

SENATE BILL REPORT

ESHB 1174

AS REPORTED BY COMMITTEE ON EDUCATION, MARCH 26, 1991

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

SPONSORS: 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 Transp. Safety).

HOUSE COMMITTEE ON EDUCATION

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Bailey, Chairman; Erwin, Vice Chairman; Craswell, Murray, Oke, Pelz, Rinehart, A. Smith, and Talmadge.

Staff: Susan Mosborg (786-7439)

Hearing Dates: March 25, 1991; March 26, 1991

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. Another is to provide additional resources for special education buses.

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 cannot 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:

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 a 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 working 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 shall develop recommendations for increasing the use of aides on special education buses and submit findings to the Legislature by December 1, 1991.

Appropriation: none

Revenue: none

Fiscal Note: available

SUMMARY OF PROPOSED SENATE AMENDMENT:

Failure of law enforcement to begin investigating a reported school bus law violation within the ten working day requirement does not limit subsequent investigation or prosecution of the offense.

The Superintendent of Public Instruction shall conduct a pilot program to test the feasibility of using video cameras to identify motorists who illegally pass school buses during loading and unloading. The pilot shall involve at least one school district. Findings shall be reported to the Legislature December 30, 1992.

\$45,000 is appropriated from the general fund to the Superintendent of Public Instruction for the video camera pilot project.

TESTIMONY FOR:

In some school districts, school bus drivers are asked to report violations of the school bus law but are never asked to identify the driver, which indicates that the reports are not being investigated. Many bus drivers stop reporting violators out of frustration. There is supposed to be a \$250 fine for the violation, but local drivers are not aware of anyone who has ever been fined.

Aides on special education buses would be beneficial. The video camera pilot project would also be a big deterrent to chronic violators of the school bus stop law.

Violations of the school bus stop law are a problem that has been identified for several years. This bill would make prosecution easier. It is one measure that will improve student safety.

TESTIMONY AGAINST: None

TESTIFIED FOR: Rep. Bruce Holland; Sharen Marsall, school bus driver; Don Carnahan, Office of the Superintendent of Public Instruction