

State Fines and Other Penalties for Passing a Stopped School Bus

By: Heather Poole, Associate Analyst
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Issue

Provide the penalties for passing a school bus in all 50 states. This report updates OLR Report [2016-R-0032](#).

Summary

Every state has a “stop-arm law” that (1) prohibits drivers from passing a school bus that is stopped to load or unload students with its red lights flashing and stop-arm extended and (2) imposes penalties on violators. Connecticut imposes a fine of \$450 for a first violation of its stop-arm law and a fine of \$500 to \$1,000, up to 30 days in jail, or both for subsequent violations. (For a more detailed summary of Connecticut’s law, see OLR Report [2019-R-0199](#).) Penalties in other states vary greatly. All states impose a fine for each offense, but fines range from \$30, the minimum fine in Wisconsin, to up to \$10,000, the maximum fine in Indiana. Several states permit a license suspension or prison sentence for first violations and most permit them for subsequent violations, but the suspension or sentence length varies.

Additionally, administrative penalties, often in the form of points, may be assessed against the licenses of those who violate the law. The National Association of State Directors of Pupil Transportation Services administered a [2013-2014 survey](#) of stop-arm laws, which indicates the number of points states assess for illegally passing a school bus. The survey found that (1) at least seven states assess five or more points, (2) at least four states assess four points, and (3) at least nine states assess three or fewer points (see page 8 of the report).

Finally, many states, including Connecticut, have laws allowing the use of video monitoring systems installed on the outside of a school bus to capture images of vehicles illegally passing. For more information on these systems, see OLR Report [2018-R-0289](#).

State Penalties

Penalties for illegally passing a school bus vary greatly among states. For a first conviction, 10 states permit a fine of up to \$1,000 or more, 16 states permit a prison sentence, and 10 states permit a license suspension for up to 30 days or more. See Tables 1, 2, and 3 for the specific states permitting each penalty, listed in descending order by length or maximum amount of the penalty. Table 4 provides more detailed information on state stop-arm law fines and other penalties (i.e., prison terms, license suspensions, and community service).

The state penalties included in this report are not inclusive. In addition to the penalties listed in this report, states may impose (1) higher penalties under certain circumstances, such as if the violation occurs when children are outside the bus or if the driver passes on the right side of the school bus; (2) criminal penalties for violations causing an injury to or death of a person; (3) administrative penalties (see summary); or (4) different penalties for violations captured through video monitoring systems. We do not include these penalties below.

Table 1: States Permitting a Fine of \$1,000 or More for a First Conviction, by Maximum Fine

<i>State</i>	<i>Fine</i>
Indiana	Up to \$10,000
Alaska	Up to \$2,000
Missouri	Up to \$2,000
Oregon	Up to \$2,000
Texas	\$500 to \$1,250
Arkansas	\$250 to \$1,000
Maryland	Up to \$1,000
Tennessee	\$250 to \$1,000
Vermont	Up to \$1,000
West Virginia	\$500 to \$1,000

Table 2: States Permitting a Prison Sentence for a First Conviction, by Sentence Length

State	Incarceration Period
Mississippi	Up to one year
Missouri	Up to one year
Louisiana	Up to six months
West Virginia	Up to six months
Alaska	Up to 90 days
Arkansas	Up to 90 days
Colorado	10 to 90 days
New Mexico	Up to 90 days
Delaware	30 to 60 days
Kentucky	30 to 60 days
Iowa	Up to 30 days
New York	Up to 30 days
South Carolina	Up to 30 days
South Dakota	Up to 30 days
Wyoming	Up to 20 days
New Jersey	Up to 15 days

Table 3: States Permitting a License Suspension for a First Conviction, by Suspension Length

State	Suspension Period
Arkansas	21 days to one year
Delaware	One month to one year
Ohio	Up to one year
Oklahoma	Up to one year
Illinois	90 days
Indiana	90 days
Missouri	90 days
West Virginia	60 days
Louisiana	30 days
Rhode Island	Up to 30 days

