

By: Representatives Zuber, Wallace, Sykes

To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 677

1 AN ACT TO AMEND SECTION 63-3-615, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY PERSON MAY WITNESS THE DRIVER OF A VEHICLE
3 OVERTAKING A SCHOOL BUS; TO ALLOW A SCHOOL BUS DRIVER, FOR THE
4 PURPOSE OF PREVENTING BEING OVERTAKEN WHEN RECEIVING OR
5 DISCHARGING ANY SCHOOL CHILDREN, MAY STOP TO BLOCK THE TWO
6 OUTERMOST LANES OF TRAFFIC; 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) (a) The driver of a vehicle upon a street or
11 highway upon meeting or overtaking any school bus that has stopped
12 on the street or highway for the purpose of receiving or
13 discharging any school children shall come to a complete stop at
14 least ten (10) feet from the school bus before reaching the school
15 bus when there is in operation on the school bus the flashing red
16 lights provided in Section 63-7-23, or when a retractable,
17 hand-operated stop sign is extended; the driver shall not proceed
18 until the children have crossed the street or highway and the
19 school bus has resumed motion or the flashing red lights are no
20 longer actuated and the hand-operated stop sign is retracted.



21 (b) The driver of a vehicle upon a divided highway that
22 has four (4) lanes or more and permits at least two (2) lanes of
23 traffic to travel in opposite directions need not stop upon
24 meeting or passing a school bus that is stopped in the opposing
25 roadway, or if the school bus is stopped in a loading zone that is
26 a part of or adjacent to the highway and where pedestrians are not
27 permitted to cross the roadway.

28 (2) (a) Except as provided in paragraph (b), any person
29 violating the provisions of subsection (1) of this section shall
30 be guilty of a misdemeanor and upon a first conviction thereof
31 shall be fined not less than Three Hundred Fifty Dollars (\$350.00)
32 nor more than Seven Hundred Fifty Dollars (\$750.00), or imprisoned
33 for not more than one (1) year, or both. For a second or
34 subsequent offense, the offenses being committed within a period
35 of five (5) years, the person shall be guilty of a misdemeanor
36 and, upon conviction, shall be fined not less than Seven Hundred
37 Fifty Dollars (\$750.00) nor more than One Thousand Five Hundred
38 Dollars (\$1,500.00), or imprisoned for not more than one (1) year,
39 or both. In addition, the Commissioner of Public Safety or his
40 duly authorized designee, after conviction for a second or
41 subsequent offense and upon receipt of the court abstract, shall
42 suspend the driver's license and driving privileges of the person
43 for a period of ninety (90) days.

44 (b) A conviction under this section for a violation
45 resulting in any injury to a child who is in the process of



46 boarding or exiting a school bus shall be a violation of Section
47 97-3-7, and a violator shall be punished under subsection (2) of
48 that section.

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

53 (4) If any person witnesses the driver of any vehicle * * *
54 violating the provisions of this section and the identity of the
55 driver of the vehicle is not otherwise apparent, it shall be a
56 rebuttable inference that the person in whose name the vehicle is
57 registered committed the violation. If charges are filed against
58 multiple owners of a motor vehicle, only one (1) of the owners may
59 be convicted and court costs may be assessed against only one (1)
60 of the owners. If the vehicle that is involved in the violation
61 is registered in the name of a rental or leasing company and the
62 vehicle is rented or leased to another person at the time of the
63 violation, the rental or leasing company may rebut the inference
64 of guilt by providing the law enforcement officer or prosecuting
65 authority with a copy of the rental or lease agreement in effect
66 at the time of the violation.

67 **SECTION 2.** A school bus driver, for the purpose of
68 preventing being overtaken when receiving or discharging any
69 school children, may stop on a street or highway blocking the two
70 (2) outermost right lanes, regardless of the number of lanes on



71 the street or highway. For a two-lane street or highway, this
72 provision allows for blocking both lanes. Such school bus driver
73 may only block both of these lanes during the time that the school
74 bus is receiving or discharging any school children.

75 **SECTION 3.** This act shall take effect and be in force from
76 and after July 1, 2019.

