

6-19-110. Bus drivers -- Loading and discharging pupils.

(a) As used in this section:

(1) "Motor vehicle" means all vehicles, all movable engines, or machines that are operated or propelled by motor vehicle fuel and that are operated and used for travel on public roads and highways; and

(2) (A) "School bus" means a motor vehicle designed to carry ten (10) or more passengers:

(i) Owned by a public or a governmental agency or a private school and operated for the transportation of students to or from school or school-sponsored activities; or

(ii) Privately owned and operated for compensation for the transportation of students to or from school or school-sponsored activities.

(B) A motor vehicle designed to carry more than twenty-five (25) passengers is exempt from this section if the motor vehicle is:

(i) Owned by a public or a governmental agency or a private school and operated for the transportation of students to or from school-sponsored activities but not used to transport students on any scheduled school bus route; or

(ii) Privately owned and operated for compensation under contract to a school district and used for the transportation of students to or from school-sponsored activities.

(b) The purpose of this section is to improve the safety of children being loaded and unloaded as passengers on a school bus.

(c) (1) The superintendent and director of transportation of each school district, in consultation with the appropriate law enforcement agency and appropriate prosecuting authority, shall develop a school bus safety plan designed to ensure the safety of children being loaded onto or unloaded from school buses.

(2) The school bus safety plan shall include provisions to:

(A) Reduce the occurrence of a motor vehicle passing a stopped school bus that is loading or unloading students; and

(B) Improve the likelihood that the operator of a motor vehicle who violates § 27-51-1004 or § 27-51-1005 will be prosecuted by assisting bus drivers to learn methods of identifying characteristics of a motor vehicle and its operator who violate § 27-51-1004 or § 27-51-1005 to law enforcement officers.

(d) (1) The driver of a school bus shall load and unload the passengers of the bus at the

extreme right side of the paved or improved portion of the road or the highway and at the right curbing when the curbing is maintained on the road or the highway.

(2) A driver of a school bus who fails to carry out the provisions of this subsection is guilty of a Class C misdemeanor.

(e) (1) A driver of a school bus who observes an operator of a motor vehicle violating § 27-51-1004 or § 27-51-1005 shall report the license plate number, issuing state if different than Arkansas, and a brief description of the vehicle to the superintendent within two (2) hours after the end of the driver's shift for that period of the day.

(2) Within forty-eight (48) hours of the observation, the superintendent shall provide the information to the appropriate law enforcement agency or appropriate prosecuting authority with jurisdiction over the incident.

(3) The appropriate law enforcement agency or appropriate prosecuting authority with jurisdiction over the incident who is provided a report under this section shall provide written notice to the superintendent regarding the outcome of the report.

(4) The superintendent shall provide information regarding the outcome of the report to the driver of the school bus who initiated the report.

(f) A person who observes an operator of a motor vehicle violating § 27-51-1004 or § 27-51-1005 may report the incident to the appropriate law enforcement agency or appropriate prosecuting authority with jurisdiction over the incident.