

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1095

Introduced by

Representative Coats

1 A BILL for an Act to amend and reenact subsection 4 of section 39-10-46 and sections
2 39-21-18 and 39-21-27 of the North Dakota Century Code, relating to schoolbus strobe lights.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 4 of section 39-10-46 of the 1995 Supplement
5 to the North Dakota Century Code is amended and reenacted as follows:

6 4. Every schoolbus ~~may~~ must be equipped with safety strobe lights and ~~must be~~
7 ~~equipped~~ with a stop sign on a control arm and red visual signals meeting the
8 requirements of section 39-21-18, ~~which may only be actuated by the.~~ The driver
9 of the schoolbus may actuate the safety strobe lights only when adverse weather
10 conditions causing reduced visibility are present or when the vehicle is stopped on
11 the highway to receive or discharge schoolchildren. The driver of the schoolbus
12 ~~whenever~~ may actuate the stop sign on a control arm and the red visual signals
13 only when the vehicle is stopped on the highway to receive or discharge
14 schoolchildren. ~~A schoolbus driver may not actuate the stop sign or the special~~
15 ~~visual signals:~~

- 16 a. ~~On city streets on which the receiving or discharging of schoolchildren is~~
17 ~~prohibited by ordinance;~~
18 b. ~~At intersections or other places where traffic is controlled by traffic control~~
19 ~~signals or police officers; or~~
20 e. ~~In designated schoolbus loading areas where the bus is entirely off the~~
21 ~~roadway.~~

22 **SECTION 2. AMENDMENT.** Section 39-21-18 of the North Dakota Century Code is
23 amended and reenacted as follows:

24 **39-21-18. Audible and visual signals on vehicle.**

1. Every authorized emergency vehicle must, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a siren, exhaust whistle, or bell capable of causing a minimum sound intensity level of eighty-five decibels, such siren or signal must be mounted outside of the vehicle or in front of the radiator.
2. ~~Every schoolbus, except small vehicles such as automobiles, station wagons, suburbans, and van-type vehicles having a seating capacity of up to and including sixteen pupils, and every~~ authorized emergency vehicle may be equipped with safety strobe lights and must, in addition to any other equipment and distinctive markings required by this chapter, be equipped with:
 - a. ~~Signal~~ signal lamps mounted as high and as widely spaced laterally as practicable, which must be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level, and these lights must have sufficient intensity to be visible at five hundred feet [152.4 meters] in normal sunlight; and
 - b. ~~A stop sign on a control arm that can be activated by the busdriver. The stop sign on the control arm must be located on the left side of the bus; be equipped with a flashing red light; and when activated, extend out from the bus at approximately a ninety degree angle.~~
3. A police vehicle when used as an authorized emergency vehicle may, but need not, be equipped with alternately flashing red lights specified herein and a vehicle designated for the use of the adjutant general or the assistant adjutant general may, but need not, be equipped with a siren, exhaust whistle, or bell specified herein.
4. Every schoolbus, except small vehicles such as automobiles, station wagons, suburbans, and van-type vehicles having a seating capacity of up to and including sixteen students must be equipped with safety strobe lights and:
 - a. Signal lamps mounted as high and as widely spaced laterally as practicable, which must be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red

lights located at the same level, and these lights must have sufficient intensity to be visible at five hundred feet [152.4 meters] in normal sunlight; and

b. A stop sign on a control arm that can be activated by the busdriver. The stop sign on the control arm must be located on the left side of the bus, be equipped with a flashing red light, and when activated, extend out from the bus at approximately a ninety degree angle.

5. The use of the signal equipment described herein imposes upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in sections 39-10-26 and 39-10-46.

SECTION 3. AMENDMENT. Section 39-21-27 of the North Dakota Century Code is amended and reenacted as follows:

39-21-27. Special lighting and warning equipment on schoolbuses.

1. The superintendent of public instruction in cooperation with the registrar is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices, including the stop sign on a control arm specified in section 39-21-18, to be carried by schoolbuses and other vehicles transporting children to school for compensation, consistent with the provisions of this chapter, but supplemental thereto. Such standards and specifications must correlate with and, so far as possible, conform to the specifications then current as approved by the society of automotive engineers.

2. It is unlawful to operate a safety strobe light on any schoolbus except when adverse weather conditions causing reduced visibility are present or when the schoolbus is stopped on a highway for the purpose of permitting schoolchildren to board or alight from the bus. It is unlawful to operate any flashing warning signal light or the stop sign on the control arm specified in section 39-21-18 on any schoolbus except when ~~any said~~ the schoolbus is stopped on a highway for the purpose of permitting schoolchildren to board or alight from ~~said~~ the schoolbus.