

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 779
HOUSE BILL 683

AN ACT TO REWRITE G.S. 20-217 PERTAINING TO PASSING STOPPED
SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM
SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-217 is rewritten to read:

"§ 20-217. Motor vehicles to stop for properly marked and designated school buses in certain instances; evidence of identity of driver.—(a) The driver of any vehicle upon approaching from any direction on the same street or highway any school bus (including privately owned buses transporting children and school buses transporting senior citizens under G.S. 115C- 243), while the bus is displaying its mechanical stop signal, and is stopped for the purpose of receiving or discharging passengers, shall bring his vehicle to a full stop before passing or attempting to pass the bus, and shall remain stopped until the mechanical stop signal has been withdrawn or until the bus has moved on.

(b) The provisions of this section are applicable only in the event the school bus bears upon the front and rear a plainly visible sign containing the words 'school bus' in letters not less than eight inches in height.

(c) Notwithstanding the provisions of subsection (a) of this section, the driver of a vehicle traveling in the opposite direction from the school bus, upon any road, highway or city street which has been divided into two roadways, so constructed as to separate vehicular traffic between the two roadways by an intervening space (including a center lane for left turns if the roadway consists of at least four more lanes) or by a physical barrier, need not stop upon meeting and passing any school bus which has stopped in the roadway across such dividing space or physical barrier.

(d) It shall be unlawful for any school bus driver to stop and receive or discharge passengers or for any principal or superintendent of any school, routing a school bus, to authorize the driver of any school bus to stop and receive or discharge passengers upon any roadway described by subsection (c) of this section where passengers would be required to cross the roadway to reach their destination or to board the bus; provided, that passengers may be discharged or received at points where pedestrians and vehicular traffic are controlled by adequate stop-and-go traffic signals.

(e) Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed two hundred dollars (\$200.00), or imprisoned not to exceed 90 days, or both."

(f) Proof that a motor vehicle has passed a stopped school bus in violation of subsection (a) of this section is *prima facie* evidence that the motor vehicle was operated at the time of the violation by the registered owner of the vehicle.

Sec. 2. G.S. 20-217.1 is repealed.

Sec. 3. This act shall become effective October 1, 1983 and expire October 1, 1985. G.S. 20-217 amended hereby shall not be effective on and after said date.

In the General Assembly read three times and ratified, this the 18th day of July, 1983.