



HOUSE BILL 233: Evidence Passed Vehicle is a School Bus

2015-2016 General Assembly

Committee:	House Transportation, if favorable, Appropriations	Date:	April 17, 2015
Introduced by:	Reps. Lambeth, Hanes	Prepared by:	Giles S. Perry Committee Counsel
Analysis of:	First Edition		

SUMMARY: House Bill 233 sets out in State law two methods to prove that a vehicle is, in fact, a "school bus" in a criminal case alleging that a person has unlawfully passed a stopped a school bus.

CURRENT LAW: Current G.S. 20-217 requires a drivers of a motor vehicle to stop for a school bus¹ displaying its stop signal or flashing red lights.

BILL ANALYSIS: Section 1 of House Bill 233 amends current G.S. 20-217 to specify two ways to prove, *prima facie*, that a vehicle is, in fact, a "school bus" at the time of a violation of this statute:

- A certified copy of a record from the Division showing the vehicle was registered as a school bus at the time of the violation. A certified copy of a record under this subdivision shall be admissible as evidence without further authentication.
- Testimony from the school bus driver, a passenger on the school bus, or the law enforcement officer investigating the violation.

Section 2 of the bill:

- appropriates \$700,000 from the General Fund to the Department of Public Instruction in nonrecurring funds for the 2015-2016 fiscal year for allocation to local boards of education for the purpose of purchasing and installing automated camera and video recording systems on school buses. The Department of Public Instruction is directed to develop a policy to prioritize the allocation of funds under this section.
- requires that a grant provided under the bill be matched on the basis of one dollar (\$1.00) in grant funds for every two dollars (\$2.00) in nongrant funds. Matching funds shall not include other State funds. The Department of Public Instruction is prohibited from providing a grant under this section until the grantee provides evidence satisfactory to the Commission that the grantee has sufficient nongrant funds to match.
- requires the Department of Public Instruction to develop guidelines and procedures for the administration and distribution of grants under the bill.

EFFECTIVE DATE: Section 2 of this act becomes effective July 1, 2015. The remainder of this act becomes effective October 1, 2015, and applies to offenses committed on or after that date.

¹ **G.S. 20-4.01(27) d4. School bus.** – A vehicle whose primary purpose is to transport school students over an established route to and from school for the regularly scheduled school day, that is equipped with alternately flashing red lights on the front and rear and a mechanical stop signal, that is painted primarily yellow below the roofline, and that bears the plainly visible words "School Bus" on the front and rear. The term includes a public, private, or parochial vehicle that meets this description.

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