

2022 Regular Session

HOUSE BILL NO. 380

BY REPRESENTATIVE MUSCARELLO

SCHOOLS/TRANSPORTATION: Provides relative to school buses

1 AN ACT

2 To amend and reenact R.S. 17:158(J)(2) and 161(A) and R.S. 32:1(14) and (75),  
3 80(B)(2)(b), 318(B), 328(B), and 378(A) and (B) and to enact R.S. 17:161(C) and  
4 164.1(C) and R.S. 32:80(E), relative to school buses; to require certain school bus  
5 equipment and paint colors; to provide relative to loading and unloading of students  
6 at or near their homes; to provide for definitions of school buses based on rated  
7 capacity; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:158(J)(2) and 161(A) are hereby amended and reenacted and R.S.  
10 17:161(C) and 164.1(C) are hereby enacted to read as follows:

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

14 \* \* \*

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

18 \* \* \*

19 (2) Prohibit a bus operator from loading or unloading students at or near their  
20 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 shoulder is less safe for the~~  
 3        ~~student. However, if there is no shoulder or if the shoulder is determined to be less~~  
 4        ~~safe, a bus operator may load and unload a student~~ or while the bus is in a lane of  
 5        traffic ~~but only if~~ unless the bus is in the lane farthest to the right side of the road so  
 6        that there is not a lane of traffic between the bus and the right-side curb or other edge  
 7        of the road.

\* \* \*

9        §161. School bus ~~chrome~~ paint requirements; options

10        A. In order to promote the public safety of ~~children~~ students being  
 11        transported by school bus, all school buses that are used to transport students to and  
 12        from home and school on daily routes shall be painted national school bus ~~chrome~~  
 13        yellow. ~~The State Board of Elementary and Secondary Education shall designate the~~  
 14        ~~shade of national school bus chrome to be used.~~ No other buses used to transport  
 15        students shall be painted the same shade of national school bus ~~chrome~~ yellow ~~as that~~  
 16        ~~designated by the State Board of Elementary and Secondary Education as the shade~~  
 17        ~~of national school bus chrome to be used by the school buses.~~

\* \* \*

19        C. Multifunction school activity buses shall not be painted national school  
 20        bus yellow.

\* \* \*

22        §164.1. Additional regulations; crossing control device required; compliance

\* \* \*

24        C. Multifunction school activity buses are exempt from the requirements of  
 25        Subsections A and B of this Section.

1 Section 2. R.S. 32:1(14) and (75), 80(B)(2)(b), 318(B), 328(B), and 378(A) and (B)  
2 are hereby amended and reenacted and R.S. 32:80(E) is hereby enacted to read as follows:

3 §1. Definitions

4 When used in this Chapter, the following words and phrases have the  
5 meanings ascribed to them in this Section, unless the context clearly indicates a  
6 different meaning:

7 \* \* \*

8 (14) "Chauffeur" means every person who is employed by another for the  
9 principal purpose of driving a motor vehicle, ~~and every person who drives a school~~  
10 ~~bus transporting school children or any motor vehicle when in use for the~~  
11 ~~transportation of persons or property for compensation~~ except for school bus  
12 operators.

13 \* \* \*

14 (75) "School bus" means every motor vehicle that ~~complies with the color,~~  
15 ~~equipment, and identification requirements set forth in this Chapter~~ and is used to  
16 transport ~~children~~ students to and from school or in connection with school activities,  
17 but not including buses operated by common carriers in urban transportation of  
18 ~~school children~~ students.

19 (a) ~~"Type I school bus" means any school bus designed to carry more than~~  
20 ~~sixteen pupils at one time.~~

21 (b) ~~"Type II school bus" means any school bus designed to carry sixteen or~~  
22 ~~less pupils at one time.~~

23 \* \* \*

24 §80. Overtaking and passing school buses

25 \* \* \*

26 B.

27 \* \* \*

28 (2)

29 \* \* \*

1 (b) The driver of any school bus ~~equipped only with signal lamps as~~  
 2 ~~provided in R.S. 32:318(B)(1)~~ shall activate such the amber lamps at least one  
 3 hundred feet, but not more than five hundred feet, before every stop for which  
 4 activation is required and upon stopping shall ~~exhibit the semaphore sign or signs~~  
 5 activate the red lamps and the stop signal arms provided for in R.S. 32:318(B)(2) and  
 6 (3) and the crossing control device as provided in R.S. 17:164.1 and upon resuming  
 7 motion shall deactivate ~~both the lamps, the stop signal arms, and the semaphore sign~~  
 8 ~~or signs~~ crossing control device. The driver of any school bus equipped with signal  
 9 lamps as provided in R.S. 32:318(B)(4) shall activate the yellow (amber) lights at  
 10 least one hundred feet, but not more than five hundred feet, before every stop for  
 11 which activation is required, shall deactivate these lamps upon stopping, shall exhibit  
 12 the red flashing lamps and semaphore sign or signs while stopped, and upon  
 13 resuming motion shall deactivate both the lamps and the semaphore sign or signs.

