

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1814 Session of
2015

INTRODUCED BY KORTZ, RAVENSTAHL, THOMAS, V. BROWN, HELM,
McNEILL, D. COSTA, FARINA, DeLUCA, O'BRIEN, COHEN, MURT AND
MILNE, JANUARY 28, 2016

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 28, 2016

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in pupils and attendance, prohibiting
6 certain unsafe operation of school buses and school vehicles.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 1361.1. Unsafe Operation of School Buses.--(a) No
13 individual may consume food or beverages or operate a cellular
14 telephone while operating a school bus or a school vehicle on
15 any trafficway when the bus or vehicle is in motion and is
16 transporting one or more children.

17 (b) The prohibition in subsection (a) shall not apply when
18 the school bus or school vehicle is parked in a safe area off of
19 a trafficway as defined in 75 Pa.C.S. § 102 (relating to

definitions), the consumption of food or beverages is necessary
for a medical condition, or in an emergency situation as
specified in subsection (d).

(c) A person who violates this section commits a summary
offense and shall, upon conviction, be sentenced to pay a fine
of not less than fifty dollars (\$50) nor more than one hundred
dollars (\$100). The fine shall be three hundred dollars (\$300)
if the violation causes a vehicular accident.

(d) For purposes of this section:

"Cellular telephone" shall mean a cellular, analog, wireless
or digital two-way communication device that:

(1) Requires the operator to dial numbers or operate
manually.

(2) Includes radio-telephone communications used in cellular
telephone service, personal communication service or the
functional equivalent of a radio-telephone communications line
used in cellular telephone service or a personal communication
service.

The term does not include a two-way radio, a citizens band radio
or a citizens band radio hybrid.

"Emergency situation" shall include an occasion where a call
is made to:

(1) An emergency system response operator or 911 public
safety communications dispatcher.

(2) A hospital or emergency room.

(3) A physician's office or health clinic.

(4) An ambulance or fire department rescue service.

(5) A fire department or volunteer fire department.

(6) A police department.

(7) A school district building or central dispatch.

1 (8) Emergency roadside assistance agencies or towing or
2 repair businesses.

3 "School bus" shall have the same meaning as under 75 Pa.C.S.
4 § 102 (relating to definitions).

5 "School vehicle" shall have the same meaning as under 75
6 Pa.C.S. § 102 (relating to definitions).

7 Section 2. This act shall take effect in 60 days.