

By: Guice

To: Transportation

HOUSE BILL NO. 611

1 AN ACT TO AUTHORIZE MEMBERS OF THE HIGHWAY PATROL, SHERIFFS,  
2 CONSTABLES AND OTHER PEACE OR POLICE OFFICERS TO ISSUE CITATIONS  
3 AGAINST THE SCHOOL DISTRICTS FOR EXCEEDING THE MAXIMUM NUMBER OF  
4 PASSENGERS AUTHORIZED UNDER THE BUS MANUFACTURER'S SPECIFICATIONS;  
5 AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. It shall be a misdemeanor for any school district  
8 to allow the number of passengers on a school bus to exceed the  
9 maximum capacity allowed pursuant to the school bus manufacturer's  
10 specifications. Upon a conviction of a violation of this  
11 provision, a school district shall be fined not less than Fifty  
12 Dollars (\$50.00).

13 Members of the Highway Safety Patrol, sheriffs, constables  
14 and other peace or police officers may stop a school bus for the  
15 purpose of ascertaining compliance with the prohibition against  
16 exceeding the maximum number of passengers allowed on the bus. If  
17 it is found that a violation of this provision has occurred, the  
18 highway patrolman, sheriff, constable or other peace or police  
19 officer shall issue a citation directly against the school  
20 district and not the bus driver, which citation shall be mailed  
21 promptly to the superintendent of the school district.

22 The issuing of a citation for violation of this provision

23 shall have no effect upon the record of the bus driver. Any acts  
24 of retaliation against the bus driver by the school district shall  
25 be unlawful.

26 SECTION 2. Section 1 of this act shall be codified as a  
27 separate section of Chapter 41, Title 37, Mississippi Code of  
28 1972.

29 SECTION 3. This act shall take effect and be in force from  
30 and after July 1, 2000.