

113TH CONGRESS  
2D SESSION

# H. R. 4595

To encourage school bus safety.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2014

Mr. BRALEY of Iowa introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To encourage school bus safety.

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 the “School Bus Safety  
5       Act”.

6               **TITLE I—KADYN’S ACT**

7       **SEC. 101. SHORT TITLE.**

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

1 **SEC. 102. WITHHOLDING APPORTIONMENTS FOR NON-**  
 2 **COMPLIANCE WITH SCHOOL BUS PASSINGS.**

3 (a) WITHHOLDING APPORTIONMENTS.—Chapter 1 of  
 4 title 23, United States Code, is amended by adding at the  
 5 end the following:

6 **“§ 171. Withholding apportionments for noncompli-**  
 7 **ance with school bus passings**

8 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-  
 9 COMPLIANCE.—

10 “(1) WITHHOLDING.—The Secretary shall with-  
 11 hold 10 percent of the amount required to be appor-  
 12 tioned to any State under paragraphs (1), (3), and  
 13 (4) of section 104(b) on October 1, 2015, and on  
 14 each October 1 thereafter if the State does not meet  
 15 the requirements of paragraph (2).

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

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

24 “(B) SECOND OFFENSE WITHIN A 5-YEAR  
 25 PERIOD OF A FIRST OFFENSE.—For a second  
 26 offense within a 5-year period of a first offense,

1 a fine of not less than \$315 with the possibility  
 2 of jail time and license suspension.

3 “(b) PERIOD OF AVAILABILITY OF APPORTIONED  
 4 FUNDS.—Funds withheld after the date specified in sub-  
 5 section (a)(1) from apportionments to any State shall not  
 6 be available for apportionment to that State and such  
 7 funds will lapse.”.

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

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

11 **TITLE II—GRANTS FOR MOTION-**  
 12 **ACTIVATED DETECTION SYS-**  
 13 **TEM ON SCHOOL BUSES**

14 **SEC. 201. SHORT TITLE.**

15 This title may be cited as “Grants for Motion-Acti-  
 16 vated Detection System on School Buses Act”.

17 **SEC. 202. GRANTS FOR MOTION-ACTIVATED DETECTION**  
 18 **SYSTEM ON SCHOOL BUSES.**

19 (a) IN GENERAL.—The Secretary of Transportation  
 20 may provide grants to States to equip school buses with  
 21 motion-activated detection system.

22 (b) APPLICATION.—In order to qualify for a grant  
 23 under this section, a State shall submit an application to  
 24 the Secretary at such time, in such manner, and con-

1 taining such information and assurances as the Secretary  
2 may require, including—

3           (1) an assurance that the State will use grant  
4 funds to purchase motion-activated detection sys-  
5 tems for school buses; and

6           (2) an assurance that the State is in compliance  
7 with sections 171 and 172 of title 23, United States  
8 Code.

9       (c) GRANT AMOUNTS.—Before awarding a grant  
10 under this section, the Secretary shall ensure that each  
11 grant award is of sufficient size and scope to carry out  
12 the requirements of this section.

13       (d) FUNDING.—In order to fund grant awards under  
14 this section, the Secretary shall use funds not apportioned  
15 pursuant to sections 171 and 172 of title 23, United  
16 States Code.

17       (e) REPORTS.—Not later than 1 year after the date  
18 of enactment of this Act, the State shall submit a report  
19 to the Secretary regarding the effectiveness of the motion-  
20 activated detection system in any local educational agency  
21 using grant funds under this section, including—

22           (1) whether or not the detection system has  
23 prevented children from being hit by a school bus;  
24 and

1 (2) a cost benefit analysis of using these detec-  
 2 tion systems on school buses.

3 (f) DEFINITION.—For purposes of this Act, the term  
 4 “motion-activated detection system” means a sensor sys-  
 5 tem that uses radio signals or radar waves to detect a  
 6 moving target near the front, rear, and sides of a school  
 7 bus. The system sounds an alarm to alert the driver when  
 8 a moving target is detected within the specified danger  
 9 zones of the bus.

## 10 **TITLE III—SCHOOL BUS DRIVER** 11 **SAFETY ENFORCEMENT**

### 12 **SEC. 301. WITHHOLDING FOR NONCOMPLIANCE OF BACK-** 13 **GROUND CHECKS OF SCHOOL BUS DRIVERS.**

14 (a) WITHHOLDING APPORTIONMENTS.—Chapter 1 of  
 15 title 23, United States Code, is further amended by adding  
 16 at the end the following:

17 **“§ 172. Withholding apportionments for noncompli-**  
 18 **ance of background checks of school bus**  
 19 **drivers**

20 “(a) WITHHOLDING.—The Secretary shall withhold  
 21 10 percent of the amount required to be apportioned to  
 22 any State under paragraphs (1), (3), and (4) of section  
 23 104(b) on October 1, 2015, and on each October 1 there-  
 24 after if the State does not meet the requirements of para-  
 25 graph (2).

