
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2882 Session of
1986

INTRODUCED BY PETRARCA, J. L. WRIGHT, TRELLO, STABACK, FOX,
FREIND AND McCALL, NOVEMBER 18, 1986

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 18, 1986

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, prohibiting drivers of overtaking vehicles from
3 passing school buses with flashing amber signal lights;
4 requiring drivers of oncoming vehicles to slow their vehicles
5 upon meeting school buses with flashing amber lights; further
6 providing for the duty to stop for school buses with actuated
7 red signal lights on divided highways; and establishing
8 points for passing and for failure to slow for school buses
9 with flashing amber lights.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Sections 1535 and 3345 of Title 75 of the
13 Pennsylvania Consolidated Statutes are amended to read:

14 § 1535. Schedule of convictions and points.

15 (a) General rule.--A point system for driver education and
16 control is hereby established which is related to other
17 provisions for use, suspension and revocation of the operating
18 privilege as specified under this title. Every driver licensed
19 in this Commonwealth who is convicted of any of the following
20 offenses shall be assessed points as of the date of violation in
21 accordance with the following schedule:

1	Section Number	Offense	Points
2	1512	Violation of restriction on	
3		driver's license.	2
4	1571	Violations concerning licenses.	3
5	3102	Failure to obey policeman or	
6		authorized person.	2
7	3112(a)(3)(i)	Failure to stop for a red light.	3
8	3114(a)(1)	Failure to stop for a flashing	
9		red light.	3
10	3302	Failure to yield half of roadway	
11		to oncoming vehicle.	3
12	3303	Improper passing.	3
13	3304	Other improper passing.	3
14	3305	Other improper passing.	3
15	3306(a)(1)	Other improper passing.	4
16	3306(a)(2)	Other improper passing.	3
17	3306(a)(3)	Other improper passing.	3
18	3307	Other improper passing.	3
19	3310	Following too closely.	3
20	3321	Failure to yield to driver on the	
21		right at intersection.	3
22	3322	Failure to yield to oncoming	
23		driver when making left turn.	3
24	3323(b)	Failure to stop for stop signs.	3
25	3324	Failure to yield when entering or	
26		crossing roadway between inter-	
27		sections.	3
28	3332	Improper turning around.	3
29	3341	Failure to stop for flashing red	
30		lights or gate at railroad	

1		crossing.	3
2	3344	Failure to stop when entering from	
3		alley, driveway or building.	3
4	3345(a)	Failure to stop for school bus	
5		with flashing red lights.	5
6		(and 60 days suspension	
7		<u>for first offense, 90</u>	
8		<u>days suspension for</u>	
9		<u>second offense)</u>	
10	<u>3345(b)(1)</u>	<u>Failure to slow down when meeting</u>	
11		<u>school bus with flashing amber</u>	
12		<u>lights.</u>	5
13		(and 60 days suspension	
14		<u>for first offense, 90</u>	
15		<u>days suspension for</u>	
16		<u>second offense)</u>	
17	<u>3345(b)(2)</u>	<u>Passing school bus with flashing</u>	
18		<u>amber lights.</u>	5
19		(and 60 days suspension	
20		<u>for first offense, 90</u>	
21		<u>days suspension for</u>	
22		<u>second offense)</u>	
23	<u>3345(g)</u>	<u>Failure to slow down when passing</u>	
24		<u>school bus with flashing amber</u>	
25		<u>lights.</u>	5
26		(and 60 days suspension	
27		<u>for first offense, 90</u>	
28		<u>days suspension for</u>	
29		<u>second offense)</u>	
30	3361	Driving too fast for conditions.	2

1	3362	Exceeding maximum speed.--Over Limit:	
2		6-10	2
3		11-15	3
4		16-25	4
5		26-30	5
6		31-over	5
7		(and departmental hearing	
8		and sanctions provided	
9		under section 1538(d))	
10	3365(b)	Exceeding special speed limit	
11		in school zones.	3
12	3365(c)	Exceeding special speed limit	
13		for trucks on downgrades.	3
14	3542(a)	Failure to yield to pedestrians in	
15		crosswalk.	2
16	3547	Failure to yield to pedestrian on	
17		sidewalk.	3
18	3549(a)	Failure to yield to blind	
19		pedestrian.	3
20	3702	Improper backing.	3
21	3714	Reckless driving.	3
22	3745	Leaving scene of accident	
23		involving property damage only.	4

24 (b) Multiple offenses from same act.--If a driver is
 25 convicted of two or more offenses as a result of the same act,
 26 points shall be assessed only for the offense for which the
 27 greatest number of points may be assessed.

28 (c) No points after six months.--The department shall assign
 29 points to the record of any person within six months from the
 30 date of a conviction. Any points assigned after such six-month

1 period shall be null and void.

2 (d) Exception.--This section does not apply to a person who
3 was operating a pedalcycle or an animal drawn vehicle.

4 § 3345. Meeting or overtaking school bus.

5 (a) Duty of approaching driver when red signals are
6 flashing.--Except as provided in subsection (g), the driver of a
7 vehicle meeting or overtaking any school bus stopped on the
8 highway shall stop at least ten feet before reaching the school
9 bus when the red signal lights on the school bus are flashing.
10 The driver shall not proceed until the flashing red signal
11 lights are no longer actuated. In no event shall a driver of a
12 vehicle resume motion of the vehicle until the school children
13 who may have alighted from the school bus have reached a place
14 of safety.

15 (a.1) Reports by school bus operators.--

16 (1) The operator of a school bus who observes a
17 violation of [subsection (a)] subsections (a) and (b) may
18 prepare a signed, written report which indicates that a
19 violation has occurred. To the extent possible, the report
20 shall include the following information:

21 (i) Information, if any, pertaining to the identity
22 of the alleged violator.

