

No. 149

AN ACT

HB 852

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," placing jurisdiction over school buses and school bus safety within the Bureau of Traffic Safety of the Department of Revenue and eliminating powers and duties of State Board of Education and the Department of Public Instruction in connection therewith.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsections (i) and (j) of section 834, act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," amended June 13, 1963 (P. L. 134), are amended to read:

Section 834. Official Inspections.—

* * *

(i) The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by, or used under contract with, any school or school district which conforms with the provisions of this act [**and with the regulations of the State Board of Education**] *including regulations of the Bureau of Traffic Safety of the department*. Such certificate shall bear the approval of and be countersigned by the Commissioner of the Pennsylvania State Police. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission.

(j) The owner of every vehicle which is to be used for the transportation of school children shall, in addition to any other inspection required by this act, submit such vehicle to the Pennsylvania State Police sometime during every August, or prior to operating such vehicle for the transportation of school children during the school year, to determine whether such vehicle conforms with the provisions of this act [**and the regulations of the State Board of Education**] *including regulations of the Bureau of Traffic Safety of the department*. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission.

* * *

Penalty.—Any person violating any of the provisions of subsection (d), (e), (g), (h), (j) or (k) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days. Any person violating the provisions of subsection (h) of this section, shall be given by the arresting officer a ticket, whereon shall be indicated the date, time and

place of arrest, and such person shall not be proceeded against more than one (1) time within any twenty-four hour period for the violation of said subsection.

Section 2. Subsection (a) and the penalty clause of section 840 of the act, amended June 13, 1963 (P. L. 134), are amended and said section is also amended by adding after subsection (a) thereof a new subsection to read:

Section 840. School Buses; Safety Requirements.—

(a) "School Bus," for the purpose of this section, is any vehicle registered as a commercial vehicle, motor bus or motor omnibus, used for the transportation of school children: Provided, That the term "school bus" shall not include any motor buses operated by common carriers holding a certificate of the Public Utility Commission, who also operate such motor buses over routes approved by such commission: And provided further, That all such buses comply with the safety regulations of that commission and the [State Board of Education] *Bureau of Traffic Safety of the department.*

(a.1) All vehicles used for the transportation of pupils, whether owned or hired by the school district, shall conform to standards prescribed by the Bureau of Traffic Safety of the department, which shall hereafter have jurisdiction over school bus safety.

* * *

Penalty.—Any person violating any of the provisions of this section, *or standards or regulations promulgated hereunder*, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not less than five (5) days and not more than ten (10) days.

Section 3. Clause (7) of subsection (b) of section 840 of the act is amended to read:

Section 840. School Buses; Safety Requirements.—

* * *

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth that, in addition to the other requirements of this act, does not conform with the following:

* * *

(7) Every school bus shall be of a uniform color which shall be orange, and every such bus shall be labeled both in the front and in the rear with black letters, not less than six (6) inches in height, with the words "School Bus," showing to the outside. Any school bus purchased or repainted shall be of a uniform color of national school bus chrome, and every school bus shall be labeled both in front and in the rear with black letters, not less than eight (8) inches in height, with the words "School Bus," showing to the outside. The type, size and form of school bus signs to be displayed by

buses owned and operated by a person or company subject to the jurisdiction of the Public Utility Commission shall be determined by the Secretary of Revenue *and* the Commissioner of the Pennsylvania State Police. **[and the Superintendent of Public Instruction]** When a school bus is being operated upon a highway other than for the transportation of school children either to or from school, all the labels containing the words "School Bus" shall be removed, covered or concealed.

* * *

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not less than five (5) days and not more than ten (10) days.

Section 4. Section 1363, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," is repealed.

Section 5. This act shall take effect September 1, 1970.

APPROVED—The 9th day of December, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 149.



Joseph P. Kelley
Secretary of the Commonwealth.