

# STATE OF NEW YORK

8329

## IN SENATE

January 18, 2024

Introduced by Sen. RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the passing of stopped school buses on divided highways with four or more lanes and the location of school bus stops on divided highways with four or more lanes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions (a) and (b) of section 1174 of the vehicle and  
2 traffic law, as amended by chapter 597 of the laws of 1990, are amended  
3 to read as follows:

4 (a) The driver of a vehicle upon a public highway, street or private  
5 road upon meeting or overtaking from either direction any school bus  
6 marked and equipped as provided in subdivision twenty of section three  
7 hundred seventy-five of this chapter which has stopped on the public  
8 highway, street or private road for the purpose of receiving or  
9 discharging any passengers, or which has stopped because a school bus in  
10 front of it has stopped to receive or discharge any passengers, shall  
11 stop the vehicle before reaching such school bus when there is in opera-  
12 tion on said school bus a red visual signal as specified in subdivision  
13 twenty of section three hundred seventy-five of this chapter and said  
14 driver shall not proceed until such school bus resumes motion, or until  
15 signaled by the driver or a police officer to proceed; provided, howev-  
16 er, the requirements of this subdivision shall not apply to the driver  
17 of a vehicle traveling in the opposite direction of a school bus on a  
18 divided highway which, for purposes of this section, shall be defined as  
19 a road with four or more lanes where there is a physical barrier between  
20 different directions of travel. For the purposes of this section, and in  
21 addition to the provisions of section one hundred thirty-four of this  
22 chapter, the term "public highway" shall mean any area used for the  
23 parking of motor vehicles or used as a driveway located on the grounds  
24 of a school or of a board of cooperative educational services facility  
25 or any area used as a means of access to and egress from such school or  
26 facility.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 (b) [~~The~~] Except on a divided highway as defined in subdivision (a) of  
2 this section, the driver of such school bus, when receiving or discharg-  
3 ing passengers who must cross a public highway, street or private road,  
4 shall instruct such passengers to cross in front of the bus and the  
5 driver thereof shall keep such school bus halted with red signal lights  
6 flashing until such passengers have reached the opposite side of such  
7 highway, street or private road. Whether such passengers are crossing  
8 such highway, street or private road or discharging to the same side of  
9 such highway, street or private road, the driver of such bus shall keep  
10 such school bus halted with red signal lights flashing until such  
11 passengers are at least fifteen feet from the bus and either off the  
12 highway, street or private road or on a sidewalk.  
13 § 2. This act shall take effect immediately.