

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2803

By: Cox

AS INTRODUCED

An Act relating to school transportation equipment; amending 47 O.S. 2001, Section 11-1104, which relates to obstructing the view of a driver and overloading a school bus; prohibiting interference with the operation of a school bus; requiring inspection of transportation equipment used by schools; specifying time period for inspection; stating standards for inspection; specifying who will conduct inspection; listing equipment to be examined and tested; defining term; establishing sanction for failure to comply; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-1104, is amended to read as follows:

Section 11-1104. ~~(a)~~ A. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

~~(b)~~ B. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.

~~(c)~~ C. No school bus shall be operated on the streets or highways in this state when loaded with passengers in excess of the number for which such bus is designed to carry. The number of passengers determined by the local school board which the bus is designed to carry shall be posted in a conspicuous place on the bus.

D. No person shall, unlawfully and willfully, stop, impede, delay, or detain any school bus, or in any manner interfere with the operation of a school bus.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9-101.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The board of education of any school district furnishing transportation shall require that all transportation equipment, as defined in paragraph 1 of subsection A of Section 9-104 of Title 70 of the Oklahoma Statutes, operated by that school district be inspected once a year within the thirty (30) days prior to the start of the school year by an official inspector, as designated by the State Board of Education, to verify that the transportation equipment is being maintained and operated in accordance with all the requirements of the rules of the State Board of Education and state and federal law. The inspection shall include an examination and test of the brakes, steering, front and rear wheel suspension, exhaust systems, wheels and tires, windshield wipers, horn or warning device, proper adjustment of turn signals, windshield, and other glass and lighting equipment, and if applicable, stop signal arms, and emergency exits and equipment. A record of the inspection shall be maintained by the school district and shall be available for inspection upon request.

B. For purposes of this section, "official inspector" means a person who, by training and experience specified by rule promulgated by the State Board of Education, is eligible to conduct inspections.

C. Failure to comply with subsection A of this section shall result in a loss of state funds to that school district in an amount to be determined by the State Board of Education.

SECTION 3. This act shall become effective July 1, 2002.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-7780      LAC      6/12/15