

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**HOUSE BILL 1400**  
**Committee Substitute Favorable 5/17/05**

Short Title: School Bus Safety Act.

(Public)

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Sponsors:

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Referred to:

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April 21, 2005

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR PASSING A STOPPED SCHOOL BUS AND TO MAKE SCHOOL BUS STOPS SAFER.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-217 reads as rewritten:

"(a) The driver of any vehicle upon approaching from any direction on the same street, highway, or public vehicular area any school bus (including privately owned buses transporting children and school buses transporting senior citizens under G.S. 115C-243), while the bus is displaying its mechanical stop signal or flashing red stoplights, and is stopped for the purpose of receiving or discharging passengers, shall bring the vehicle to a full stop ~~before passing or attempting to pass the bus,~~ and shall remain stopped until the mechanical stop signal has been withdrawn, the flashing red stoplights have been turned off, and the bus has moved ~~on~~ on before passing or attempting to pass the bus.

(b) The provisions of this section are applicable only in the event the school bus bears upon the front and rear a plainly visible sign containing the words ~~"school bus" in letters not less than eight inches in height.~~ 'school bus.'

(c) Notwithstanding the provisions of subsection (a) of this section, the driver of a vehicle traveling in the opposite direction from the school bus, upon any road, highway or city street which has been divided into two roadways, so constructed as to separate vehicular traffic between the two roadways by an intervening space (including a center lane for left turns if the roadway consists of at least four more lanes) or by a physical barrier, need not stop upon meeting and passing any school bus which has stopped in the roadway across such dividing space or physical barrier.

(d) It shall be unlawful for any school bus driver to stop and receive or discharge passengers or for any principal or superintendent of any school, routing a school bus, to authorize the driver of any school bus to stop and receive or discharge passengers upon any roadway described by subsection (c) of this section where passengers would be required to cross the roadway to reach their destination or to board the bus; provided,

1 that passengers may be discharged or received at points where pedestrians and vehicular  
2 traffic are controlled by adequate stop-and-go traffic signals.

3 (e) ~~Any~~ Except as provided in subsection (g) of this section, any person violating  
4 the provisions of this section shall be guilty of a Class 2~~1~~ misdemeanor.

5 (f) Expired.

6 (g) Any person who violates subsection (a) of this section and willfully strikes  
7 any person causing serious bodily injury to that person shall be guilty of a Class I  
8 felony."

9 **SECTION 2.** This act becomes effective December 1, 2005, and applies to  
10 offenses committed on or after that date.