

CHAPTER 1015
SCHOOL BUS PASSENGER SAFETY
S.F. 2218

AN ACT relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.372, Code 2011, is amended by adding the following new unnumbered paragraph before subsection 1:

NEW UNNUMBERED PARAGRAPH. This section shall be known and may be cited as the “Keep Aware Driving — Youth Need School Safety Act”.

Sec. 2. Section 321.372, Code 2011, is amended by adding the following new subsection: NEW SUBSECTION. 5. *a.* The driver of a school bus who commits a violation of subsection 1 or 2 is guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 10.

b. A person convicted of a violation of subsection 3 is subject to the following:

(1) For a first offense under subsection 3, the person is guilty of a simple misdemeanor punishable by a fine of at least two hundred fifty dollars but not more than six hundred seventy-five dollars or by imprisonment for not more than thirty days, or by both.

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

Sec. 3. Section 321.482A, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Notwithstanding section 321.482, a person who is convicted of operating a motor vehicle in violation of section 321.178, subsection 2, paragraph “a”, subparagraph (2), section 321.180B, subsection 6, section 321.194, subsection 1, paragraph “c”, section 321.256, section 321.257, section 321.275, subsection 4, section 321.276, 321.297, 321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306, 321.307, 321.308, section 321.309, subsection 2, or section 321.311, 321.319, 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324, 321.324A, 321.327, 321.329, ~~or~~ 321.333, or 321.372, subsection 3, causing serious injury to or the death of another person may be subject to the following penalties in addition to the penalty provided for a scheduled violation in section 805.8A or any other penalty provided by law:

Sec. 4. Section 805.8A, subsection 10, paragraph b, Code Supplement 2011, is amended by striking the paragraph.

Sec. 5. **SCHOOL BUS SAFETY STUDY — RULEMAKING — REQUESTS FOR REEXAMINATION OF A DRIVER — EDUCATION PROGRAMS — APPROPRIATION.**

1. The department of transportation, the department of public safety, and the department of education shall jointly conduct a study relating to school bus safety, or may contract with an outside vendor to conduct such a study under the joint direction of the departments. The study shall focus on the use of cameras mounted on school buses to enhance the safety of children riding the buses and to aid in enforcement of motor vehicle laws pertaining to school bus safety. The study shall also consider the feasibility of requiring school children to be picked up and dropped off on the side of the road on which their home is located, the inclusion of school bus safety as a priority in driver training curriculum, and any other issues deemed appropriate by the departments. The findings and recommendations shall be reported to the general assembly by December 31, 2012.

2. By July 1, 2012, the department of transportation shall initiate rulemaking to establish a violation of section 321.372, subsection 3, as a serious violation. The rules may provide for an increasing tier of driver’s license suspensions for conviction of a first, second, or subsequent violation. The specific direction provided under this subsection does not, by implication or otherwise, invalidate any prior rulemaking by the department designating certain violations

as serious violations and does not preclude future rulemaking by the department to designate certain violations other than violations of section 321.372, subsection 3, as serious violations.

3. By December 31, 2012, the department of transportation shall make available to local law enforcement agencies, electronically through the Iowa traffic and criminal software, the form for requesting departmental reexamination of a person who may be physically or mentally incapable of operating a motor vehicle safely.

4. The department of transportation, the department of public safety, and the department of education shall cooperate to establish educational programs to foster increased public awareness of motor vehicle laws and safe driving behaviors relating to school bus safety.

5. There is appropriated from the statutory allocations fund to the department of transportation an amount sufficient to fund the study required under this section and an amount sufficient to fund the development and programming necessary to make the request for departmental reexamination form available through the Iowa traffic and criminal software.

Sec. 6. EFFECTIVE UPON ENACTMENT. The section of this Act providing for a school bus safety study, the adoption of rules, law enforcement requests for reexamination of a driver, and educational programs and making an appropriation, being deemed of immediate importance, takes effect upon enactment.

Approved March 16, 2012