RESOLUTION #7

ILLEGAL PASSING OF SCHOOL BUSES

WHEREAS the members and partners of the National Association of State Directors of Pupil Transportation Services (NASDPTS) believe it is critical to achieve the goal of zero fatalities to students during transportation to and from school and school activities, and

WHEREAS students transported by school buses continue to be most vulnerable during the school trip when they are outside the bus as it is approaching, at, or leaving the stop location, and

WHEREAS traffic safety records verify that a significant proportion of the serious injuries and fatalities to students during this phase of the school trip result from collisions involving motorists who have violated the law by passing the bus while it is displaying its flashing red student warning lights with the stop arm(s) deployed, and

WHEREAS data on the prevalence of illegal passing has been and will continue to be important in guiding student transportation professionals and policy makers at local, state, and federal levels to understand the significance of the problem and to develop improved safety countermeasures, and

WHEREAS the vendor community has responded to this issue in recent years with the introduction of numerous video recording and processing solutions, and

WHEREAS there is currently no comprehensive national inventory of the 50 states’ laws and rules on when and under what specific circumstances motorists must stop for stopped school buses or on the penalties and consequences that are applied for violations and what evidence – video or otherwise - is required to achieve a conviction for a violation, therefore

BE IT RESOLVED that NASDPTS encourages all local and state directors of student transportation to help the Association by coordinating the data collection for the third annual survey of illegal passing to take place in the spring of 2013 in order to achieve participation by an even higher proportion of the nation’s one-half million school bus driving professionals, and

BE IT FURTHER RESOLVED that NASDPTS encourages all state directors of transportation to complete an additional survey administered by the Association to provide an inventory of all state laws and rules to include at a minimum the following:

a) Required driving behavior of motorists who encounter stopped school buses, from either direction, including the specific circumstances when a vehicle does NOT have to stop from each direction;
b) Penalties and consequences for violations – both criminal and civil;
c) Admissibility of video evidence for prosecution – both criminal and civil

d) Evidence needed by law enforcement and court systems in order to issue citations and impose consequences for violations – both criminal and civil.

Passed October 29, 2012, Memphis, Tennessee at annual NASDPTS Conference