



Reprinted  
March 22, 2019

---

---

## ENGROSSED SENATE BILL No. 2

---

DIGEST OF SB 2 (Updated March 21, 2019 1:06 pm - DI 131)

**Citations Affected:** IC 9-19; IC 9-21; IC 9-24; IC 9-30; IC 20-27; IC 35-52.

**Synopsis:** School bus safety. Requires a school bus to be equipped with black reflective tape mounted on certain areas of the school bus. Provides that if a school bus is in operation and transporting passengers, the driver of the school bus shall have the daytime running lights illuminated at all times. Increases the penalty, from a Class A infraction to a Class C misdemeanor, for an individual who fails to stop  
(Continued next page)

**Effective:** Upon passage; July 1, 2019.

---

---

**Head, Houchin, Charbonneau,  
Bassler, Merritt, Freeman, Bohacek,  
Rogers, Young M, Taylor G, Glick,  
Buck, Randolph Lonnie M, Doriot,  
Kruse, Raatz, Spartz**

(HOUSE SPONSORS — MANNING, PRESSEL, BAUER)

---

---

January 8, 2019, read first time and referred to Committee on Judiciary.  
February 7, 2019, amended, reported favorably — Do Pass.  
February 14, 2019, read second time, amended, ordered engrossed.  
February 15, 2019, engrossed.  
February 18, 2019, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Courts and Criminal Code.  
March 14, 2019, amended, reported — Do Pass.  
March 21, 2019, read second time, amended, ordered engrossed.

---

---

ES 2—LS 7016/DI 116



## Digest Continued

when a school bus's stop arm is extended on a roadway or a private road. Provides that the court may suspend the person's driving privileges: (1) for 90 days; or (2) if the person has committed at least one previous school bus arm offense, for one year. Increases the penalty, from a Class B misdemeanor to a Class A misdemeanor, for an individual who recklessly passes a school bus when its stop arm is extended on a roadway or a private road. Increases the penalty, from a Class A misdemeanor to a Level 6 felony, for an individual who recklessly passes a school bus when its stop arm is extended if the action results in injury, and a Level 5 felony, for an individual who recklessly passes a school bus when its stop arm is extended if the action results in death. Provides that the court may suspend the driving privileges of a person who recklessly passes a school bus when its stop arm is extended: (1) for 90 days; or (2) if the person has committed at least one previous school bus arm offense, for one year. Provides that a person who has the person's license suspended may not obtain specialized driving privileges. Requires a school bus driver to: (1) use an arm signal device, which must be extended while the bus is stopped, whenever a school bus is stopped on a roadway or a private road to load or unload a student; and (2) use flashing lights to give adequate warning that the school bus is stopped or about to stop on the roadway or the private road to load or unload a student. Provides that on or before September 1, 2019, and each September 1 thereafter, each school corporation, charter school, or accredited nonpublic school that provides transportation for students must review each school's school bus routes and school bus safety policies to improve the safety of students and adults. Provides that the state school bus committee, in consultation with the department of education (department), shall develop and post on the department's Internet web site school bus safety guidelines or best practices. Provides that the department, in consultation with the department of transportation, shall include on the department's Internet web site information on how an individual or school may petition to reduce maximum speed limits in areas necessary to ensure that students are safely loaded onto or unloaded from a school bus. Provides that, with certain exceptions, when a school bus is operated on a: (1) U.S. route or state route, the driver may not load or unload a student at a location that requires the student to cross a roadway unless no other safe alternatives are available; and (2) street or highway other than a U.S. route or state route, the driver shall load and unload a student as close to the right-hand curb or edge of the roadway as practicable. Provides that, if a school bus driver must load or unload an elementary school student at a location on a U.S. or state route, the superintendent or superintendent's designee must present the school bus route to the school board for approval. Adds school bus safety to the topics required to be on an examination for a learner's permit or driver's license. Provides that the governing body of a school corporation may allow, in certain situations, the use of a school bus or special purpose bus for the transportation of adults with physical or intellectual disabilities. Provides that the governing body of a school corporation may allow, by written authorization, the use of a school bus owned in whole or in part by the school corporation for the transportation needs of a nonprofit organization exempt from certain provisions related to federal taxation under the Internal Revenue Code. Expands the list of purposes for which a school corporation may use a special purpose bus to provide transportation and makes a corresponding change to the requirements for an operator of a special purpose bus.

**ES 2—LS 7016/DI 116**



Reprinted  
March 22, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## ENGROSSED SENATE BILL No. 2

---

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 9-19-13-4, AS AMENDED BY P.L.1-2005,  
2 SECTION 102, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2019]: Sec. 4. A bus used to transport school  
4 children must be equipped as follows:  
5 (1) At least two (2) signal lamps mounted as high and as widely  
6 spaced laterally as practicable, capable of displaying the front two  
7 (2) alternately flashing red lights located at the same level, and  
8 having sufficient intensity to be visible at five hundred (500) feet  
9 in normal sunlight.  
10 **(2) Black reflective tape mounted on:**  
11 **(A) each side of the school bus;**  
12 **(B) the front bumper; and**  
13 **(C) the rear bumper.**  
14 ~~(2)~~ **(3)** As required by the state school bus committee under  
15 IC 20-27-3-4.  
16 ~~(3)~~ **(4)** As required by IC 20-27-9.

ES 2—LS 7016/DI 116



1 SECTION 2. IC 9-21-8-52, AS AMENDED BY P.L.198-2016,  
 2 SECTION 364, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2019]: Sec. 52. (a) A person who operates a  
 4 vehicle and who recklessly:

5 (1) drives at such an unreasonably high rate of speed or at such an  
 6 unreasonably low rate of speed under the circumstances as to:

7 (A) endanger the safety or the property of others; or

8 (B) block the proper flow of traffic;

9 (2) passes another vehicle from the rear while on a slope or on a  
 10 curve where vision is obstructed for a distance of less than five  
 11 hundred (500) feet ahead;

12 (3) drives in and out of a line of traffic, except as otherwise  
 13 permitted; or

14 (4) speeds up or refuses to give one-half (1/2) of the roadway to  
 15 a driver overtaking and desiring to pass;

16 commits a Class C misdemeanor. However, the offense is a Class A  
 17 misdemeanor if it causes bodily injury to a person.

