



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 4/28/98

AGENDA ITEM 2

WORK SESSION ITEM _____

To: Mayor and City Council
From: Chief of Police
Subject: Update on New Vehicle Code Legislation on School Buses.

Recommendation:

This report is to provide Council with the information on new Vehicle Code legislation on school buses. No action is being requested. This report is for the Council's information only.

Background:

In 1997 the State of California passed Assembly Bill 1297 which is known as the "Thomas Edward Lanni Schoolbus Safety Act of 1997." This Assembly Bill was enacted as the result of a traffic death that occurred in 1991 in Los Angeles County during the loading of students onto a school bus.

Update:

Assembly Bill 1297 became California Vehicle Code section 22112. This new law requires the driver of a school bus to operate the red warning lights and stop sign arm on a stopped bus when it approaches a school bus stop. Those warning signals must also be used at all times when the bus is stopped for the purpose of loading or unloading pupils, regardless of whether the pupils must cross the roadway or not.

A long standing provision of the Vehicle Code, section 22454(a), states that when a bus is stopped and the required red lights and stop sign arm are in operation the driver of any vehicle must stop upon meeting, from either direction. The driver shall not proceed past the school bus until the flashing red light signal and stop signal arm cease operation. The only exception to this law is if the roadway is divided by a wall or concrete median. If the roadway is divided in this manner then only the driver approaching the school bus from the rear is required to stop.

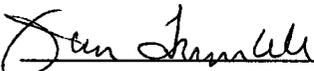
The penalty for violations of this law begins with a \$250 dollar fine on the first offense. The second offense imposes a \$1000 dollar fine. If a person violates this law a third time their license will be suspended for one year.

On December 30, 1997, representatives from the Hayward Police Department, San Leandro Police Department, Fremont Police Department, Union City Police Department, Newark Police Department, the California Highway Patrol, and Hayward Unified School District held a joint press conference to alert the public to the new legislation. Since this conference, there has been an ongoing dialog between the Hayward Police Department and the Hayward Unified School District to discuss problematic concerns. The two primary areas that have been identified are the immediate roadways surrounding the schools and the location of the bus stops.

To impact the problems surrounding the schools, the Hayward Unified School District has sent home fliers reminding the parents of the legislation. For the first 30 days of the new law, the Police Department's Traffic Bureau issued only warnings. Since then, based on specific complaints, the Police Department is issuing citations.

Most of the problematic bus stop locations have been moved. However, there remain a few problem stops. The Hayward Unified School District, with the assistance of the Police Department's Traffic Bureau, is studying possible solutions.

Prepared by:



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Recommended by:



Craig Calhoun, Chief of Police

Approved by:



Jesús Armas, City Manager