

HOUSE BILL REPORT

ESHB 1174

As Amended by the Senate

Title: An act relating to transportation safety.

Brief Description: Allowing school bus drivers to report drivers who fail to stop.

Sponsor(s): By House Committee on Education (originally sponsored by Representatives Holland, Cole, Peery, Brumsickle, G. Fisher, Brough, Valle, Rasmussen, Phillips, Jones, Dorn, P. Johnson, Padden, Appelwick, Jacobsen, Winsley, Pruitt, Inslee, Ogden, Ballard, Wood, R. Johnson, Vance, Sheldon, Day, Spanel, Leonard, Broback, Paris, Rust, Scott, Haugen, Hine, Cantwell, Rayburn, Edmondson, Basich, Mitchell, Betrozoff, Nealey, Miller, Bowman, Moyer, Fraser, O'Brien, Sprenkle, Tate and McLean; by request of Task Force on Student Transportation Safety).

Brief History:

Reported by House Committee on:
Education, February 14, 1991, DPS;
Passed House, March 15, 1991, 98-0;
Amended by Senate.

**HOUSE COMMITTEE ON
EDUCATION**

Majority Report: *That Substitute House Bill No. 1174 be substituted therefor, and the substitute bill do pass.*

Signed by 18 members: Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Staff: Susan Kirkpatrick (786-7291).

Background: The Task Force on Student Transportation Safety was established in 1989 to develop recommendations for reducing the dangers that children face as they travel to and from school. One of its recommendations is to reduce violations of the school bus stop law.

At this time, school bus drivers file a report of a violation with a law enforcement agency if they observe a

violation. School bus drivers have complained that the reports are often not pursued by the law enforcement agency. If they are pursued, often the law enforcement agency can not prosecute because the school bus driver is unable to identify the driver. In those cases, the law enforcement agency sends a letter to the owner of the vehicle.

Summary of Bill: If school bus drivers decide to report a school bus stop law violation, they must make a report to a law enforcement agency within 72 hours after the violation occurred and the report must include the time and location at which the violation occurred, the vehicle license plate number, and description of the vehicle involved in the violation. Law enforcement officers must initiate an investigation of the reported school bus stop law violation within ten calendar days after receiving the report by contacting the owner of the vehicle involved in the violation and asking the owner to identify the driver of the vehicle at the time of the violation. The owner is required to identify the driver unless the owner believes the information is self-incriminating. If the investigating officer is able to identify the driver and has reasonable cause to believe a violation has occurred, the law enforcement officer must issue a citation.

The superintendent of public instruction is required to review the current use of aides on special education buses and to provide to the education committees of the House and Senate recommended guidelines, with associated fiscal impacts for increasing the use of aides on special education buses, by December 1, 1991.

EFFECT OF SENATE AMENDMENT(S): Failure to investigate within the 10-working-day period does not prohibit further investigation or prosecution of a school bus stop violation. The Superintendent of Public Instruction (SPI), in cooperation with at least one school district, is required to conduct a pilot program to test the feasibility of using video cameras to identify motorists and vehicles violating the school bus stop law and to report his or her findings to the Legislature by December 30, 1992. The sum of \$45,000 is appropriated to SPI for the video camera pilot project.

Fiscal Note: Requested January 31, 1991.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill will simplify the procedure for issuing citations for and prosecuting school bus stop law violations. One of the reasons prosecutions are often unsuccessful is that it is commonly very difficult for a

school bus driver to identify the driver committing the school bus stop law violation. The video camera pilot program is important in order to determine if video cameras in buses would improve the success in identifying the drivers.

Testimony Against: None.

Witnesses: Gary Tollefson, PTA (in favor); and Jim Justin, Association of Washington Cities (in favor but suggested that the time requirement relating to when a law enforcement officer must initiate an investigation after receiving a violation report be changed from seven calendar days to ten working days). Note: The recommended change was incorporated in the substitute bill.

VOTE ON FINAL PASSAGE:

Yeas 98; Nays 0; Excused 0