18 (b) A person who operates a vehicle and who recklessly passes a  
 19 school bus stopped on a roadway **or a private road** when the arm  
 20 signal device specified in IC 9-21-12-13 is in the device's extended  
 21 position commits a ~~Class B~~ **Class A** misdemeanor. However, the  
 22 offense is a ~~Class A misdemeanor~~ **Level 6 felony** if it causes bodily  
 23 injury to a person, **and a Level 5 felony if it causes the death of a**  
 24 **person.**

25 (c) If an offense under subsection (a) ~~or (b)~~ results in damage to the  
 26 property of another person, it is a Class B misdemeanor and the court  
 27 may recommend the suspension of the current driving license of the  
 28 person convicted of the offense described in ~~this~~ subsection (a) for a  
 29 fixed period of not more than one (1) year.

30 (d) If an offense under subsection (a) ~~or (b)~~ causes bodily injury to  
 31 a person, the court may recommend the suspension of the driving  
 32 privileges of the person convicted of the offense described in this  
 33 subsection for a fixed period of not more than one (1) year.

34 (e) **In addition to any other penalty imposed under subsection**  
 35 **(b), the court may suspend the person's driving privileges:**

36 (1) **for ninety (90) days; or**

37 (2) **if the person has committed at least one (1) previous**  
 38 **offense under this section or IC 9-21-12-1, for one (1) year.**

39 SECTION 3. IC 9-21-12-1, AS AMENDED BY P.L.217-2014,  
 40 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2019]: Sec. 1. (a) A person who drives a vehicle that:

42 (1) meets or overtakes from any direction a school bus stopped on



1 a roadway **or a private road** and is not stopped before reaching  
 2 the school bus when the arm signal device specified in  
 3 IC 9-21-12-13 is in the device's extended position; or

4 (2) proceeds before the arm signal device is no longer extended;  
 5 commits a ~~Class A infraction~~: **Class C misdemeanor**.

6 **(b) In addition to any other penalty imposed under this section,**  
 7 **the court may suspend the person's driving privileges:**

8 **(1) for ninety (90) days; or**

9 **(2) if the person has committed at least one (1) previous**  
 10 **offense under this section or IC 9-21-8-52(b), for one (1) year.**

11 ~~(b)~~ (c) This section is applicable only if the school bus is in  
 12 substantial compliance with the markings required by the state school  
 13 bus committee.

14 ~~(c)~~ (d) There is a rebuttable presumption that the owner of the  
 15 vehicle involved in the violation of this section committed the  
 16 violation. This presumption does not apply to the owner of a vehicle  
 17 involved in the violation of this section if the owner routinely engages  
 18 in the business of renting the vehicle for periods of thirty (30) days or  
 19 less.

20 SECTION 4. IC 9-21-12-13, AS AMENDED BY P.L.217-2014,  
 21 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2019]: Sec. 13. (a) Except:

23 (1) as provided in subsection (b); or

24 (2) when a school bus is stopped at an intersection or another  
 25 place where traffic is controlled by a traffic control device or a  
 26 police officer;

27 whenever a school bus is stopped on a roadway **or a private road** to  
 28 load or unload a student, the driver shall use an arm signal device,  
 29 which must be extended while the bus is stopped.

30 (b) The governing body of a public school may authorize a school  
 31 bus driver to load or unload a student at a location off the roadway that  
 32 the governing body designates as a special school bus loading area. The  
 33 driver is not required to extend the arm signal device when loading or  
 34 unloading a student in the designated area.

35 (c) A school bus driver who knowingly or intentionally violates  
 36 subsection (a) commits a Class C misdemeanor.

37 SECTION 5. IC 9-21-12-15, AS AMENDED BY P.L.217-2014,  
 38 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2019]: Sec. 15. (a) The driver of a school bus shall use  
 40 flashing lights as prescribed by the state school bus committee to give  
 41 adequate warning that the school bus is stopped or about to stop on the  
 42 roadway **or the private road** to load or unload a student.



1 (b) A school bus driver who knowingly or intentionally violates  
2 subsection (a) commits a Class C misdemeanor.

3 SECTION 6. IC 9-21-12-15.5 IS ADDED TO THE INDIANA  
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2019]: **Sec. 15.5. Whenever a school bus is in**  
6 **operation and transporting passengers, the driver of a school bus**  
7 **shall have the daytime running lights illuminated at all times.**

8 SECTION 7. IC 9-21-12-20 IS ADDED TO THE INDIANA CODE  
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
10 1, 2019]: **Sec. 20. (a) Except as provided in subsection (b), when a**  
11 **school bus is operated on a:**

12 (1) **U.S. route or state route, the driver may not load or**  
13 **unload a student at a location that requires the student to**  
14 **cross a roadway unless no other safe alternatives are**  
15 **available; and**

16 (2) **street or highway other than a U.S. route or state route,**  
17 **the driver shall load and unload a student as close to the**  
18 **right-hand curb or edge of the roadway as practicable.**

19 (b) **Subsection (a)(1) does not apply to a location on a U.S. route**  
20 **or state route that is within the boundary of a city or town.**

21 SECTION 8. IC 9-21-12-20.5 IS ADDED TO THE INDIANA  
22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
23 [EFFECTIVE JULY 1, 2019]: **Sec. 20.5. (a) As used in this section,**  
24 **"elementary school":**

25 (1) **has the meaning set forth in IC 20-18-2-4; and**

26 (2) **includes public elementary schools and accredited**  
27 **nonpublic elementary schools.**

28 (b) **As used in this section, "governing body" has the meaning**  
29 **set forth in IC 20-18-2-5.**

