

2015 Regular Session

HOUSE BILL NO. 695

BY REPRESENTATIVE ABRAMSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/TRANSPORTATION: Provides relative to the loading and unloading of students on to and off of school buses

1 AN ACT

2 To amend and reenact R.S. 17:158(J)(2) and (3) and R.S. 32:80(C), relative to loading and
3 unloading of school buses; to provide relative to restrictions on the location of
4 loading and unloading students; to provide relative to the requirement that other
5 vehicles stop for a school bus that is loading or unloading students; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:158(J)(2) and (3) are hereby amended and reenacted to read as
9 follows:

10 §158. School buses for transportation of students; employment of bus operators;
11 alternative means of transportation; improvement of school bus turnarounds;
12 loading and unloading students

13 * * *

14 J. The governing authority of each public school shall adopt policies and
15 procedures or shall make provision in its bus transportation service agreement to do
16 all of the following:

17 * * *

18 (2) Prohibit a bus driver from loading or unloading students at or near their
19 homes while the bus is in a traffic lane of any type of street as defined in R.S. 32:1

1 and require that students be loaded or unloaded on a shoulder unless the governing
 2 authority determines that loading or unloading on a particular shoulder is unsafe for
 3 the student and so provides in its transportation plan. However, if there is no
 4 shoulder or if the shoulder is determined to be unsafe, a bus driver may load and
 5 unload a student while the bus is in a lane of traffic but only if the bus is in the lane
 6 farthest to the right side of the road so that ~~the student does not need to cross any~~
 7 ~~lane of traffic to get onto or off of the bus~~ there is not a lane of traffic between the
 8 bus and the right-side curb or other edge of the road.

9 (3) Prohibit a bus driver from loading or unloading ~~students~~ a student, either
 10 at school or at or near ~~their homes~~ his home, on a highway as described in R.S.
 11 32:80(C) in a manner or in a location that ~~results in students crossing lanes~~ would
 12 require the student to cross a lane of traffic on a state on the highway or any other
 13 type of street in order to reach his school or home.

14 Section 2. R.S. 32:80(C) is hereby amended to read as follows:

15 §80. Overtaking and passing school buses

16 * * *

17 C. The driver of a vehicle upon a ~~highway with separate roadways~~ divided
 18 highway as defined in R.S. 32:1 need not stop upon meeting or passing a school bus
 19 which is on a different roadway or when upon a controlled access highway and the
 20 school bus is stopped in a loading zone which is a part of or adjacent to such
 21 highway and where pedestrians are not permitted to cross the roadway.

22 * * *

23 Section 3. This Act shall become effective upon signature by the governor or, if not
 24 signed by the governor, upon expiration of the time for bills to become law without signature
 25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 26 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 27 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 695 Original

2015 Regular Session

Abramson

Abstract: Limits certain present law restrictions on where school buses may load/unload students.

Present law requires the governing authority of each public school, including charter schools, to adopt policies or to make provision in bus transportation service agreements to:

- (1) Prohibit school bus drivers from loading/unloading students at school while the bus is in a traffic lane of a street unless the shoulder of a municipal road is the only available alternative and the municipality has not designated that shoulder for loading/unloading students during school zone hours. Proposed law retains present law.
- (2) Requires loading/unloading students near their homes on a shoulder unless there is no shoulder; if the loading/unloading must occur in a lane of traffic, requires that the bus be in the lane farthest to the right side of the road so that the student does not need to cross any lane of traffic to get onto or off of the bus. Proposed law retains present law except to provide that using the shoulder is not required if it is not safe and to prohibit the bus from loading/unloading where there is a lane of traffic between the bus and the right-side edge of the road rather than prohibiting loading/unloading where a student would have to cross a lane of traffic.

Present law also prohibits school bus drivers from loading/unloading, either at school or at or near homes, in a manner or in a location that results in students crossing lanes of traffic on a state highway or any other type of street. Proposed law limits the applicability of this prohibition to certain highways where a vehicle is not required to stop for a bus that is loading/unloading as follows:

Present law generally requires vehicles to stop when they meet a school bus that is stopped to load/unload students. Present law (R.S. 32:80(C)) provides, however, that a vehicle is not required to stop if it is traveling on a divided highway in a roadway separate from where the bus is stopped. Proposed law limits the applicability of present law regarding where school buses may load/unload students so as to prohibit loading/unloading only on a divided highway in a location that would require the student to cross lanes of traffic on the divided highway. Where traffic is required to stop for the bus, students needing to cross the street could be loaded/unloaded.

Present law (R.S. 32:80(A)(2)) specifies that a highway with two or more lanes in each direction and a two-way left turn lane is a divided highway with separate roadways, and so oncoming traffic is not required to stop for a bus on such a highway. Proposed law removes this exception from the requirement that vehicles stop for a school bus that is loading/unloading students.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:158(J)(2) and (3) and R.S. 32:80(C))