

Information from the County Attorney's Office
By Steven J. Franzen, Campbell County Attorney

PASSING SCHOOL BUSES

With schools back in session, it may be helpful to review Kentucky's laws concerning passing school buses.

Prior to stopping a school bus for picking up or letting off children, a bus driver is required to activate amber flashing signal lamps. Once the bus comes to a complete stop, the bus driver is required to extend the stop arm and activate the red flashing signal lights prior to opening the door of the bus. Bus drivers are only supposed to stop the buses in locations where there is reasonable visibility to approaching motor vehicles in both directions. Also, a bus driver is not permitted to stop a bus to pick up or discharge children on the opposite side of a highway of four lanes or more, except for discharging passengers at a marked pedestrian crossing.

If a school or church bus is stopped for the purpose of picking up or letting out passengers with the stop arm and signal lights activated, the operator of any vehicle approaching from any direction must stop for the bus and shall not proceed until the bus has completely let out or picked up all passengers and started moving. However, these stopping requirements do not apply to vehicles approaching a stopped bus from the opposite direction upon a highway of four (4) or more lanes. For example, if you are approaching a school bus from the opposite direction on the four lane sections of U. S. 27, Dixie Highway, Burlington Pike, or other four lane roads, you do not have to stop. On all two lane roads, the traffic must stop in both directions.

In order to help deter people from illegally passing school buses and to catch violators, Kentucky law provides that if any vehicle improperly passes a stopped school bus and the identity of the operator can not be determined, it is a rebuttable presumption that the person in whose name the vehicle is registered or leased was the operator of the vehicle at the time of the violation. Therefore, if the bus driver or someone else gets the license plate number of a vehicle that improperly passes a school bus, charges can be issued against the registered owner or the person who is leasing the vehicle. If that person was not in fact the driver, they would need to come into court and prove such. For instance, if one of your children was driving your car and illegally passed a school bus, you could be charged and you would have to come in to court to explain that it was your child and not you. In all likelihood, your child would then be charged with passing the school bus.

Passing a school bus illegally is considered a very serious offense under Kentucky law. The penalty for a first offense is a fine of \$100 to \$200 and/or 30 to 60 days in jail. For any subsequent offense within three years, the penalty is from \$300 to \$500 and/or 60 days to 6 months in jail. In addition, a conviction for passing a school bus results in six points being assessed against your driver's license.

We all know how students, especially very young children, sometimes run to and from a school bus without checking traffic. We all need to be extremely careful when approaching a school bus from any direction that is loading or unloading children. It seems like every year in Kentucky and other parts of the country children are struck while heading to or from a school bus resulting in death or serious physical injury.

I hope this information is interesting and helpful. If you have any topics you would like to have covered in this column, please contact my office by e-mail at campbellcoatty@gmail.com, by phone at 491-7700 or by regular mail addressed to 319 York Street, Newport, Kentucky 41071.