



NEW YORK STATE SENATOR

Rich Funke

Senate Passes Funke Bill to Increase Penalties for School Bus Passing Scofflaws

RICH FUNKE June 4, 2015

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The New York State Senate passed S.2978, a bill sponsored by Senator Rich Funke to stiffen the penalties for drivers who break the law by passing a stopped school bus. The legislation would increase monetary penalties for the traffic violation of passing a stopped school bus and also apply criminal charges to those who injure or kill a person while doing so. Senator Funke's bill passed with unanimous, bipartisan support.

"Children being transported by school buses deserve to know they are safe, especially when entering or exiting their bus," said Funke. "The law is clear: when you see a school bus's red flashing lights, you must stop, no matter where on the roadway the bus is. Sadly, too many drivers ignore the law and put children at risk every day. My legislation would crack-down with stiffer penalties and make lawbreakers think twice before they choose to put our kids in danger."

The bill increases the range of fines for passing a school bus for the first time from a minimum of \$250 and a maximum of \$400 to a minimum of \$400 and a maximum of \$750; increases the range of fines for passing a school bus for the second time from a minimum of \$600 and a maximum of \$750 to a minimum of \$950 and a maximum of \$1150; increases the range of fines for passing a school bus for the third time from a minimum of \$750 and a

maximum of \$1000 to a minimum of \$1150 and a maximum of \$1500; requires that a driver who injures someone while passing a school bus be charged with aggravated vehicular assault; and requires that a driver who kills someone while passing a school bus be charged with criminally negligent homicide.

“Senator Funke’s bill to increase the penalties for drivers who illegally pass a stopped school bus, is absolutely critical for the safety of our children,” said New York School Bus Contractors Association President Robert Pape. “When over a thousand tickets were issued to violators during the recent Operation Safe Stop Day, it’s obvious that current penalties do not go far enough. We fully support Senator Funke’s bill to increase the fines and criminal penalties for drivers who put our children at risk as it can only help make that ride to school safer.”

The National Highway Transportation Administration reports that each year, an average of 11 passengers under the age of 19 die in school bus accidents. More than 25 children die each year in pedestrian accidents involving school buses and three times as many children are killed in school bus accidents while getting on or off the bus than while riding it.

The bill has been sent to the Assembly.