30 (c) **If a school bus driver must load or unload an elementary**  
31 **school student at a location that requires the student to cross a**  
32 **roadway that is a U.S. route or state route as described in section**  
33 **20(a)(1) of this chapter, the superintendent or the superintendent's**  
34 **designee shall present the school bus route described in this**  
35 **subsection to the governing body for approval.**

36 SECTION 9. IC 9-24-10-4, AS AMENDED BY P.L.147-2018,  
37 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2019]: **Sec. 4. (a) Except as provided in subsection (c), an**  
39 **examination for a learner's permit or driver's license must include the**  
40 **following:**

41 (1) **A test of the following of the applicant:**

42 (A) **Eyesight.**



- 1 (B) Ability to read and understand highway signs regulating,  
 2 warning, and directing traffic.  
 3 (C) Knowledge of Indiana traffic laws, including IC 9-26-1-1.5  
 4 **and IC 9-21-12-1.**  
 5 (2) An actual demonstration of the applicant's skill in exercising  
 6 ordinary and reasonable control in the operation of a motor  
 7 vehicle under the type of permit or driver's license applied for.  
 8 (b) The examination may include further physical and mental  
 9 examination that the bureau finds necessary to determine the  
 10 applicant's fitness to operate a motor vehicle safely upon a highway.  
 11 The applicant must provide the motor vehicle used in the examination.  
 12 An autocycle may not be used as the motor vehicle provided for the  
 13 examination.  
 14 (c) The bureau may waive:  
 15 (1) the testing required under subsection (a)(1)(A) if the applicant  
 16 provides evidence from a licensed ophthalmologist or licensed  
 17 optometrist that the applicant's vision is fit to operate a motor  
 18 vehicle in a manner that does not jeopardize the safety of  
 19 individuals or property;  
 20 (2) the actual demonstration required under subsection (a)(2) for  
 21 an individual who has passed:  
 22 (A) a driver's education class and a skills test given by a driver  
 23 training school; or  
 24 (B) a driver education program given by an entity licensed  
 25 under IC 9-27; and  
 26 (3) the testing, other than eyesight testing under subsection  
 27 (a)(1)(A), of an applicant who has passed:  
 28 (A) an examination concerning:  
 29 (i) subsection (a)(1)(B); and  
 30 (ii) subsection (a)(1)(C); and  
 31 (B) a skills test;  
 32 given by a driver training school or an entity licensed under  
 33 IC 9-27.  
 34 (d) The following are not civilly or criminally liable for a report  
 35 made in good faith to the bureau, commission, or driver licensing  
 36 medical advisory board concerning the fitness of the applicant to  
 37 operate a motor vehicle in a manner that does not jeopardize the safety  
 38 of individuals or property:  
 39 (1) An instructor having a license under IC 9-27-6-8.  
 40 (2) A licensed ophthalmologist or licensed optometrist.  
 41 SECTION 10. IC 9-30-2-2, AS AMENDED BY P.L.164-2018,  
 42 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 2. (a) Except as provided in subsection (b), a law  
 2 enforcement officer may not arrest or issue a traffic information and  
 3 summons to a person for a violation of an Indiana law regulating the  
 4 use and operation of a motor vehicle on a highway or an ordinance of  
 5 a city or town regulating the use and operation of a motor vehicle on a  
 6 highway unless at the time of the arrest the officer is:

- 7 (1) wearing a distinctive uniform and a badge of authority; or  
 8 (2) operating a motor vehicle that is clearly marked as a police  
 9 vehicle;

10 that will clearly show the officer or the officer's vehicle to casual  
 11 observations to be an officer or a police vehicle.

12 (b) Subsection (a) does not apply to an officer in an unmarked  
 13 police vehicle making an arrest or issuing a traffic information and  
 14 summons:

15 (1) when there is a uniformed officer present at the time of the  
 16 arrest; or

17 (2) for a violation of one (1) or more of the following:

18 (A) IC 9-21-8-52(a)(1)(A) (reckless driving causing  
 19 endangerment).

20 (B) IC 9-21-8-52(b) as a ~~Class A misdemeanor~~ **Level 6 felony**  
 21 (recklessly passing a stopped school bus resulting in bodily  
 22 injury).

23 **(C) IC 9-21-8-52(b) as a Level 5 felony (recklessly passing**  
 24 **a stopped school bus resulting in death).**

25 ~~(D)~~ **(D)** IC 9-30-5-2(b) as a Class A misdemeanor (operating  
 26 while intoxicated in a manner that endangers a person).

27 SECTION 11. IC 9-30-16-1, AS AMENDED BY P.L.46-2018,  
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2019]: Sec. 1. (a) Except as provided in subsection (b), the  
 30 following are ineligible for specialized driving privileges under this  
 31 chapter:

32 (1) A person who has never been an Indiana resident.

33 (2) A person seeking specialized driving privileges with respect  
 34 to a suspension based on the person's refusal to submit to a  
 35 chemical test offered under IC 9-30-6 or IC 9-30-7.

36 (3) A person whose driving privileges have been suspended or  
 37 revoked under IC 9-24-10-7(b)(2)(A).

38 **(4) A person whose driving privileges have been suspended**  
 39 **under IC 9-21-12-1(b).**

40 (b) This chapter applies to the following:

41 (1) A person who held an operator's, a commercial driver's, a  
 42 public passenger chauffeur's, or a chauffeur's license at the time





