

**House File 2497 - Introduced**

HOUSE FILE 2497

BY FORBES

**A BILL FOR**

1 An Act relating to drivers who fail to slow or stop when  
2 approaching a school bus displaying flashing lights or a  
3 stop signal arm, and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.261, subsection 2, Code 2024, is  
2 amended to read as follows:

3 2. Any person failing to stop or to comply with the  
4 requirements in subsection 1 of this section, in the event of  
5 an accident resulting in an injury to any person is guilty upon  
6 conviction of a serious misdemeanor. If the violation occurs  
7 in connection with a violation of section 321.372, subsection  
8 3, the person is guilty upon conviction of an aggravated  
9 misdemeanor.

10 Sec. 2. Section 321.372, subsection 5, paragraph b, Code  
11 2024, is amended to read as follows:

12 b. A person convicted of a violation of subsection 3 is  
13 subject to one of the following penalties, as applicable:

14 (1) (a) For a first offense under ~~subsection 3~~ if no minor  
15 pedestrian is present outside the school bus, the person is  
16 guilty of a simple misdemeanor punishable by a fine of at least  
17 three hundred forty-five dollars but not more than nine hundred  
18 thirty dollars or by imprisonment for not more than thirty  
19 days, or by both. The department may require the person to  
20 attend and successfully complete, at the person's own expense,  
21 a driver improvement program approved by the department in  
22 lieu of driver's license suspension for the offense pursuant  
23 to section 321.210.

24 (b) For a second or subsequent offense under subparagraph  
25 division (a), the person is guilty of a serious misdemeanor.

26 (2) If a minor pedestrian is present outside the school bus,  
27 the person commits a serious misdemeanor.

28 (3) If the person strikes a minor pedestrian, the person  
29 commits an aggravated misdemeanor.

30 (4) If the person causes bodily injury, the person commits a  
31 class "D" felony.

32 (5) If the person causes serious injury, as defined in  
33 section 702.18, the person commits a class "C" felony.

34 ~~(2) For a second or subsequent offense under subsection 3,~~  
35 ~~the person is guilty of a serious misdemeanor.~~



1 miles per hour when meeting a school bus with flashing amber  
2 warning lamps, and must bring the vehicle to a complete stop  
3 when the school bus stops and the stop signal arm is extended.  
4 The driver must remain stopped until the stop signal arm is  
5 retracted after which time the driver is authorized to proceed  
6 with due caution. Additionally, a driver is prohibited from  
7 overtaking or passing a school bus when red or amber warning  
8 signal lights are flashing. The driver must bring the vehicle  
9 to a complete stop no closer than 15 feet from the school bus  
10 when the bus is stopped and the stop arm is extended, and the  
11 driver must remain stopped until the stop arm is retracted and  
12 the school bus resumes motion.

13 A driver who violates any of these provisions (school bus  
14 provisions) commits a simple misdemeanor punishable by a fine  
15 of at least \$340 but not more than \$930 or by imprisonment for  
16 not more than 30 days, or by both. This fine is enhanced from  
17 the standard simple misdemeanor fine of at least \$105 but not  
18 more than \$855. However, the department of transportation  
19 (DOT) may require a person to attend and successfully complete,  
20 at the person's own expense, a driver improvement program  
21 approved by the DOT in lieu of the DOT suspending the person's  
22 driver's license pursuant to Code section 321.210.

23 The bill enhances and adds new criminal penalties if a driver  
24 violates the school bus provisions, but does not affect the  
25 option for a person to complete a driver improvement program in  
26 lieu of a driver's license suspension for a first offense if no  
27 minor pedestrian is present outside of a school bus.

28 Under the bill, a driver commits a serious misdemeanor if the  
29 violation occurs while a minor pedestrian is present outside  
30 of a school bus. The bill defines "minor pedestrian" for  
31 purposes of Code section 321.372(5). A serious misdemeanor is  
32 punishable by confinement for no more than one year and a fine  
33 of at least \$430 but not more than \$2,560.

34 Under the bill, a driver who strikes a minor pedestrian  
35 commits an aggravated misdemeanor.

1 If a driver causes bodily injury, the driver commits a class  
2 "D" felony. A class "D" felony is punishable by confinement  
3 for no more than five years and a fine of at least \$1,025 but  
4 not more than \$10,245.

5 If a driver causes serious injury, defined by reference as  
6 a disabling mental illness, a bodily injury which (1) creates  
7 a substantial risk of death, (2) causes serious permanent  
8 disfigurement, or (3) causes protracted loss or impairment of  
9 the function of any bodily member or organ, and any injury to  
10 a child that requires surgical repair and necessitates the  
11 administration of general anesthesia, including but not limited  
12 to skull fractures, rib fractures, and metaphyseal fractures  
13 of the long bones of children under the age of four years,  
14 the driver commits a class "C" felony. A class "C" felony is  
15 punishable by confinement for no more than 10 years and a fine  
16 of at least \$1,370 but not more than \$13,660.