

# Connecting

MARCH 2021

NEWS FOR MANAGERS & MECHANICS

## A Closer Look At Illegal Passing....Is There A Solution?

Reducing the incidence of illegal passing of stopped school buses is easier said than done. The solution to this complex problem requires the involvement and cooperation of many groups (motorists, school bus drivers, law enforcement officers, prosecutors, and local judicial officials) to make sure the law is obeyed, violations are reported, and the law is enforced

School buses and motorists. Both have been part of the morning and afternoon landscape for five generations of school children. Although yellow wasn't adopted as the school bus color until 1939, school buses have been around since 1915, about as long as the automobile.

In all that time there has been an uneasy coexistence between school buses and motorists. School buses make frequent stops to load and unload students. It is the nature of their business. By law, when a school bus stops to drop off or pick up students, motorists must stop too. But motorists often don't want to stop. Motorists want to get where they are going, with little interruption and as quickly as they can.

Yet, in a 1997 survey on speeding and other unsafe driving behaviors, 99 percent of the drivers interviewed felt that the most dangerous unsafe driving behavior was passing a school bus with its lights flashing and stop arm extended. Passing a stopped school bus was considered to be more dangerous than any other unsafe driving behavior, more dangerous even than racing another driver, driving through a stop sign or red light, crossing railroad tracks with red lights blinking, passing in a no-passing zone, and speeding.

### It's The Law

Every one of the 50 States has a law making it illegal to pass a school bus with its red lights flashing and stop-arm extended that is stopped to load or unload students. However, some motorists simply choose to ignore the law.

- They might be coming toward the bus, decide that no students are crossing the road, and just keep going.
- They might be behind the bus, pull into the left lane, and go around the bus.
- They might be behind the bus, pull onto the shoulder, and pass the bus on the right.
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### Proving the Law Was Being Violated

While the number of actual crashes caused by this violation is low, the potential for injury or death is high. For years, school bus drivers have been aware of, and have complained about, motorists illegally passing their school buses. In the mid-1990s several States conducted surveys to determine the actual extent of illegal passing. What they found was worse than they had imagined.

- ◆ The School Transportation Management Section of the Florida Department of Education conducted a study in 1995 through the University of South Florida. On one day in May of that year, 10,590 vehicles illegally passed stopped school buses in 58 of Florida's 67 school districts. Since approximately 11,150 school buses participated in the survey, this meant an average of almost one illegal passing per school bus that day.
- ◆ A one-day study was conducted in September 1996 in 119 of the 131 school divisions in the State of Virginia. On that day, 3,394 Virginia motorists illegally passed a stopped school bus. Multiplying the results by a 180-day school year brings the total number of illegal passing to over 600,000 a year. Of the 3,394 total in September 1996, 187 were right-side passes, on the side of the bus students use to enter and exit.
- ◆ In 1996, the Illinois Department of Transportation's Division of Traffic Safety conducted a probability-based sample survey of 250 school buses to estimate the total number of stop-arm violations in the State. Drivers of 250 buses were asked to record stop-arm violations during a 41-school day time period. The survey was completed and returned by 135 drivers who reported 3,450 violations. Based on the findings, the estimated number of stop-arm violations each year in Illinois is over 1,900,000, making it a major traffic safety problem.

NHTSA took note of the surveys, both its own (showing that drivers perceived illegal passing to be dangerous) and the three from the States (showing the extent of the violations). NHTSA also heard from the pupil transportation community that passing a stopped school bus with red lights flashing, illegal in all 50 States, was a serious and widespread problem.

In response, NHTSA sponsored four demonstration programs. The intent was to show what different approaches could be taken to address the stop-arm violation problem (illegal passing of stopped school buses) and to demonstrate what worked, and what didn't work, and why.

At the same time as the surveys and demonstration projects were being conducted, a number of States and local communities also resolved to reduce the incidence of stop-arm violations. They found that it was not a simple task.

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← *Leave everyone and everything better than we found them—Mike Hennek*

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## Where's The Shortfall?

### Lack of knowledge of the law

As improbable as it seems, motorists may be unaware of the specifics of the law and the consequences for breaking the law.

- Motorists need to know what the law is. In particular, they need to know what types of highways are covered by the law (e.g., all roads or only non-divided highways).
- Motorists need to know what the penalty is for breaking the law. Some States have set very high fines, as well as a number of points or the potential for license suspension, as an indication of how seriously they view this violation.
- Motorists need to know what the safety consequences are for disregarding the law. For example, young children are at greater risk of injury or death if a motorist violates the law.

### Lack of compliance with the law

Lack of information is only part of the reason why the law is not obeyed. Another part of the reason is lack of compliance. While the illegal passing rate is generally lower in rural areas, one can find motorists everywhere who intentionally or unintentionally disobey the law. Motorists can be very blatant in disobeying the law. They pull up behind the bus and go around the stop arm. As they approach the bus in the oncoming lane, they disregard the flashing red lights and just keep driving. Different parts of the country have different issues that contribute to intentional or unintentional disregard for the law.

- In urban areas, the school bus stop may be near a traffic light. When that light turns green, motorists may focus on the traffic light and pass the stopped bus despite the red flashing lights and extended stop arm.
- On open roads where the speed limit is higher and visibility might be reduced, stopping quickly may be harder. Once they see the school bus, speeding motorists may not be able to stop.
- On roads traveled by the same people every day, motorists may know that, at certain stops, children don't cross the road as they load or unload. These motorists may see no problem with passing a stopped school bus to avoid being stuck behind the bus.