- 1 of:
- 2 (A) the criminal conviction for which the operation of a motor
- 3 vehicle is an element of the offense;
- 4 (B) any criminal conviction for an offense under IC 9-30-5,
- 5 IC 35-46-9, or IC 14-15-8 (before its repeal); or
- 6 (C) committing the infraction of exceeding a worksite speed
- 7 limit for the second time in one (1) year under IC 9-21-5-11(f).
- 8 (2) A person who:
- 9 (A) has never held a valid Indiana driver's license or does not
- 10 currently hold a valid Indiana learner's permit; and
- 11 (B) was an Indiana resident when the driving privileges for
- 12 which the person is seeking specialized driving privileges
- 13 were suspended.
- 14 (c) Except as specifically provided in this chapter, a court may
- 15 suspend the driving privileges of a person convicted of any of the
- 16 following offenses for a period up to the maximum allowable period of
- 17 incarceration under the penalty for the offense:
- 18 (1) Any criminal conviction in which the operation of a motor
- 19 vehicle is an element of the offense.
- 20 (2) Any criminal conviction for an offense under IC 9-30-5,
- 21 IC 35-46-9, or IC 14-15-8 (before its repeal).
- 22 (3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1
- 23 that involves the use of a vehicle.
- 24 (d) Except as provided in section 3.5 of this chapter, a suspension
- 25 of driving privileges under this chapter may begin before the
- 26 conviction. Multiple suspensions of driving privileges ordered by a
- 27 court that are part of the same episode of criminal conduct shall be
- 28 served concurrently. A court may grant credit time for any suspension
- 29 that began before the conviction, except as prohibited by section
- 30 6(a)(2) of this chapter.
- 31 (e) If a person has had an ignition interlock device installed as a
- 32 condition of specialized driving privileges or under IC 9-30-6-8(d), the
- 33 period of the installation shall be credited as part of the suspension of
- 34 driving privileges.
- 35 (f) This subsection applies to a person described in subsection
- 36 (b)(2). A court shall, as a condition of granting specialized driving
- 37 privileges to the person, require the person to apply for and obtain an
- 38 Indiana driver's license.
- 39 (g) If a person indicates to the court at an initial hearing (as
- 40 described in IC 35-33-7) that the person intends to file a petition for a
- 41 specialized driving privileges hearing with that court under section 3
- 42 or 4 of this chapter, the following apply:



- 1 (1) The court shall:  
 2 (A) stay the suspension of the person's driving privileges at the  
 3 initial hearing and shall not submit the probable cause  
 4 affidavit related to the person's offense to the bureau; and  
 5 (B) set the matter for a specialized driving privileges hearing  
 6 not later than thirty (30) days after the initial hearing.
- 7 (2) If the person does not file a petition for a specialized driving  
 8 privileges hearing not later than ten (10) days after the date of the  
 9 initial hearing, the court shall lift the stay of the suspension of the  
 10 person's driving privileges and shall submit the probable cause  
 11 affidavit related to the person's offense to the bureau for  
 12 automatic suspension.
- 13 (3) If the person files a petition for a specialized driving privileges  
 14 hearing not later than ten (10) days after the initial hearing, the  
 15 stay of the suspension of the person's driving privileges continues  
 16 until the matter is heard and a determination is made by the court  
 17 at the specialized driving privileges hearing.
- 18 (4) If the specialized driving privileges hearing is continued due  
 19 to:  
 20 (A) a congestion of the court calendar;  
 21 (B) the prosecuting attorney's motion for a continuance; or  
 22 (C) the person's motion for a continuance with no objection by  
 23 the prosecuting attorney;  
 24 the stay of the suspension of the person's driving privileges  
 25 continues until addressed at the next hearing.
- 26 (5) If the person moves for a continuance of the specialized  
 27 driving privileges hearing and the court grants the continuance  
 28 over the prosecuting attorney's objection, the court shall lift the  
 29 stay of the suspension of the person's driving privileges and shall  
 30 submit the probable cause affidavit related to the person's offense  
 31 to the bureau for automatic suspension.
- 32 SECTION 12. IC 20-27-9-2, AS ADDED BY P.L.1-2005,  
 33 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2019]: Sec. 2. The governing body of a school corporation  
 35 may allow, by written authorization, the use of a school bus **or a**  
 36 **special purpose bus** for the transportation of adults at least sixty-five  
 37 (65) years of age **or adults with developmental or physical**  
 38 **disabilities.**
- 39 SECTION 13. IC 20-27-9-5, AS AMENDED BY P.L.228-2017,  
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2019]: Sec. 5. (a) A special purpose bus may be used:  
 42 (1) by a school corporation to provide regular transportation of a



- 1 student between one (1) school and another school but not  
 2 between the student's residence and the school;  
 3 (2) to transport students and their supervisors, including coaches,  
 4 managers, and sponsors to athletic or other extracurricular school  
 5 activities and field trips;  
 6 (3) by a school corporation to provide transportation between an  
 7 individual's residence and the school for an individual enrolled in  
 8 a special program for the habilitation or rehabilitation of persons  
 9 with a developmental or physical disability, and, if applicable, the  
 10 individual's sibling; ~~and~~  
 11 (4) to transport homeless students under IC 20-27-12; **and**  
 12 **(5) by a school corporation to provide regular transportation**  
 13 **of an individual described in section 4 or section 7 of this**  
 14 **chapter between the individual's residence and the school.**  
 15 (b) The mileage limitation of section 3 of this chapter does not apply  
 16 to special purpose buses.  
 17 (c) The operator of a special purpose bus must be at least  
 18 twenty-one (21) years of age, be authorized by the school corporation,  
 19 and meet the following requirements:  
 20 (1) **Except as provided in subdivision (2)(B) and in addition to**  
 21 **the license required under this subdivision,** if the special  
 22 purpose bus has a capacity of less than sixteen (16) passengers,  
 23 the operator must hold a valid:  
 24 (A) operator's;  
 25 (B) chauffeur's;  
 26 (C) public passenger chauffeur's; or  
 27 (D) commercial driver's;  
 28 license.  
 29 (2) If the special purpose bus:  
 30 (A) has a capacity of more than fifteen (15) passengers; **or**  
 31 **(B) is used to provide transportation to an individual**  
 32 **described in subsection (a)(3) or (a)(5);**  
 33 the operator must meet the requirements for a school bus driver  
 34 set out in IC 20-27-8.  
 35 (d) A special purpose bus is not required to be constructed,  
 36 equipped, or painted as specified for school buses under this article or  
 37 by the rules of the committee.  
 38 (e) An owner or operator of a special purpose bus, other than a  
 39 special purpose bus owned or operated by a school corporation or a  
 40 nonpublic school, is subject to IC 8-2.1.  
 41 SECTION 14. IC 20-27-9-6, AS AMENDED BY P.L.233-2015,  
 42 SECTION 204, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) In addition to the exemptions  
 2 granted in this chapter and notwithstanding section 16 of this chapter,  
 3 a school corporation may allow a school bus operated under a fleet or  
 4 transportation contract and not owned in whole or in part by a public  
 5 agency to be used for the transportation of a group or an organization  
 6 for any distance, if that group or organization agrees to maintain the  
 7 condition of the school bus and to maintain order on the school bus  
 8 while in use.

