



NEW YORK STATE SENATOR

Rich Funke

Senate passes Funke bill to stop school bus passing scofflaws

[RICH FUNKE](#) May 24, 2016

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. **Funke's** bill passed the Senate with unanimous, bipartisan support.

*“School bus drivers work hard every day to protect the students they transport and it’s on all of us to ensure that our kids are every bit as safe when entering or exiting a bus,” said **Funke**. “The law is clear: when you see a school bus’s red flashing lights, you must stop, no matter where the bus is. I thank my colleagues on both sides of the aisle for their support of this common-sense approach to discourage bad driving and better prevent avoidable tragedies across our state.”*

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.

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.