

By: Representative Moody

To: Transportation

## HOUSE BILL NO. 831

1 AN ACT TO AMEND SECTION 63-3-615, MISSISSIPPI CODE OF 1972,  
2 TO CREATE A REBUTTABLE PRESUMPTION THAT THE OWNER OF A VEHICLE  
3 THAT PASSES A SCHOOL BUS ILLEGALLY WAS THE DRIVER OF THE VEHICLE  
4 AT THE TIME OF THE ALLEGED VIOLATION UPON AFFIDAVIT OF THE SCHOOL  
5 BUS DRIVER PRESENTED TO LAW ENFORCEMENT OFFICIALS HAVING  
6 APPROPRIATE JURISDICTION; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 63-3-615, Mississippi Code of 1972, is  
9 amended as follows:

10 63-3-615. (1) The driver of a vehicle upon a street or  
11 highway upon meeting or overtaking any school bus which has  
12 stopped on the street or highway for the purpose of receiving or  
13 discharging any school children shall come to a complete stop and  
14 shall not proceed until the children have crossed the street or  
15 highway and the school bus has proceeded in the direction it was  
16 going. If the driver of the school bus provides a law enforcement  
17 officer or law enforcement agency having appropriate jurisdiction  
18 with a sworn affidavit identifying the license plate number, a  
19 description of the vehicle and the date, time and location where a  
20 violation of this section is alleged to have occurred, there shall  
21 be a rebuttable presumption that the owner of the vehicle was the  
22 driver of the vehicle at the time of the alleged violation and  
23 such owner may be charged with a violation of this section.

24 (2) Any person violating the provisions of subsection (1) of  
25 this section shall be guilty of a misdemeanor and upon conviction  
26 thereof shall be fined not less than Two Hundred Dollars (\$200.00)  
27 nor more than Five Hundred Dollars (\$500.00), or imprisoned for  
28 not more than one (1) year, or both.



29           (3) This section shall be applicable only in the event the  
30 school bus shall bear upon the front and rear thereon a plainly  
31 visible sign containing the words "school bus" in letters not less  
32 than four (4) inches in height.

33           SECTION 2. This act shall take effect and be in force from  
34 and after July 1, 2001.

