

112TH CONGRESS
2D SESSION

H. R. 4236

To withhold funds if a motorist illegally passes a stopped school bus.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2012

Mr. BRALEY of Iowa introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To withhold funds if a motorist illegally passes a stopped
school bus.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Kadyn’s Act”.

5 **SEC. 2. WITHHOLDING APPORTIONMENTS FOR NON-**
6 **COMPLIANCE WITH SCHOOL BUS PASSINGS.**

7 (a) WITHHOLDING APPORTIONMENTS.—Chapter 1 of
8 title 23 is amended by adding at the end the following:

1 **“§ 167. Withholding apportionments for noncompli-**
2 **ance with school bus passings**

3 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-
4 COMPLIANCE.—

5 “(1) WITHHOLDING.—The Secretary shall with-
6 hold 10 percent of the amount required to be appor-
7 tioned to any State under paragraphs (1), (3), and
8 (4) of section 104(b) on October 1, 2014, and on
9 each October 1 thereafter if the State does not meet
10 the requirements of paragraph (2).

11 “(2) REQUIREMENT.—A State meets the re-
12 quirements of this paragraph if the State has en-
13 acted and is enforcing a law that imposes the fol-
14 lowing penalties to a motorist who is found guilty of
15 illegally passing a stopped school bus:

16 “(A) FIRST OFFENSE.—For a first offense,
17 a fine of not less than \$250 with the possibility
18 of jail time and license suspension.

19 “(B) SECOND OFFENSE WITHIN A 5-YEAR
20 PERIOD OF A FIRST OFFENSE.—For a second
21 offense within a 5-year period of a first offense,
22 a fine of not less than \$315 with the possibility
23 of jail time and license suspension.

24 “(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-
25 ANCE AND NONCOMPLIANCE.—

1 “(1) PERIOD OF AVAILABILITY OF WITHHELD
2 FUNDS.—

3 “(A) FUNDS WITHHELD ON OR BEFORE
4 SEPTEMBER 30, 2015.—Any funds withheld
5 under subsection (a) from apportionment to any
6 State on or before September 30, 2015, shall
7 remain available until the end of the third fiscal
8 year following the fiscal year for which the
9 funds are authorized to be appropriated.

10 “(B) FUNDS WITHHELD AFTER SEP-
11 TEMBER 30, 2015.—No funds withheld under
12 this section from apportionment to any State
13 after September 30, 2015, shall be available for
14 apportionment to the State.

15 “(2) APPORTIONMENT OF WITHHELD FUNDS
16 AFTER COMPLIANCE.—If, before the last day of the
17 period for which funds withheld under subsection (a)
18 from apportionment are to remain available for ap-
19 portionment to a State under paragraph (1), the
20 State meets the requirement of subsection (a)(2),
21 the Secretary shall, on the first day on which the
22 State meets the requirement, apportion to the State
23 the funds withheld under subsection (a) that remain
24 available for apportionment to the State.

1 “(3) PERIOD OF AVAILABILITY OF SUBSE-
2 QUENTLY APPORTIONED FUNDS.—Any funds appor-
3 tioned pursuant to paragraph (2) shall remain avail-
4 able for expenditure until the end of the third fiscal
5 year following the fiscal year in which the funds are
6 so apportioned. Sums not obligated at the end of
7 that period shall lapse.

8 “(4) EFFECT OF NONCOMPLIANCE.—If, at the
9 end of the period for which funds withheld under
10 subsection (a) from apportionment are available for
11 apportionment to a State under paragraph (1), the
12 State does not meet the requirement of subsection
13 (a)(2), the funds shall lapse.”.

14 (b) CONFORMING AMENDMENT.—The analysis for
15 chapter 1 of title 23, United States Code, is amended by
16 adding at the end the following:

“167. Withholding apportionments for noncompliance with school bus passings”.

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