23 (ii) The license number and color of the vehicle
24 involved in the violation.

25 (iii) The time and approximate location at which the
26 violation occurred.

27 (iv) Identification of the vehicle as an automobile,
28 station wagon, motor truck, motor bus, motorcycle or
29 other type of vehicle.

30 (2) Within 48 hours after the violation occurs, the

1 school bus operator shall deliver a copy of the report to a
2 police officer having authority to exercise police power in
3 the area where the violation occurred. If the police officer
4 believes that the report establishes a sufficient basis for
5 the issuance of a citation, the officer shall file a citation
6 and the report with the issuing authority. If the issuing
7 authority determines that the report and citation establish a
8 sufficient basis for the issuance of a summons, a summons
9 shall be issued in accordance with general rules governing
10 the institution of proceedings in summary traffic offense
11 cases. The issuing authority shall send the defendant a copy
12 of the citation, together with a statement that it was filed
13 by the police officer named in the citation on the basis of
14 information received.

15 (3) A person may institute a proceeding pursuant to this
16 subsection or in accordance with any means authorized by the
17 Rules of Criminal Procedure.

18 (b) Duty of approaching driver when amber signals are
19 flashing.--

20 (1) The driver of [a] an oncoming vehicle meeting [or
21 overtaking] any school bus with flashing amber signal lights
22 shall reduce his speed to 15 miles per hour, shall proceed
23 past the school bus with caution and shall be prepared to
24 stop [when the amber signal lights are flashing].

25 (2) The driver of a vehicle overtaking any school bus
26 with flashing amber signal lights may not pass the school
27 bus, shall slow his vehicle to a speed commensurate with that
28 of the school bus and shall be prepared to stop.

29 (c) Use of red signals.--The red visual signals shall be
30 actuated by the driver of every school bus whenever the vehicle

1 is stopped on the highway for the purpose of receiving or
2 discharging school children, except as provided in subsections
3 (e) and (f). The signals shall not be terminated until the
4 school children who may have alighted from the school bus have
5 reached a place of safety or until boarding school children have
6 completed boarding the bus.

7 (d) Use of amber signals.--The amber visual signals shall be
8 actuated by the driver of every school bus [not more than 300
9 feet nor less than] 150 feet prior to making a stop for the
10 purpose of receiving or discharging school children and shall
11 remain in operation until the red visual signals are actuated.
12 Amber signals shall not be used unless the red visual signals
13 are to be actuated immediately following.

14 (e) Limitations on use of signals.--The visual signals
15 required in the regulations shall not be actuated on streets in
16 urban districts designated by the department or local
17 authorities, at intersections or other places where traffic is
18 controlled by uniformed police officers or appropriately attired
19 persons authorized to direct, control or regulate traffic, or in
20 school bus loading areas designated by the department or local
21 authorities when the bus is entirely off the roadway.

22 (f) Operation for nonschool purposes.--When a school bus is
23 being operated upon a highway for purposes other than the actual
24 transportation of school children to or from school or in
25 connection with school activities, all markings indicating
26 "SCHOOL BUS" shall be covered or concealed. During such
27 operation, the flashing visual signals shall not be actuated.

28 (f.1) Use of school buses for transportation of disabled
29 persons.--Whenever a school bus is being used upon the highway
30 for the transportation of disabled persons exclusively and the

1 school bus is equipped with red signal lights, the driver of the
2 school bus may actuate the signal lights in the same manner as
3 set forth in this section regarding the transportation of school
4 children. The driver of a vehicle approaching the school bus
5 shall have the same duties regarding stopping, passing and
6 overtaking as he does with respect to a school bus carrying
7 school children.

8 (g) Exceptions from stopping requirements.--The driver of a
9 vehicle upon a highway with separate roadways need not stop upon
10 meeting [or passing] a school bus with actuated red signal
11 lights which is on a different roadway but shall reduce the
12 speed of his vehicle to one-half the posted speed limit. The
13 driver of a vehicle overtaking a school bus on such a highway
14 may pass the bus but shall reduce the speed of his vehicle to 15
15 miles per hour. All vehicles approaching a school bus which has
16 actuated red signal lights and is stopped on such a highway
17 shall look for children crossing the roadway and shall be
18 prepared to stop their vehicles if necessary to avoid hitting a
19 child.

20 (h) Loading zones for school children.--Every school
21 district transporting school children by school bus shall
22 establish and maintain school bus loading zones at or near all
23 schools to or from which school children are transported and
24 shall establish school bus loading zones along the highways
25 traversed by school buses in accordance with regulations
26 promulgated by the department.

27 (i) Mandatory use of loading zones.--Whenever school bus
28 loading zones have been established at or near a school or along
29 a highway, it is unlawful for a school bus operator to stop the
30 bus to pick up or discharge school children at any location

1 other than at the loading zones. A list of approved loading
2 zones for the route of the bus shall be carried by the operator.

3 (j) Penalty.--

4 (1) Any person violating subsection [(a) or] (f.1) [is
5 guilty of] commits a summary offense and shall, upon
6 conviction, be sentenced to pay a fine of \$100.

7 (2) Any person violating subsection (a), (b) or (g)
8 commits a misdemeanor of the third degree and shall be
9 sentenced as follows:

10 (i) To pay a fine of \$500 upon conviction for a
11 first offense.

12 (ii) To pay a fine of \$1,000 upon conviction for a
13 second offense.

14 (iii) To undergo imprisonment for 30 days upon
15 conviction for a third offense.

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