

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1990

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ENROLLED

Com. Sub. for
HOUSE BILL No. *4544*

(By ~~the~~ *Delegates Ashcraft + Mezger*)

— ● —

Passed *March 10,* 1990

In Effect *90 Days from* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 4544
(By DELEGATES ASHCRAFT AND MEZZATESTA)

[Passed March 10, 1990; in effect ninety days from passage.]

AN ACT to amend and reenact section seven, article twelve, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to overtaking and passing school buses; and criminal penalties.

Be it enacted by the Legislature of West Virginia:

That section seven, article twelve, chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 12. SPECIAL STOPS REQUIRED.

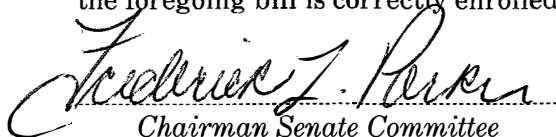
§17C-12-7. Overtaking and passing school bus; penalties; signs and warning lights upon buses; removal of warning lights, lettering, etc., upon sale of buses; highways with separate roadways.

- 1 (a) The driver of a vehicle upon meeting or overtaking
- 2 from either direction any school bus which has stopped
- 3 for the purpose of receiving or discharging any school
- 4 children shall stop the vehicle before reaching such
- 5 school bus when there is in operation on said school bus
- 6 flashing warning signal lights, as referred to in section

7 eight of this article, and said driver shall not proceed
8 until such school bus resumes motion, or is signaled by
9 the school bus driver to proceed or the visual signals are
10 no longer actuated. This section applies wherever the
11 school bus is receiving or discharging children, includ-
12 ing, but not limited to, any street, highway, parking lot,
13 private road or driveway: *Provided*, That the driver of
14 a vehicle upon a controlled access highway need not stop
15 upon meeting or passing a school bus which is on a
16 different roadway or adjacent to such highway and
17 where pedestrians are not permitted to cross the
18 roadway. Any such driver acting in violation of this
19 subsection is guilty of a misdemeanor, and, upon
20 conviction thereof, shall be fined not less than fifty nor
21 more than two hundred dollars, or imprisoned in the
22 county jail not more than six months, or both fined and
23 imprisoned. If the identity of the driver cannot be
24 ascertained, then any such owner or lessee of the vehicle
25 in violation of this subsection is guilty of a misdemeanor,
26 and, upon conviction thereof, shall be fined not less than
27 twenty-five nor more than one hundred dollars: *Pro-*
28 *vided, however*, That such conviction shall not subject
29 such owner or lessee to further administrative or other
30 penalties for said offense, notwithstanding other provi-
31 sions of this code to the contrary.

32 (b) Every bus used for the transportation of school
33 children shall bear upon the front and rear thereof a
34 plainly visible sign containing the words "school bus" in
35 letters not less than eight inches in height. When a
36 contract school bus is being operated upon a highway
37 for purposes other than the actual transportation of
38 children either to or from school all markings thereon
39 indicating "school bus" shall be covered or concealed.
40 Any school bus sold or transferred to another owner by
41 a county board of education, agency or individual, shall
42 have all flashing warning lights disconnected; all
43 lettering removed or permanently obscured, except
44 when sold or transferred for the transportation of school
45 children.

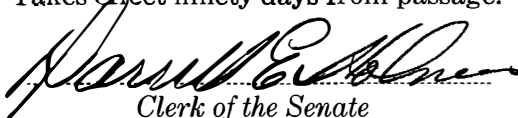
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


Chairman Senate Committee

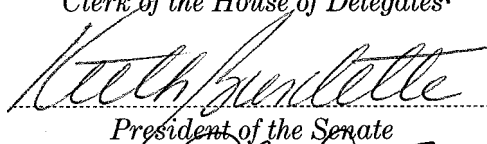

Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

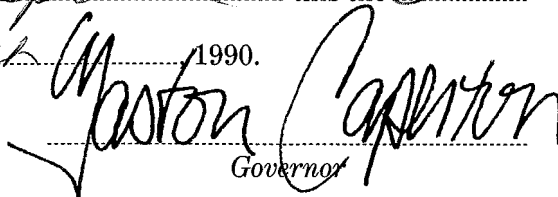

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 30th
day of March 1990.


Governor

PRESENTED TO THE

GOVERNOR

Date 3/20/90

Time 2:10 PM

RECEIVED

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OFFICE OF GOV. VERN R. Riffe
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