



Printer's Error
January 25, 2000

HOUSE BILL No. 1267

DIGEST OF HB 1267 (Updated January 24, 2000 2:12 PM - DI 96)

Citations Affected: IC 9-21; noncode.

Synopsis: School bus identification markings. Requires the state school bus committee to adopt and enforce rules requiring each new school bus to bear: (1) the name of the school district on the top of the school bus; and (2) the number of the school district on the back of the school bus in black letters that are four to six inches high. Provides that a motor vehicle carrying passengers for hire, a vehicle carrying explosive substances or flammable liquids, or a school bus or private bus that is carrying passengers that is being driven on a highway that is divided into two roadways of at least two lanes each is not required to stop before crossing a track of a railroad at grade.

Effective: July 1, 2000; January 1, 2001.

Frenz, Kersey, Saunders

January 11, 2000, read first time and referred to Committee on Roads and Transportation.
January 19, 2000, amended, reported — Do Pass.
January 24, 2000, read second time, amended, ordered engrossed.
January 25, 2000, engrossed.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1267

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

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

- 1 SECTION 1. IC 9-21-12-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) This section does
3 not apply to the following:
4 (1) A street railway grade crossing within a business or residence
5 district.
6 (2) Abandoned or unused tracks.
7 (b) A person who drives:
8 (1) a motor vehicle carrying passengers for hire;
9 (2) a school or private bus that is carrying passengers; or
10 (3) a vehicle carrying explosive substances or flammable liquids
11 as a cargo or part of a cargo;
12 shall, before crossing at grade a track of a railroad, stop the vehicle not
13 more than fifty (50) feet and not less than fifteen (15) feet from the
14 nearest rail of the railroad. **However, this subsection does not apply**
15 **to a highway that is divided into two (2) roadways (as described in**
16 **IC 9-21-8-17) of at least two (2) lanes each.**
17 (c) While stopped in accordance with subsection (b), the person
18 shall do the following:

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- 1 (1) Listen through an open window or door.
- 2 (2) Look in both directions along the track for an approaching
- 3 train and for signals indicating the approach of a train.
- 4 (3) Not proceed until the person can proceed safely.

5 After stopping the person shall cross only in a gear of the vehicle so
 6 there will be no necessity for changing gears while traversing the
 7 crossing. The person who drives the vehicle may not shift gears while
 8 crossing the track or tracks.

9 (d) If a police officer or traffic control signal directs traffic to
 10 proceed at a railroad crossing, the person who drives a vehicle subject
 11 to this section shall proceed in accordance with the instructions of the
 12 police officer or traffic control signal.

13 SECTION 2. [EFFECTIVE JANUARY 1, 2001] (a) **As used in this**
 14 **SECTION, "committee" refers to the state school bus committee**
 15 **created by IC 20-9.1-4.**

16 (b) **As used in this SECTION, "school bus" has the meaning set**
 17 **forth in IC 20-9.1-1-5.**

18 (c) **The committee shall adopt and enforce rules under IC 4-22-2**
 19 **to require that each new school bus bear:**

- 20 (1) **the name of the school district on the top of the school bus;**
- 21 **and**
- 22 (2) **the number of the school district on the back of the school**
- 23 **bus;**
- 24 **in black letters that are between four (4) inches and six (6) inches**
- 25 **high.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1267, 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:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2001]".

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

"SECTION 1. IC 9-21-12-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) This section does not apply to the following:

- (1) A street railway grade crossing within a business or residence district.
- (2) Abandoned or unused tracks.
- (b) A person who drives:
 - (1) a motor vehicle carrying passengers for hire;
 - (2) a school or private bus that is carrying passengers; or
 - (3) a vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo;

shall, before crossing at grade a track of a railroad, stop the vehicle not more than fifty (50) feet and not less than fifteen (15) feet from the nearest rail of the railroad. **However, this subsection does not apply to a school bus whenever the school bus is being driven on a highway that is divided into two (2) roadways (as described in IC 9-21-8-17) of at least two (2) lanes each.**

(c) While stopped in accordance with subsection (b), the person shall do the following:

- (1) Listen through an open window or door.
- (2) Look in both directions along the track for an approaching train and for signals indicating the approach of a train.
- (3) Not proceed until the person can proceed safely.

After stopping the person shall cross only in a gear of the vehicle so there will be no necessity for changing gears while traversing the crossing. The person who drives the vehicle may not shift gears while crossing the track or tracks.

(d) If a police officer or traffic control signal directs traffic to proceed at a railroad crossing, the person who drives a vehicle subject to this section shall proceed in accordance with the instructions of the

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police officer or traffic control signal."

Page 1, delete lines 7 through 10, begin a new line blocked left and insert:

"to require that each school bus bear:

**(1) the name of the school district on the top of the school bus;
and**

**(2) the number of the school district on the back of the
schoolbus;"**

Page 1, delete lines 13 through 18.

Delete page 2.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1267 as introduced.)

COOK, Chair

Committee Vote: yeas 12, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1267 be amended to read as follows:

Page 2, line 20, after "each" insert "**new**".

(Reference is to HB 1267 as printed January 19, 2000.)

FRENZ

HOUSE MOTION

Mr. Speaker: I move that House Bill 1267 be amended to read as follows:

Page 1, line 15, delete "school bus whenever the school bus is being driven on a ".

(Reference is to HB1267 as printed January 20, 2000.)

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