9 (b) When authorizing transportation described in subsection (a), the  
 10 school corporation shall require the owner of the school bus to:

- 11 (1) obtain written authorization of the superintendent of the
- 12 contracting school corporation;
- 13 (2) clearly identify the school bus with the name of the sponsoring
- 14 group; and
- 15 (3) provide proof to the superintendent and the sponsoring group
- 16 of financial responsibility, as required by IC 9-25 for the
- 17 transportation.

18 (c) The governing body of a school corporation may allow, by  
 19 written authorization, the use of a school bus owned in whole or in part  
 20 by the school corporation for the transportation needs of ~~a fair or~~  
 21 ~~festival operated by or affiliated with~~ a nonprofit organization exempt  
 22 from federal taxation under Section 501(c)(3) through 501(c)(7) of the  
 23 Internal Revenue Code.

24 SECTION 15. IC 20-27-10-0.5 IS ADDED TO THE INDIANA  
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 26 [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. (a) On or before**  
 27 **September 1, 2019, and each September 1 thereafter, each school**  
 28 **corporation, charter school, and accredited nonpublic school that**  
 29 **provides transportation for students must review the school's**  
 30 **school bus routes and school bus safety policies to improve the**  
 31 **safety of students and adults.**

32 (b) **The state school bus committee, in consultation with the**  
 33 **department, shall develop and post on the department's Internet**  
 34 **web site school bus safety guidelines or best practices. The**  
 35 **guidelines or best practices must include procedures to be taken to**  
 36 **ensure that students do not enter a roadway until approaching**  
 37 **traffic has come to a complete stop.**

38 (c) **In addition to the requirements under subsection (b), the**  
 39 **department, in consultation with the department of transportation,**  
 40 **shall include on the department's Internet web site information on**  
 41 **how an individual or school may petition to reduce maximum**  
 42 **speed limits in areas necessary to ensure that students are safely**



1     **loaded onto or unloaded from a school bus.**  
2         SECTION 16. IC 35-52-9-19.5 IS ADDED TO THE INDIANA  
3     CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4     [EFFECTIVE JULY 1, 2019]: **Sec. 19.5. IC 9-21-12-1 defines a crime**  
5     **concerning traffic regulation.**  
6         SECTION 17. **An emergency is declared for this act.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 2, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 5, delete "person." and insert "person, **and a Level 5 felony if it causes the death of a person.**"

Page 2, line 22, after "injury" insert "**or death**".

Page 3, line 7, delete "When" and insert "**Except as provided in subsection (c), when**".

Page 3, line 16, delete "this section" and insert "**subsection (a)**".

Page 3, between lines 16 and 17, begin a new paragraph and insert: "**(c) Subsection (a)(1) does not apply to a location on a U.S. route or state route that is within the boundary of a city or town.**"

SECTION 4. IC 9-21-23 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

**Chapter 23. Camera Enforcement of Traffic Regulations**

**Sec. 1. As used in this chapter, "camera enforcement" means the enforcement of IC 9-21-12-1 through an enforcement agreement.**

**Sec. 2. As used in this chapter, "enforcement agreement" means an agreement entered into under section 6 of this chapter.**

**Sec. 3. As used in this chapter, "nonpublic school" has the meaning set forth in IC 20-18-2-12.**

**Sec. 4. As used in this chapter, "recorded image" means a digital image that:**

- (1) is captured by a camera that is mounted on a school bus pursuant to an enforcement agreement; and**
- (2) displays the date and time the image was captured.**

**Sec. 5. As used in this chapter, "school corporation" has the meaning set forth in IC 20-18-2-16(a).**

**Sec. 6. The following may enter into an enforcement agreement with a contractor to use recorded images to enforce IC 9-21-12-1:**

- (1) A school corporation.**
- (2) A nonpublic school.**

**Sec. 7. An enforcement agreement must include the following:**

- (1) The names and addresses of all law enforcement agencies:**
  - (A) that are authorized to enforce IC 9-21-12-1; and**
  - (B) to which recorded images will be provided for enforcement or evidentiary purposes.**
- (2) An acknowledgment that IC 9-21-12-1 may be enforced**



under the agreement, and that a recorded image may be used for evidentiary purposes to enforce IC 9-21-12-1.

(3) A provision that a recorded image is not a public record, and must be destroyed not later than thirty (30) days after:

(A) a judgment is entered in a proceeding initiated not later than thirty (30) days after the recorded image is captured for a violation of IC 9-21-12-1 that is allegedly based on the recorded image; or

(B) the date the recorded image is captured, if a proceeding is not initiated as described in clause (A).

(4) A regular inspection schedule for all hardware, including cameras, installed under the terms of the enforcement agreement.

(5) A requirement that, subject to the deduction of court costs under IC 34-28-5-5(g), civil penalties collected under this chapter must be deposited as follows:

(A) A percentage, not to exceed twenty-five percent (25%), must be deposited in the operations fund of the school corporation or nonpublic school that is a party to the enforcement agreement, for purposes of paying the costs of the enforcement agreement, including:

(i) payments to the contractor under the terms of the enforcement agreement; and

(ii) other administrative and enforcement costs identified in the enforcement agreement.

(B) The remainder must be deposited in the operations fund of the school corporation or nonpublic school that is a party to the enforcement agreement.

(6) Any other provisions that the parties to the enforcement agreement consider necessary.

