

Illegal Passing Problems

What states are doing to address the issue

In August, 6-year-old Ashley Ramos-Hernandez of Raleigh, North Carolina, died after a motorist drove past the girl's stopped school bus—something drivers do 2,000 times a day statewide, the North Carolina Highway Patrol estimates.

“I don't know if it's because people are in a hurry or they don't know the law,” said Sgt. Jeff Gordon.

Following School Buses in North Carolina

This week is National School Bus Safety Week, with the theme “Avoid Harm, Obey the Stop Arm.” As they have done for several years, from Oct. 19-23 local and state police in North

Carolina will conduct a special enforcement effort to catch violators.

During the campaign, Highway Patrol officers are assigned to follow school buses, normally in unmarked cars. During last year's week-long effort, Gordon said troopers followed 971 buses and caught 37 drivers passing them illegally.

In every state it's illegal to pass a school bus that has an extended stop arm and flashing red lights. Motorists drive past these buses at times despite the threats of heavy fines, suspended licenses and points on driving records, although the National Highway Traffic Safety

Administration does not have statistics on how often it happens.

Some drivers will illegally pass school buses no matter what, said Bob Riley, executive director of the National Association of State Directors of Pupil Transportation Services.

“Do whatever's necessary to prevent the kids from getting hit by the cars that are going to run the stop sign,” he said.

That means educating students about basic safety tips and teaching drivers not to let children off buses until it's clear that no motorists will pass, he said.

Riley, former transportation director at the School District of Palm Beach County, Florida, stressed that drivers' first priority is to make sure the children they transport are safe. That's more important than trying to catch a driver illegally passing a bus. “Everything that I ever taught drivers was to protect the child first,” he said. “Don't try to be a policeman.”

Monitoring Stops in Arizona

Sgt. Tim Fletcher, traffic section supervisor of the Prescott Police Department in Prescott, Arizona, acknowledged that school bus drivers can't do very much when they see someone illegally passing a stopped bus.

What Transportation Directors Can Do

- Remind the public about laws against passing stopped school buses. Work with local media and publicize the laws as a school system. People are more likely to remember the law if they hear about it more than once.
- Educate drivers about state and local laws on illegal passing and what they can do if they see a violation.
- Instruct drivers to note circumstances when vehicles pass buses illegally, such as the location, time of day and license plate number. Each state has different rules that determine whether a driver can be cited for illegal passing.
- Tell local police about bus stops where illegal passing is a recurring problem. It may be necessary to move the stop.
- Place bus stops in areas that offer maximum visibility so motorists are less likely to drive past stopped buses. For example, use smaller streets and avoid placing stops near hills.
- Cooperate with local police on enforcement efforts.

Sources: NADSPTS, North Carolina Highway Patrol, Prescott Police Department

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In the Courts ...

Parents & Students Appeal Arkansas School Closing and Three-Hour Bus Rides

The possibility of school bus rides that last at least three hours per day is at the heart of an appeal filed in the Arkansas Supreme Court.

A non-unanimous decision by the Two Rivers School Board

to close the Fourche Valley Elementary and High schools was upheld by the Arkansas State Board of Education and the Pulaski County Circuit Court. Now, according to *Rural Policy Matters (RPM)*, several students and parents are asking the

Arkansas Supreme Court to void these decisions until the state defines excessive transportation time.

The parents and students claim that the three-hour ride times will negatively impact student health, safety and education, thus violating students' right to an adequate and equitable education as guaranteed by the state constitution.

The plaintiffs pointed out that the General Assembly ordered the Arkansas Department of Education to "conduct a study of isolated schools to determine the most efficient method of providing opportunities for an adequate and substantially equal education for students without excessive transportation time," but that the Department of Education has not made that determination.

The Circuit Court judge supported state education officials, saying they followed proper procedures in deciding to close the schools. The move is anticipated to save the district \$1.3 million. The appeal will likely be heard in the next three to six months, RPM reports.

Source: *Rural Policy Matters*, Sept. 2009

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Toward the beginning of each school year, Prescott police step up enforcement of laws against passing school buses with extended stop arms. Fletcher said one bus stop, near a traffic signal along a five-lane road, is a constant problem.

Recently he and another officer were monitoring the stop and saw four cars fly past a school bus. All four drivers were cited, but on another recent day a Prescott officer was able to cite only one out of six drivers who passed a stopped bus in the same spot.

Prescott police will continue to focus on that stop and other problem areas this fall, Fletcher said. "Hopefully, word of mouth will start to spread," he said.

Alternating Flashing Lights in Indiana

The Fayette County School Corporation in rural Connersville, Indiana, has found something else that reduces illegal passing: fitting buses with alternating flashing lights like

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the lights police cars and fire trucks use.

When Indiana allowed school systems to install these lights 10 years ago, Fayette County installed them on buses used on routes that had the most instances of illegal passing. The lights were effective in stopping more vehicles approaching buses head-on. "We noticed an immediate difference," said Jane Oakley, Fayette County's director of transportation.

Now the flashing lights are on all of the school system's 69 buses. They are helpful in a place like Fayette County, which has many bus stops along busy two-lane highways.

Oakley said her department also works with local police and, before school starts each year, teams up with local media to publicize laws against illegal passing.

"It's a continual reminder and educating the public," she said.

By Rebecca VanderMeulen