

118TH CONGRESS
1ST SESSION

H. R. 3998

To establish a program to monitor and gather data on incidents of illegal passing of stopped school buses, develop a national public safety messaging campaign, training materials, and model legislation to reduce such incidents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2023

Mr. YAKYM (for himself and Ms. BROWNLEY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a program to monitor and gather data on incidents of illegal passing of stopped school buses, develop a national public safety messaging campaign, training materials, and model legislation to reduce such incidents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jackie Walorski En-
5 hancing Necessary Data on Illegal School Bus Passing
6 Act”.

1 **SEC. 2. PROGRAM ON ILLEGAL PASSING INCIDENTS.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Administrator of the
4 National Highway Traffic Safety Administration shall es-
5 tablish a program to provide grants to eligible entities to
6 carry out a demonstration project to monitor and collect
7 data on incidents of illegal passing of stopped school
8 buses.

9 (b) APPLICATIONS.—Upon the establishment of the
10 program under subsection (a), the Administrator shall so-
11 licit applications, in such form and requiring such infor-
12 mation as the Administrator determines is appropriate,
13 from eligible entities to participate in the program.

14 (c) SELECTION.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the deadline for submitting applications under
17 subsection (b), as determined by the Administrator,
18 the Administrator shall provide grants to not more
19 than 12 eligible entities to carry out a demonstration
20 project under the program established under this
21 section.

22 (2) CRITERIA.—In selecting eligible entities to
23 receive a grant under this section, the Administrator
24 shall—

25 (A) select entities located in—

1 (i) urban, rural, and suburban com-
2 munities; and

3 (ii) geographic areas that account for
4 varying weather patterns;

5 (B) ensure that a range of socioeconomic
6 and demographic backgrounds are represented
7 across the selected entities;

8 (C) select at least 1 entity that has pub-
9 licly operated school bus fleets;

10 (D) select at least 1 entity that has pri-
11 vately operated school bus fleets;

12 (E) select entities that have the ability to
13 work cooperatively with local law enforcement
14 to carry out a project described in subsection
15 (d);

16 (F) select at least 1 entity that is a tribal
17 educational agency; and

18 (G) select—

19 (i) at least 1 entity that has in place
20 a local campaign to combat incidents of il-
21 legal passing of stopped school buses;

22 (ii) at least 1 entity that has in place
23 countermeasures to stop such incidents;
24 and

1 (iii) at least 1 entity that does not
2 have in place such a campaign or such
3 countermeasures.

4 (d) DEMONSTRATION PROJECTS.—A recipient of a
5 grant under this section shall use such grant to carry out
6 a project to monitor and collect data on incidents of illegal
7 passing of stopped school buses, including a description
8 of—

9 (1) the number of incidents that occur each
10 day;

11 (2) traffic patterns or characteristics of loca-
12 tions in which such incidents occur, including—

13 (A) road conditions;

14 (B) time and location of such incidents;

15 (C) lighting and weather conditions at the
16 time such incidents occurred; and

17 (D) the side of the school bus on which
18 such incidents occurred;

19 (3) the drivers involved in such incidents, in-
20 cluding—

21 (A) the age and sex of the driver;

22 (B) a description of whether any law en-
23 forcement action was taken against the driver
24 and, if so, a summary of such action;

1 (C) whether a driver has a record of traffic
2 citations; and

3 (D) whether distracted driving was in-
4 volved in such incidents; and

5 (4) any other information the Administrator de-
6 termines is able to be collected in order to prepare
7 the public safety messaging campaign required
8 under section 3.

9 (e) REPORT TO ADMINISTRATOR.—Upon completion
10 of a demonstration project carried out with a grant pro-
11 vided under this section, a grant recipient shall submit to
12 the Administrator a report containing the data collected
13 during such project.

14 (f) REPORT TO CONGRESS.—Not later than 1 year
15 after the Administrator provides grants to eligible entities
16 under subsection (e)(1), the Administrator shall prepare
17 a report describing the findings of the demonstration
18 projects carried out with such grants and submit such re-
19 port to Congress.

20 (g) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
21 tion, the term “eligible entity” means a local educational
22 agency (as defined in section 8101 of the Elementary And
23 Secondary Education Act of 1965 (20 U.S.C. 7801) or
24 a tribal educational agency (as defined in section 6132(b)
25 of such Act (20 U.S.C. 7452(b))).

1 **SEC. 3. NATIONAL PUBLIC SAFETY MESSAGING CAMPAIGN.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date on which the Administrator submits the report re-
4 quired under section 2(f), the Administrator shall produce
5 and distribute a national public safety messaging cam-
6 paign to increase awareness and education about the dan-
7 gers of illegal passing of stopped school buses.

8 (b) REQUIREMENTS.—In producing and distributing
9 the national public safety messaging campaign under sub-
10 section (a), the Administrator shall—

11 (1) incorporate the findings contained in the re-
12 port submitted under subsection (2)(f) in the cam-
13 paign, including distributing the campaign to tar-
14 getted sectors of the public based on such report;

15 (2) ensure that the campaign includes radio,
16 television, and social media advertising and is not
17 limited to only digital downloads or regional dis-
18 tribution; and

19 (3) with respect to television advertising, seek
20 advertising time on key national broadcasts with a
21 wide audience.

22 (c) TRAINING.—Not later than 1 year after the date
23 on which the Administrator submits the report required
24 under section 2(f), the Administrator shall modify edu-
25 cational materials created for traffic safety resource pros-
26 ecutors and State agencies responsible for administering

1 driver's license laws to include more data on the dangers
2 of illegal passing of stopped school buses and emphasize
3 the importance of strong enforcement of laws prohibiting
4 the passing of stopped school buses.

5 (d) PUPIL TRANSPORTATION SAFETY.—The Admin-
6 istrator shall include in the next scheduled edition of the
7 biennial highway safety countermeasure guide published
8 by the National Highway Traffic Safety Administration
9 that is provided to State highway safety offices informa-
10 tion about pupil transportation safety and effective coun-
11 termeasures to address illegal passing of stopped school
12 buses.

13 **SEC. 4. MODEL LEGISLATION.**

14 (a) IN GENERAL.—Not later than 1 year after the
15 Secretary of Transportation completes the review of illegal
16 passing laws conducted pursuant to section 24110(a) of
17 the Infrastructure Investment and Jobs Act (23 U.S.C.
18 402 note), the Secretary shall, in consultation with the
19 National Conference of State Legislatures, develop model
20 legislation to address incidents of illegal passing of
21 stopped school buses.

22 (b) REQUIREMENT.—The model legislation developed
23 under subsection (a) shall require that a citation for the

- 1 illegal passing of a stopped school bus be classified as a
- 2 moving violation.

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