**Sec. 8.** The bureau may assess points under the point system for a violation of a specified traffic regulation that is enforced through camera enforcement.

**Sec. 9. (a)** An individual against whom a judgment is entered for committing a violation of IC 9-21-12-1 that was detected and enforced through camera enforcement is liable for a civil penalty as follows:

(1) If the individual does not have a prior adjudication based on a violation of IC 9-21-12-1 within the previous five (5) years, three hundred dollars (\$300).

(2) If the individual has one (1) prior adjudication based on a violation of IC 9-21-12-1 within the previous five (5) years,



seven hundred fifty dollars (\$750).

**(3) If the individual has more than one (1) prior adjudication based on a violation of IC 9-21-12-1 within the previous five (5) years, one thousand dollars (\$1,000).**

**(b) A civil penalty imposed under this section must be deposited under the terms of the enforcement agreement under which the civil penalty was imposed.**

**(c) A civil penalty imposed under this section is the only penalty that may be imposed under this chapter for a violation of IC 9-21-12-1. Notwithstanding IC 34-28-5-4, an individual against whom a judgment is entered for a violation that is enforced by camera enforcement is not liable for the amount prescribed in IC 34-28-5-4(a) or for additional court costs. However, a court may deduct costs from the civil penalty imposed under subsection (a) as long as the amount imposed on the individual does not exceed the applicable amount set forth in this section.**

SECTION 5. IC 9-24-10-4, AS AMENDED BY P.L.147-2018, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Except as provided in subsection (c), an examination for a learner's permit or driver's license must include the following:

(1) A test of the following of the applicant:

(A) Eyesight.

(B) Ability to read and understand highway signs regulating, warning, and directing traffic.

(C) Knowledge of Indiana traffic laws, including IC 9-26-1-1.5 **and IC 9-21-12-1.**

(2) An actual demonstration of the applicant's skill in exercising ordinary and reasonable control in the operation of a motor vehicle under the type of permit or driver's license applied for.

(b) The examination may include further physical and mental examination that the bureau finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon a highway. The applicant must provide the motor vehicle used in the examination. An autocycle may not be used as the motor vehicle provided for the examination.

(c) The bureau may waive:

(1) the testing required under subsection (a)(1)(A) if the applicant provides evidence from a licensed ophthalmologist or licensed optometrist that the applicant's vision is fit to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property;





(2) the actual demonstration required under subsection (a)(2) for an individual who has passed:

(A) a driver's education class and a skills test given by a driver training school; or

(B) a driver education program given by an entity licensed under IC 9-27; and

(3) the testing, other than eyesight testing under subsection (a)(1)(A), of an applicant who has passed:

(A) an examination concerning:

(i) subsection (a)(1)(B); and

(ii) subsection (a)(1)(C); and

(B) a skills test;

given by a driver training school or an entity licensed under IC 9-27.

(d) The following are not civilly or criminally liable for a report made in good faith to the bureau, commission, or driver licensing medical advisory board concerning the fitness of the applicant to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property:

(1) An instructor having a license under IC 9-27-6-8.

(2) A licensed ophthalmologist or licensed optometrist."

Page 6, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 6. IC 20-27-9-2, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. The governing body of a school corporation may allow, by written authorization, the use of a school bus **or a special purpose bus** for the transportation of adults at least sixty-five (65) years of age **or adults with developmental or physical disabilities.**"

Page 6, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 8. IC 33-37-4-2, AS AMENDED BY P.L.85-2017, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. (a) Except as provided in subsections (d) and (e), for each action that results in a judgment:

(1) for a violation constituting an infraction; or

(2) for a violation of an ordinance of a municipal corporation (as defined in IC 36-1-2-10);

the clerk shall collect from the defendant an infraction or ordinance violation costs fee of seventy dollars (\$70).

(b) In addition to the infraction or ordinance violation costs fee collected under this section, the clerk shall collect from the defendant the following fees, if they are required under IC 33-37-5:

(1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or



IC 33-37-5-4).

- (2) An alcohol and drug services program fee (IC 33-37-5-8(b)).
- (3) A law enforcement continuing education program fee (IC 33-37-5-8(c)).
- (4) An alcohol and drug countermeasures fee (IC 33-37-5-10).
- (5) A highway worksite zone fee (IC 33-37-5-14).
- (6) A deferred prosecution fee (IC 33-37-5-17).
- (7) A jury fee (IC 33-37-5-19).
- (8) A document storage fee (IC 33-37-5-20).
- (9) An automated record keeping fee (IC 33-37-5-21).
- (10) A late payment fee (IC 33-37-5-22).
- (11) A public defense administration fee (IC 33-37-5-21.2).
- (12) A judicial insurance adjustment fee (IC 33-37-5-25).
- (13) A judicial salaries fee (IC 33-37-5-26).
- (14) A court administration fee (IC 33-37-5-27).
- (15) A DNA sample processing fee (IC 33-37-5-26.2).

(c) The clerk shall transfer to the county auditor or fiscal officer of the municipal corporation the following fees, not later than thirty (30) days after the fees are collected:

- (1) The alcohol and drug services program fee (IC 33-37-5-8(b)).
- (2) The law enforcement continuing education program fee (IC 33-37-5-8(c)).
- (3) The deferral program fee (subsection (e)).

The auditor or fiscal officer shall deposit the fees in the user fee fund established under IC 33-37-8.

(d) The defendant is not liable for any ordinance violation costs fee in an action if all the following apply:

- (1) The defendant was charged with an ordinance violation subject to IC 33-36.
- (2) The defendant denied the violation under IC 33-36-3.
- (3) Proceedings in court against the defendant were initiated under IC 34-28-5 (or IC 34-4-32 before its repeal).
- (4) The defendant was tried and the court entered judgment for the defendant for the violation.

