRIPS.
- 32 5. SCHOOL SPONSORED EXTRACURRICULAR ACTIVITIES.

33 ~~C~~ D. A bus used for the transportation of school children shall have
34 a signal with the word "stop" printed on both sides in white letters not less
35 than five inches high on a red background. The signal shall be an eighteen
36 inch reflectorized octagon. The operator of the school bus shall:

37 1. Manually operate the signal in a manner so that the signal is
38 clearly visible from both front and rear when extended from the left of the
39 body of the bus.

40 2. Display the signal and alternately flashing lights if passengers
41 are being received or discharged while the bus is stopped on the roadway.

42 ~~D~~ E. The driver of a vehicle on a highway with separate roadways
43 need not stop on meeting or passing a school bus that is:

- 44 1. On a different roadway.

1 2. On a controlled access highway and the school bus is stopped in a
2 loading zone that is a part of or adjacent to the highway and where
3 pedestrians are not permitted to cross the roadway.

4 ~~E.~~ F. For the purposes of subsection ~~D~~ E, a lane or group of lanes
5 on either side of a two-way left turn lane is not considered a separate
6 roadway.

7 ~~F. A person who violates subsection A is guilty of a class 3~~
8 ~~misdemeanor. For a second conviction within one year the person is guilty of~~
9 ~~a class 2 misdemeanor. On a third or subsequent conviction within one year~~
10 ~~after the last conviction the person is guilty of a class 1 misdemeanor.~~

11 ~~G. The judge or justice of the peace hearing the case may suspend for~~
12 ~~not more than six months the driver license of a person convicted of a second~~
13 ~~or subsequent violation of subsection A.~~

14 G. A PERSON WHO IS RESPONSIBLE FOR A VIOLATION OF SUBSECTION A OF THIS
15 SECTION IS SUBJECT TO A CIVIL PENALTY AS FOLLOWS:

16 1. THE COURT SHALL IMPOSE A MINIMUM CIVIL PENALTY OF TWO HUNDRED FIFTY
17 DOLLARS FOR THE FIRST VIOLATION.

18 2. IF A PERSON VIOLATES THIS SECTION A SECOND TIME WITHIN A PERIOD OF
19 THIRTY-SIX MONTHS, THE COURT SHALL IMPOSE A MINIMUM CIVIL PENALTY OF SEVEN
20 HUNDRED FIFTY DOLLARS AND SHALL DIRECT THE DEPARTMENT TO SUSPEND THE DRIVER
21 LICENSE OF THE PERSON FOR NOT MORE THAN SIX MONTHS.

22 3. IF A PERSON VIOLATES THIS SECTION THREE OR MORE TIMES WITHIN A
23 PERIOD OF THIRTY-SIX MONTHS, THE COURT SHALL IMPOSE A MINIMUM CIVIL PENALTY
24 OF ONE THOUSAND DOLLARS AND SHALL DIRECT THE DEPARTMENT TO SUSPEND THE DRIVER
25 LICENSE OF THE PERSON FOR AT LEAST SIX MONTHS BUT NOT MORE THAN ONE YEAR.

26 Sec. 3. Section 28-930, Arizona Revised Statutes, is amended to read:
27 28-930. School bus lighting equipment; standards and
28 specifications

29 A. The director may adopt standards and specifications applicable to
30 lighting equipment on and special warning devices to be carried by school
31 buses consistent with and supplemental to this article. The standards and
32 specifications may designate and permit the use of alternately flashing
33 warning signal lights on school buses for the purpose of indicating when
34 children are boarding or alighting from a school bus. The standards and
35 specifications shall correlate with and, as far as possible, conform to the
36 current specifications as approved by the society of automotive engineers.

37 B. A person shall operate an alternately flashing warning signal light
38 on any school bus when the school bus is a minimum of one hundred feet ~~of~~
39 FROM a stop or is stopped on a highway for the purpose of permitting school
40 children to board or alight from it.

41 C. A school bus may be equipped with alternately flashing red strobe
42 lamps on the octagonal signal manually operated by the school bus operator
43 pursuant to section 28-857, subsection ~~E~~ D.

APPROVED BY THE GOVERNOR MAY 16, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2006.