14 \* \* \*

15 E. The provisions of this Section do not apply to multifunction school  
 16 activity buses.

17 \* \* \*

18 §318. Audible and visual signals on certain vehicles

19 \* \* \*

20 B. Every ~~type-I~~ school bus ~~purchased new after the effective date of this~~  
 21 ~~Subsection used for the transportation of school children~~ shall, in addition to any  
 22 other equipment and distinctive markings required by this Chapter, be equipped with  
 23 the following signal lights and devices:

24 (1) Every ~~type-I~~ school bus ~~purchased new after the effective date of this~~  
 25 ~~Subsection~~ shall be equipped with four amber and four red school bus signal lamps  
 26 ~~mounted as high and as widely spaced laterally as practicable, which shall be capable~~  
 27 ~~of displaying to the front two alternately flashing red lights located at the same level~~  
 28 ~~and to the rear two alternately flashing red lights located at the same level, and these~~  
 29 ~~lights shall have sufficient intensity to be visible at five hundred feet in normal~~

1 ~~sunlight.~~ The school bus operator shall activate the amber lamps not less than one  
2 hundred feet, but not more than five hundred feet, before each school bus stop  
3 location. Upon stopping, the school bus operator shall activate the red lamps, the  
4 stop signal arm, and the crossing control device. He shall keep them activated  
5 throughout the loading and unloading processes.

6 (2) Every ~~type-I~~ school bus ~~purchased new after the effective date of this~~  
7 ~~Subsection~~ with a rated capacity of sixteen or more passengers, including the school  
8 bus operator, shall be equipped with two ~~semaphore signs~~ stop signal arms mounted  
9 on the left side of the bus, ~~one as near the front of the cab of the bus as practicable~~  
10 ~~and one as near the rear of the body of the bus as practicable,~~ said semaphore signs  
11 ~~to be not less than eighteen inches in diameter, painted red, with the word "Stop" on~~  
12 ~~each side thereof in white letters not less than six inches in height. Each semaphore~~  
13 ~~sign shall be a standard octagonal sign containing two flashing red lamps which are~~  
14 ~~visible from both sides of the extended sign. These signs shall be constructed so as~~  
15 ~~to fold back against the side of the bus when at rest and capable of being extended~~  
16 ~~perpendicular to the side of the bus with controls operated by the driver.~~

17 (3) Every ~~type-H~~ school bus ~~purchased new after the effective date of this~~  
18 ~~Subsection~~ with a rated capacity of ten to fifteen passengers, including the school bus  
19 operator, shall be equipped with at least one ~~semaphore sign which shall comply with~~  
20 ~~the requirements in R.S. 32:318(B)(2)~~ stop signal arm mounted on the left side of the  
21 bus.

22 (4) ~~Every school bus purchased new after the effective date of this~~  
23 ~~Subsection shall, in addition to the lights required by Subsection B(1), be equipped~~  
24 ~~with yellow signal lamps mounted near each of the four red lamps and at the same~~  
25 ~~level but closer to the vertical center line of the bus, which shall display two~~  
26 ~~alternately flashing yellow lights to the front and two alternately flashing yellow~~  
27 ~~lights to the rear, and these lights shall be visible at five hundred feet in normal~~  
28 ~~sunlight. These lights shall be displayed by the school bus driver at least one~~  
29 ~~hundred feet, but not more than five hundred feet, before (but not during) every stop~~

1 at which the alternately flashing red lights required by Subsection B(1) shall be  
2 activated: The provisions of Paragraphs (1) and (2) of this Subsection do not apply  
3 to multifunction school activity buses.

4 \* \* \*

5 §328. Special lighting equipment on school buses

6 \* \* \*

7 B. It shall be unlawful to operate any flashing warning signal light on any  
8 school bus except when said school bus is stopped or is in the act of coming to a  
9 complete stop on a highway for the purpose of permitting school children to board  
10 or alight from said school bus, ~~and also, except when any such school bus is stopped~~  
11 ~~or coming to a complete stop on a highway at a crossing of a railroad.~~

12 \* \* \*

13 §378. School bus body, hood, bumpers; color of paint; back-up audible alarms

14 A.(1) Every school bus shall be painted national school bus ~~glossy yellow~~  
15 except that the hood shall be painted the same color or lusterless black and its roof  
16 may be painted white. Bumpers shall be painted glossy black, except that for  
17 increased night visibility they may be covered with a ~~retroreflective~~ retroreflective  
18 material.

19 (2) The provisions of this Subsection do not apply to multifunction school  
20 activity buses.

21 B. Any school bus acquired for any purpose other than transporting ~~children~~  
22 students to and from home and school on daily routes shall be painted a color other  
23 than national school bus ~~glossy yellow~~ and all lights, signals, and other devices and  
24 any lettering identifying the vehicle as a school bus shall be removed.

25 \* \* \*

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**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)]

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HB 380 Original

2022 Regular Session

Muscarello

**Abstract:** Provides relative to requirements for school bus equipment and certain procedures for school bus operators.

Present law provides relative to school buses and school bus operators. Proposed law provides revisions of present law, applicable to school buses used for the transportation of public school students, including charter school students, and school bus operators transporting such students.

Specific changes include the following:

- (1) Repeals present law provision requiring loading/unloading a student on the shoulder of a road when at or near the student's home.
- (2) Exempts certain busses from requirements that buses be equipped with certain safety features: amber lights, red lights, crossing control devices, and stop signal arms.
- (3) Clarifies that the passenger capacity of school buses includes the school bus operator.
- (4) Requires school buses to be painted "national school bus yellow", formerly known as "national school bus chrome".

(Amends R.S. 17:158(J)(2) and 161(A) and R.S. 32:1(14) and (75), 80(B)(2)(b), 318(B), 328(B), and 378(A) and (B); Adds R.S. 17:161(C) and 164.1(C) and R.S. 32:80(E))