1       “(b) REQUIREMENT.—A State meets the require-  
 2       ments of this paragraph if the State has enacted a law  
 3       that requires the employer to conduct a background check  
 4       before hiring a school bus driver. Such background check  
 5       shall include—

6               “(1) a review of State and local court informa-  
 7       tion on arrests, charges, convictions;

8               “(2) a review of any sex offender registry; and

9               “(3) a review of any child abuse or dependent  
 10      adult abuse registry.

11      “(c) PERIOD OF AVAILABILITY OF APPORTIONED  
 12      FUNDS.—Funds withheld after the date specified in sub-  
 13      section (a)(1) from apportionments to any State shall not  
 14      be available for apportionment to that State and such  
 15      funds will lapse.”.

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

“172. Withholding apportionments for noncompliance of background checks of  
 school bus drivers”.

1 **TITLE IV—SCHOOL BUS SEAT**  
2 **BELT DEMONSTRATION PRO-**  
3 **GRAM**

4 **SEC. 401. SCHOOL BUS SEAT BELT DEMONSTRATION PRO-**  
5 **GRAM.**

6 (a) IN GENERAL.—The Secretary of Transportation  
7 may award grants to States to develop a school bus seat  
8 belt program to purchase type 1 school buses equipped  
9 with lap/shoulder seat belts or equip existing type 1 school  
10 buses with lap/shoulder seat belts.

11 (b) APPLICATION.—In order to qualify for a grant  
12 under this section, a State shall submit an application to  
13 the Secretary at such time, in such manner, and con-  
14 taining such information and assurances as the Secretary  
15 may require, including—

16 (1) an assurance that the State will use grant  
17 funds to purchase type I school buses with lap/shoul-  
18 der seat belts or equip existing type 1 school buses  
19 with such seat belts;

20 (2) an assurance that the State is in compliance  
21 with sections 171 and 172 of title 23, United States  
22 Code; and

23 (3) a list of the local educational agencies which  
24 the State selects to receive the seat belt equipped

1 buses, including the reasons why each agency should  
2 receive school buses with seat belts.

3 (c) LOCAL EDUCATIONAL AGENCY REQUIRE-  
4 MENTS.—The State shall require that any local edu-  
5 cational agency that receives grant funds pursuant to this  
6 Act shall develop—

7 (1) a plan to ensure that all students riding the  
8 school buses with lap/shoulder belts are using them;  
9 and

10 (2) an educational program regarding seat belt  
11 safety.

12 (d) GRANT AMOUNTS.—Before awarding a grant  
13 under this section, the Secretary shall ensure that each  
14 grant award is of sufficient size and scope to carry out  
15 the requirements of this section.

16 (e) FUNDING.—In order to fund grant awards under  
17 this section, the Secretary shall use funds not apportioned  
18 pursuant to sections 171 and 172 of title 23, United  
19 States Code.

20 (f) DEFINITION.—In this section, the term “type 1  
21 school bus” means a school bus weighing more than  
22 10,000 pounds.

23 (g) REPORTING.—Not later than 1 year after the  
24 date of enactment of this Act, the State shall submit a  
25 report to the Secretary regarding the effectiveness of the

1 lap/shoulder seat belt program in any local educational  
2 agency using grant funds under this section, including—

3 (1) student usage of seat belts; and

4 (2) the impact on school bus seating capacity.

## 5 **TITLE V—NHTSA STUDY**

### 6 **SEC. 501. NHTSA STUDY.**

7 (a) IN GENERAL.—The National Highway Traffic  
8 Safety Board shall conduct a comprehensive study regard-  
9 ing the effects of illegal passing of school buses.

10 (b) STUDY AND PILOT PROGRAM.—The study shall  
11 include—

12 (1) a pilot program demonstrating the effective-  
13 ness of additional technologies and equipment on  
14 school buses, including additional front and rear  
15 stop arms, driver alert devices, secondary warning  
16 signs and aids to general visibility of buses;

17 (2) enforcement schemes, including camera sys-  
18 tems and increased fines on preventing, mitigating,  
19 and enforcing against illegal passing of school buses;

20 (3) establishment and comparison of baseline  
21 performance standards for existing school buses and  
22 operations that can be measured and validated with  
23 school buses with additional equipment, over a set  
24 period of time, in a broad geographic area; and

1           (4) consideration of the impact of additional  
2       driver training and a targeted public awareness and  
3       education campaign on the prevention, mitigation,  
4       and enforcement of illegal passing of school buses.

5       (c) REPORT TO CONGRESS.—Not later than 3 years  
6   after the date of enactment of this Act, the Board shall  
7   submit a report to Congress with the results of the study  
8   and make recommendations for changes to Federal, State,  
9   and local laws and regulations to prevent, mitigate, and  
10  better enforce illegal school bus passing laws.

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