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**SUBSTITUTE SENATE BILL 5470**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Rossi, Hargrove, Benton, Sellar, Morton, Winsley, Finkbeiner, Oke, Hochstatter, Long, Swecker, Johnson, Zarelli and Strannigan)

Read first time 03/07/97.

1 AN ACT Relating to passing school buses; amending RCW 46.61.370,  
2 46.61.440, and 46.37.193; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.370 and 1990 c 241 s 8 are each amended to read  
5 as follows:

6 (1) The driver of a vehicle upon overtaking or meeting from either  
7 direction any school bus which has stopped on the roadway for the  
8 purpose of receiving or discharging any school children shall stop the  
9 vehicle before reaching such school bus when there is in operation on  
10 said school bus a visual signal as specified in RCW 46.37.190 and said  
11 driver shall not proceed until such school bus resumes motion or the  
12 visual signals are no longer activated.

13 (2) The driver of a vehicle upon a highway divided into separate  
14 roadways as provided in RCW 46.61.150 need not stop upon meeting a  
15 school bus which is proceeding in the opposite direction and is stopped  
16 for the purpose of receiving or discharging school children.

17 (3) The driver of a vehicle upon a highway with three or more  
18 marked traffic lanes need not stop upon meeting a school bus which is

1 proceeding in the opposite direction and is stopped for the purpose of  
2 receiving or discharging school children.

3 (4) The driver of a school bus shall actuate the visual signals  
4 required by RCW 46.37.190 only when such bus is stopped on the roadway  
5 for the purpose of receiving or discharging school children.

6 (5) The driver of a school bus may stop completely off the roadway  
7 for the purpose of receiving or discharging school children only when  
8 the school children do not have to cross the roadway. The school bus  
9 driver shall actuate the hazard warning lamps as defined in RCW  
10 46.37.215 before loading or unloading school children at such stops.

11 (6) A person found to have committed an infraction of subsection  
12 (1) of this section shall be assessed a monetary penalty equal to twice  
13 the total penalty assessed under RCW 46.63.110. This penalty may not  
14 be waived, reduced, or suspended. Fifty percent of the money so  
15 collected shall be deposited into the school zone safety account in the  
16 custody of the state treasurer and disbursed in accordance with RCW  
17 46.61.440(3).

18 **Sec. 2.** RCW 46.61.440 and 1996 c 114 s 1 are each amended to read  
19 as follows:

20 (1) Subject to RCW 46.61.400(1), and except in those instances  
21 where a lower maximum lawful speed is provided by this chapter or  
22 otherwise, it shall be unlawful for the operator of any vehicle to  
23 operate the same at a speed in excess of twenty miles per hour when  
24 operating any vehicle upon a highway either inside or outside an  
25 incorporated city or town when passing any marked school or playground  
26 crosswalk when such marked crosswalk is fully posted with standard  
27 school speed limit signs or standard playground speed limit signs. The  
28 speed zone at the crosswalk shall extend three hundred feet in either  
29 direction from the marked crosswalk.

30 (2) A person found to have committed any infraction relating to  
31 speed restrictions within a school or playground speed zone shall be  
32 assessed a monetary penalty equal to twice the penalty assessed under  
33 RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

34 (3) The school zone safety account is created in the custody of the  
35 state treasurer. Fifty percent of the moneys collected under  
36 subsection (2) of this section shall be deposited into the account.  
37 Expenditures from the account may be used only by the Washington  
38 traffic safety commission solely to fund projects in local communities

1 to improve school zone safety, pupil transportation safety, and student  
2 safety in school bus loading and unloading areas. Only the director of  
3 the traffic safety commission or the director's designee may authorize  
4 expenditures from the account. The account is subject to allotment  
5 procedures under chapter 43.88 RCW, but no appropriation is required  
6 for expenditures until July 1, 1999, after which date moneys in the  
7 account may be spent only after appropriation.

8 **Sec. 3.** RCW 46.37.193 and 1995 c 141 s 2 are each amended to read  
9 as follows:

10 Every school bus and private carrier bus, in addition to any other  
11 equipment or distinctive markings required by this chapter, shall bear  
12 upon the front and rear thereof, above the windows thereof, plainly  
13 visible signs containing only the words "school bus" on a school bus  
14 and only the words "private carrier bus" on a private carrier bus in  
15 letters not less than eight inches in height, and in addition shall be  
16 equipped with visual signals meeting the requirements of RCW 46.37.190.  
17 School districts may affix signs designed according to RCW 46.61.380  
18 informing motorists of the monetary penalty for failure to stop for a  
19 school bus when the visual signals are activated.

20 However, a private carrier bus that regularly transports children  
21 to and from a private school or in connection with school activities  
22 may display the words "school bus" in a manner provided in this section  
23 and need not comply with the requirements set forth in the most recent  
24 edition of "Specifications for School Buses" published by the  
25 superintendent of public instruction.

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