(e) Instead of the infraction or ordinance violation costs fee prescribed by subsection (a), except for the automated record keeping fee (IC 33-37-5-21), the clerk shall collect a deferral program fee if an agreement between a prosecuting attorney or an attorney for a municipal corporation and the person charged with a violation entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires payment of those fees by the person charged with the violation. The deferral program fee is:



- (1) an initial user's fee not to exceed fifty-two dollars (\$52); and
- (2) a monthly user's fee not to exceed ten dollars (\$10) for each month the person remains in the deferral program.

(f) The fees prescribed by this section are costs for purposes of IC 34-28-5-5 and may be collected from a defendant against whom judgment is entered. **Except as provided in IC 9-21-23-9 and IC 34-28-5-5(g)**, any penalty assessed is in addition to costs.

SECTION 9. IC 34-28-5-5, AS AMENDED BY P.L.146-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) **Except as provided in subsection (g)**, a defendant against whom a judgment is entered is liable for costs. Costs are part of the judgment and may not be suspended except under IC 9-30-3-12. Whenever a judgment is entered against a person for the commission of two (2) or more civil violations (infractions or ordinance violations), the court may waive the person's liability for costs for all but one (1) of the violations. This subsection does not apply to judgments entered for violations constituting:

- (1) Class D infractions; or
- (2) Class C infractions for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8.

(b) If a judgment is entered:

- (1) for a violation constituting:
  - (A) a Class D infraction; or
  - (B) a Class C infraction for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8; or
- (2) in favor of the defendant in any case;

the defendant is not liable for costs.

(c) Except for costs, and except as provided in subsections (e), **and** (f), **and** (g) and IC 9-21-5-11(e), the funds collected as judgments for violations of statutes defining infractions shall be deposited in the state general fund.

(d) A judgment may be entered against a defendant under this section or section 4 of this chapter upon a finding by the court that the defendant:

- (1) violated:
  - (A) a statute defining an infraction; or
  - (B) an ordinance; or
- (2) consents to entry of judgment for the plaintiff upon a pleading of nolo contendere for a moving traffic violation.

(e) The funds collected for an infraction judgment described in



section 4(h) of this chapter shall be transferred to a dedicated county fund. The money in the dedicated county fund does not revert to the county general fund or state general fund and may be used, after appropriation by the county fiscal body, only for the following purposes:

(1) To pay compensation of commissioners appointed under IC 33-33-49.

(2) To pay costs of the county's guardian ad litem program.

(f) The funds collected for an infraction judgment described in section 4(i) of this chapter shall be transferred to a dedicated toll revenue fund created as part of a project under IC 8-15.5-1-2(b)(4). The money in the fund does not revert to the county general fund or state general fund and may be used only to pay the cost of operating, maintaining, and repairing the tolling system for a project under IC 8-15.5-1-2(b)(4), including major repairs, replacements, and improvements.

**(g) Notwithstanding subsection (c), twenty-five percent (25%) of the amount of a civil penalty collected for a violation of IC 9-21-12-1 that is enforced by camera enforcement under IC 9-21-23 shall be deposited in the school operations fund established under IC 20-46-8 for the school corporation in which the violation occurred and used for funding school bus arm signal device cameras. To the extent an individual is liable for costs for a traffic violation described in this subsection, the costs may be deducted from the judgment and may not cause the individual to be liable for an amount greater than the civil penalty set forth in IC 9-21-23-9(a)."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 2 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 10, Nays 0.

---

SENATE MOTION

Madam President: I move that Senate Bill 2 be amended to read as follows:

Page 7, between lines 10 and 11, begin a new line double block

ES 2—LS 7016/DI 116



indented and insert:

**"(C) IC 9-21-8-52(b) as a Level 5 felony (recklessly passing a stopped school bus resulting in death)."**

Page 7, line 11, strike "(C)" and insert "(D)".

(Reference is to SB 2 as printed February 8, 2019.)

HEAD

---

SENATE MOTION

Madam President: I move that Senate Bill 2 be amended to read as follows:

Page 3, delete lines 18 through 19.

Page 3, line 20, delete "(c)" and insert "(b)".

Page 13, delete lines 4 through 7.

Re-number all SECTIONS consecutively.

(Reference is to SB 2 as printed February 8, 2019.)

HEAD

---

SENATE MOTION

Madam President: I move that Senate Bill 2 be amended to read as follows:

Page 3, between lines 21 and 22, begin a new paragraph and insert:

**"SECTION 4. IC 9-21-12-20.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 20.5. (a) As used in this section, "elementary school":**

**(1) has the meaning set forth in IC 20-18-2-4; and**

**(2) includes public elementary schools and accredited nonpublic elementary schools.**

**(b) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.**

**(c) If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route as described in section**



**20(a)(1) of this chapter, the superintendent or the superintendent's designee shall present the school bus route described in this subsection to the governing body for approval."**

Renumber all SECTIONS consecutively.

(Reference is to SB 2 as printed February 8, 2019.)

SPARTZ

---

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 2, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-19-13-4, AS AMENDED BY P.L.1-2005, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. A bus used to transport school children must be equipped as follows:

(1) At least two (2) signal lamps mounted as high and as widely spaced laterally as practicable, capable of displaying the front two (2) alternately flashing red lights located at the same level, and having sufficient intensity to be visible at five hundred (500) feet in normal sunlight.

**(2) Black reflective tape mounted on:**

**(A) each side of the school bus;**

**(B) the front bumper; and**

**(C) the rear bumper.**

~~(2)~~ **(3)** As required by the state school bus committee under IC 20-27-3-4.

~~(3)~~ **(4)** As required by IC 20-27-9."

Page 2, line 22, after "of" insert "**IC 35-50-2-6 or**".

Page 2, line 25, delete "twenty" and insert "**ten**".

Page 2, line 25, delete "(\$20,000)." and insert "**(\$10,000).**".

Page 3, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 4. IC 9-21-12-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 15.5. Whenever a school bus is in**



**operation and transporting passengers, the driver of a school bus shall have the daytime running lights illuminated at all times."**

Page 3, line 9, delete "(c)," and insert "**(b)**,".

