

HOUSE BILL NO. 5038

October 08, 2019, Introduced by Reps. O'Malley, Manoogian, Tyrone Carter, Rendon, Paquette, LaFave and Jones and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1990 PA 187, entitled
"The pupil transportation act,"
by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 59. (1) A driver of a school bus shall not transport or
2 permit to be transported on a school bus while transporting pupils
3 to and from school a person other than pupils, persons enrolled in
4 a school-sponsored preschool program authorized by state or federal
5 statute, teachers or chaperons of the pupils or other persons



1 authorized by the school for the protection of property or the
 2 health, safety, and welfare of the pupils or persons attending
 3 other school related functions, or both. This subsection ~~shall~~**does**
 4 not apply during the transportation of persons under section 65.

5 (2) After the fourth Friday following Labor ~~day~~**Day** of each
 6 school year, a school bus ~~shall~~**must** not be used to transport more
 7 than 100% of the number of persons for which the school bus has a
 8 rated seating capacity.

9 (3) A person who violates or directs a violation of ~~this~~
 10 ~~section~~**subsection (1) or (2)** is responsible for a civil infraction
 11 and may be ordered to pay a civil fine of not more than \$100.00. A
 12 civil infraction under this subsection ~~shall~~**must** be processed in
 13 the same manner as a civil infraction under the Michigan vehicle
 14 code, Act No. 300 of the Public Acts of 1949, being sections 257.1
 15 to 257.923 of the Michigan Compiled Laws.**1949 PA 300, MCL 257.1 to**
 16 **257.923.**

17 (4) A person other than pupils, persons enrolled in a school-
 18 sponsored preschool program authorized by state or federal statute,
 19 teachers or chaperones of the pupils or other persons authorized by
 20 the school for the protection of property or the health, safety,
 21 and welfare of the pupils or persons attending other school-related
 22 functions, or both, shall not enter a school bus without the
 23 permission of the driver of the school bus.

24 (5) A person shall not enter a school bus with the intent to
 25 do bodily harm.

26 (6) A person who violates subsection (4) is guilty of a
 27 misdemeanor punishable by imprisonment for not more than 93 days or
 28 a fine of not more than \$100.00, or both.

29 (7) A person who violates subsection (5) is guilty of a felony



1 punishable by imprisonment for not more than 1 year or a fine of
2 not more than \$500.00, or both.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.