There needs to be a team effort from school bus drivers and Law enforcement officers. This part of the problem includes these factors:

- Lack of information
- Lack of motivation
- Lack of procedures

### Lack of information

School bus drivers too may be unsure of the specifics of the law. School bus drivers need to review what is and what is not a violation so that they can accurately report stop-arm violations. Even if they do know that a violation has occurred, school bus drivers may be unsure about what to report. They need to review what must be included in a stop-arm violation report. By neglecting to record some information, they may jeopardize law enforcement action.

### Lack of motivation

The most logical people to report stop-arm violations are school bus drivers. However, driver reporting of stop-arm violations is often low. Remember that, for school bus drivers, this problem is not new. For many bus drivers, reporting stop-arm violations has had little impact. School bus drivers may feel little motivation to make a report if reports are not pursued, charges are dismissed, and the incidence of the violation does not decrease.

### Lack of procedures

In many States and communities, there is no clear guidance on what a school bus driver should report and to whom the report should be made. Even when there are policies established by law enforcement for notifying motorists of probable violations or for monitoring high-incidence areas, there may not be an easy mechanism for passing information from the school bus driver to the notification agency or to the enforcement agency.

## BIRTHDAYS

### MARCH

9th — Russ Bode  
13th — Mike Hennek  
14th — Angela Sheridan  
24th — Terry Becker  
25th — Tina Tuebert  
29th — Don Geretschlaeger



*IF YOU'RE INTERESTED IN  
BUYING 4.0 GEAR*

CONTACT  
MICHAELA@FOURPOINTO.COM

## DATES TO KNOW

- MARCH 14TH—DAYLIGHT SAVINGS—TIME TO SPRING FORWARD
- APRIL 30TH—1ST PERIOD RANDOM TESTS DUE



**LOOK**  
AT THE  
**Slip & Fall**  
**Safety**  
**Checklist**

# Connecting

## Violations Are Not Reported or Under Reported....Why?

### THE LAW IS NOT ENFORCED?

#### Difficulty in establishing a baseline

Traditionally, incidence of a crime is established by counting the number of citations issued. However, stop-arm violations are often not witnessed by law enforcement. These violations are witnessed by the school bus driver—a civilian. Law enforcement is often very skeptical about the accuracy of the counts done by school bus drivers because relying on driver reporting means depending on the accurate knowledge and motivation of the drivers.

This part of the problem includes three factors:

- Misgivings about the report
- Difficulty enforcing the law
- Difficulty getting convictions

#### Misgivings about the report

One reason for a lack of follow-through on a report is the gray area of this violation. Since in many States this is one of the few violations (if not the only violation) that a civilian can report, law enforcement is often dubious about the accuracy of reports submitted.

#### Difficulty enforcing the law

Along with reporting difficulties is the challenge of enforcing stop-arm laws. In many States, only a law enforcement officer who witnesses the act can write a citation for a stop-arm violation. A violation reported by a school bus driver cannot be written up. Yet stop-arm violations are often random. You can't always predict where violations will occur. Even at locations with a high incidence of reports, you can't predict when a violation will occur.

Add to this the shortage of law enforcement officers and you have an almost impossible situation:

- To have a citation issued, a law enforcement officer must witness the violation.
- But violations occur haphazardly, often in places that officers can't routinely patrol because they are required elsewhere.

#### Difficulty getting convictions

Even when a citation has been written, the story is not over. If a motorist chooses not to pay the fine and contests the citation, the motorist goes to court. Unfortunately, many local judicial officials don't take the problem of illegal passing seriously and reduce the charge or throw cases out entirely.

Sometimes the case is dismissed for insufficient evidence. There must be evidence that a particular vehicle committed the violation. This requires not just the vehicle make and color but a license plate number. In those areas where a citation can be issued based on a driver's report, bus drivers often find it hard to get a license plate number when they also have to watch the road, operate the bus, and manage the students.

Sometimes the charge is reduced because of the penalty for the violation. In some States, the penalty for a first offense is high (e.g., large fine, mandatory license suspension) and magistrates and judges are reluctant to impose such a penalty.

**To learn more about developing your own solutions go to:**

<https://www.nhtsa.gov/school-bus-safety/reducing-illegal-passing-school-buses>

## Random Drug Period Dates

**Period 1 – January 01 to April 30**  
**Period 2 – May 1 to August 31**  
**Period 3 – September 1 to December 31**



*Cromwell-Wright Drivers*

Photos From  
**Bus  
Driver  
Appreciation  
Day**

*East Central Office*



### Should I fill out a new W-4?

*The short answer is.....It depends.*

Here's a list of questions  
to ask yourself :

- **Are you married? If yes, does your spouse work?**
- **Do you or your spouse have a second job?**
- **Do you have any new dependents?**
- **Is there a chance that you won't use the standard deduction?**
- **Did you get a large tax bill or have a large refund last year?**

If you answer "Yes" to *any* of those questions, then we recommend revisiting your W-4.

# MARCH 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4 PAYROLL	5 PO LISTS DUE	6
7	8	9	10	11	12	13
14 <i>Daylight Savings</i> <i>SPRING FORWARD</i>	15 SCHOOL DIST. BILLING	16	17	18 PAYROLL	19 PO LISTS DUE	20
21	22	23	24	25	26	27
28	29	30	31			