Page 4, line 12, delete "to enforce IC 9-21-12-1:" and insert "**for purposes of a criminal proceeding:**".

Page 4, line 23, delete "not a public record," and insert "**confidential, unless entered as evidence in a proceeding,**".

Page 5, between lines 6 and 7, begin a new line block indented and insert:

**"(6) A requirement that, subject to the deduction of court costs under IC 34-28-5-5(g), civil penalties collected under this chapter:**

**(A) may be used by a party to an enforcement agreement only until all cameras under the enforcement agreement are fully paid for;**

**(B) may not be used by a school corporation or nonpublic school that is a party to an enforcement agreement as a source of profit; and**

**(C) may not be used by any party to an enforcement agreement as an ongoing source of revenue."**

Page 5, line 7, delete "(6)" and insert "**(7)**".

Page 9, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 10. IC 20-27-9-6, AS AMENDED BY P.L.233-2015, SECTION 204, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) In addition to the exemptions granted in this chapter and notwithstanding section 16 of this chapter, a school corporation may allow a school bus operated under a fleet or transportation contract and not owned in whole or in part by a public agency to be used for the transportation of a group or an organization for any distance, if that group or organization agrees to maintain the condition of the school bus and to maintain order on the school bus while in use.

(b) When authorizing transportation described in subsection (a), the school corporation shall require the owner of the school bus to:

(1) obtain written authorization of the superintendent of the contracting school corporation;

(2) clearly identify the school bus with the name of the sponsoring group; and

(3) provide proof to the superintendent and the sponsoring group of financial responsibility, as required by IC 9-25 for the transportation.

(c) The governing body of a school corporation may allow, by



written authorization, the use of a school bus owned in whole or in part by the school corporation for the transportation needs of ~~a fair or festival operated by or affiliated with~~ a nonprofit organization exempt from federal taxation under Section 501(c)(3) through 501(c)(7) of the Internal Revenue Code."

Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.

(Reference is to SB 2 Digest Correction as reprinted February 15, 2019.)

MCNAMARA

Committee Vote: yeas 9, nays 3.

---

HOUSE MOTION

Mr. Speaker: I move that Senate Bill 2 be amended to read as follows:

Page 2, line 34, delete "shall" and insert "**may**".

Page 2, delete lines 38 through 42.

Page 3, line 11, delete "shall" and insert "**may**".

Page 4, delete lines 15 through 42.

Delete page 5.

Page 6, delete lines 1 through 29.

Page 11, delete lines 36 through 42.

Delete pages 12 through 13.

Page 14, delete lines 1 through 33.

Renumber all SECTIONS consecutively.

(Reference is to ESB 2 as printed March 15, 2019.)

MANNING

---

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 2 be amended to read as follows:

Page 2, line 19, after "roadway" insert "**or a private road**".

Page 3, line 5, after "roadway" insert "**or a private road**".

ES 2—LS 7016/DI 116





Page 3, between lines 23 and 24, begin a new paragraph and insert:  
 "SECTION 4. IC 9-21-12-13, AS AMENDED BY P.L.217-2014,  
 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2019]: Sec. 13. (a) Except:

- (1) as provided in subsection (b); or
- (2) when a school bus is stopped at an intersection or another place where traffic is controlled by a traffic control device or a police officer;

whenever a school bus is stopped on a roadway **or a private road** to load or unload a student, the driver shall use an arm signal device, which must be extended while the bus is stopped.

(b) The governing body of a public school may authorize a school bus driver to load or unload a student at a location off the roadway that the governing body designates as a special school bus loading area. The driver is not required to extend the arm signal device when loading or unloading a student in the designated area.

(c) A school bus driver who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor.

SECTION 5. IC 9-21-12-15, AS AMENDED BY P.L.217-2014,  
 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2019]: Sec. 15. (a) The driver of a school bus shall use flashing lights as prescribed by the state school bus committee to give adequate warning that the school bus is stopped or about to stop on the roadway **or the private road** to load or unload a student.

(b) A school bus driver who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor."

Renumber all SECTIONS consecutively.

(Reference is to ESB 2 as printed March 15, 2019.)

GOODIN

---

#### HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 2 be amended to read as follows:

Page 10, between lines 32 and 33, begin a new paragraph and insert:  
 "SECTION 12. IC 20-27-9-5, AS AMENDED BY P.L.228-2017,  
 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2019]: Sec. 5. (a) A special purpose bus may be used:

- (1) by a school corporation to provide regular transportation of a

ES 2—LS 7016/DI 116



student between one (1) school and another school but not between the student's residence and the school;

(2) to transport students and their supervisors, including coaches, managers, and sponsors to athletic or other extracurricular school activities and field trips;

(3) by a school corporation to provide transportation between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling; ~~and~~

(4) to transport homeless students under IC 20-27-12; **and**

**(5) by a school corporation to provide regular transportation of an individual described in section 4 or section 7 of this chapter between the individual's residence and the school.**

(b) The mileage limitation of section 3 of this chapter does not apply to special purpose buses.

(c) The operator of a special purpose bus must be at least twenty-one (21) years of age, be authorized by the school corporation, and meet the following requirements:

(1) **Except as provided in subdivision (2)(B) and in addition to the license required under this subdivision**, if the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid:

- (A) operator's;
- (B) chauffeur's;
- (C) public passenger chauffeur's; or
- (D) commercial driver's;

license.

(2) If the special purpose bus:

- (A) has a capacity of more than fifteen (15) passengers; or**
- (B) is used to provide transportation to an individual described in subsection (a)(3) or (a)(5);**

the operator must meet the requirements for a school bus driver set out in IC 20-27-8.

(d) A special purpose bus is not required to be constructed, equipped, or painted as specified for school buses under this article or by the rules of the committee.

(e) An owner or operator of a special purpose bus, other than a



special purpose bus owned or operated by a school corporation or a nonpublic school, is subject to IC 8-2.1."

Renumber all SECTIONS consecutively.

(Reference is to ESB 2 as printed March 15, 2019.)

PRESSEL

