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:

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

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

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

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(b) [~~The~~] **Except on a divided highway as defined in subdivision (a) of this section, the** driver of such school bus, when receiving or discharging passengers who must cross a public highway, street or private road, shall instruct such passengers to cross in front of the bus and the driver thereof shall keep such school bus halted with red signal lights flashing until such passengers have reached the opposite side of such highway, street or private road. Whether such passengers are crossing such highway, street or private road or discharging to the same side of such highway, street or private road, the driver of such bus shall keep such school bus halted with red signal lights flashing until such passengers are at least fifteen feet from the bus and either off the highway, street or private road or on a sidewalk.

§ 2. This act shall take effect immediately.