Table 4: State Laws and Penalties for Illegally Passing a School Bus

State	Statute	Penalties	
		Fines	Other Applicable Penalties
Alabama	Ala. Admin Code §§ 32-5A-154 (1975)	1 st conviction: \$150 to \$300 2 nd conviction: \$300 to \$500 3 rd conviction: \$500 to \$1,000 4 th and subsequent convictions: \$1,000 to \$3,000	2 nd conviction: 100 hours community service and 30-day license suspension 3 rd conviction: 200 hours of community service and 90-day license suspension 4 th and subsequent convictions: Class C felony conviction and one-year license suspension
Alaska	Alaska Stat. §§ 28.35.145, 12.55.035, & 12.55.135	Up to \$2,000	Up to 90 days in jail
Arizona	Ariz. Rev. Stat. § 28-857	1 st conviction: At least \$250 2 nd conviction within three years: At least \$750 3 rd and subsequent convictions within three years: At least \$1,000	2 nd conviction within three years: Up to a six month license suspension 3 rd and subsequent convictions within three years: Six months to one year license suspension
Arkansas	Ark. Code. Ann. §§ 27-51-1004 & 27-51-1001	\$250 to \$1,000	Up to 90 days in prison; up to 400 hours of community service; 21-day to one-year license suspension
California	CA VEH Code §§ 22454 & 22454.5	1 st conviction: \$150 to \$250 2 nd conviction: \$500 to \$1,000	3 rd conviction within three years: One-year license suspension
Colorado	Colo. Rev. Stat. §§ 42-4-1903 & 42-4-1701(3)(a)(II)(A)	1 st conviction: \$150 to \$300 2 nd conviction: \$300 to \$1,000	1 st conviction: Possible sentence of 10 to 90 days in prison 2 nd conviction: Possible sentence of 10 days to one year in prison
Connecticut	CGS § 14-279	1 st conviction: \$450 2 nd and subsequent convictions: \$500 to \$1,000	2 nd and subsequent convictions: Up to 30 days in prison
Delaware	Del. Code Ann. Tit. 21. § 4166	1 st conviction: \$115 to \$230 2 nd and subsequent convictions within three years: \$115 to \$575	1 st conviction: Possible sentence of 30 to 60 days in prison; 1 month to 1 year license suspension 2 nd and subsequent convictions within three years: 60 days to six months in prison; 1 month to 1 year license suspension
Florida	Fla. Stat. Ann. §§ 316.172 & 318.18(5)(a)	At least \$100, or at least \$200 for those who pass on the right-hand side of the bus	2 nd and subsequent convictions within five years: 90 days to 180-day license suspension
Georgia	Ga. Code Ann., § 40-6-163	\$250	
Hawaii	Haw. Rev. Stat. § 291C-95	Up to \$500	Possible community service
Idaho	Idaho Code Ann. § 49-1422	1 st conviction: At least \$200 2 nd conviction within five years: At least \$400	

State	Statute	Penalties	
		Fines	Other Applicable Penalties
		3 rd conviction within five years: At least \$600	
Illinois	625 Ill Comp. Stat. 5/11-1414	1 st conviction: \$150 2 nd and subsequent convictions: \$500	1 st conviction: Three month license suspension 2 nd and subsequent convictions within five years: One year license suspension
Indiana	Ind. Code §§ 9-21-12-1 & 34-28-5-4	Up to \$10,000	1 st conviction: Possible 90 day license suspension 2 nd and subsequent convictions: Possible one-year license suspension
Iowa	Iowa Code. § 321.372	1 st conviction: \$250 to \$675 2 nd and subsequent convictions: \$315 to \$1,875	1 st conviction: Up to 30 days in prison 2 nd and subsequent convictions: Up to one year in prison
Kansas	Kan. Stat. Ann. §§ 8-1556 & 8-2118	1 st conviction: \$315 2 nd conviction within five years: \$750 3 rd and subsequent convictions within five years: \$1,000	
Kentucky	Ky. Rev. Stat. Ann. §§ 189.370 & 189.990(5)	1 st conviction: \$100 to \$200 2 nd and subsequent convictions within three years: \$300 to \$500	1 st conviction: Possible 30 to 60 days in prison 2 nd and subsequent convictions within three years: Possible 60 days to six months in prison
Louisiana	LA. Rev. Stat. Ann. 32:80	\$100 to \$500	Up to six months in prison and: 1 st conviction: 30-day license suspension 2 nd conviction: 60-day license suspension 3 rd conviction: One-year license suspension
Maine	ME Rev. Stat. Ann. 29-A § 2308	At least \$250	2 nd and subsequent convictions within three years: 30-day license suspension
Maryland	MD Code Ann. Transp. §§ 21-706	Up to \$1,000	
Massachusetts	Mass Gen. Laws 90 § 14	1 st conviction: At least than \$250 2 nd conviction: \$500 to \$1,000 3 rd and subsequent convictions: \$1,000 to \$2,000	2 nd conviction: Six-month license suspension 3 rd and subsequent convictions: One-year license suspension
Michigan	Mich. Comp. Laws §§ 257.682 & 257.907	\$100 to \$500	Up to 100 hours of community service at a school
Minnesota	Minn. Stat. §§ 169.444, 609.02 & 609.0341	Misdemeanor: At least \$500 Gross misdemeanor: Up to \$3,000	Misdemeanor: Up to 90 days in prison Gross misdemeanor: Up to one year in prison
Mississippi	Miss. Code Ann. § 63-3-615	1 st conviction: \$350 to \$750 2 nd and subsequent convictions within five years: \$750 to \$1,500	1 st conviction: Up to one year in prison 2 nd and subsequent convictions within five years: Up to one year in prison and 90-day license suspension
Missouri	MO Rev. Stat. §§ 304.050, 304.070,	Up to \$2,000	1 st conviction: Up to one year in prison, possible 90-

State	Statute	Penalties	
		Fines	Other Applicable Penalties
	558.011 & 560.016		day license suspension 2 nd and subsequent convictions: Up to one year in prison, possible 120-day license suspension
Montana	Mont Code Ann. § 61-8-351	Up to \$500	
Nebraska	Neb. Rev. St. §§ 60-6, 175 & 28-106	\$500	
Nevada	Nev. Rev. Stat. 484B.353	1 st conviction: \$250 to \$500 2 nd conviction within one year: \$250 to \$500 3 rd and subsequent convictions within two years: Up to \$1,000	2 nd conviction within one year: Six-month license suspension 3 rd and subsequent convictions within two years: Up to one-year license suspension
New Hampshire	NH Rev. Stat § 265:54	1 st conviction: \$150 plus penalty assessment 2 nd and subsequent convictions: \$250 to \$1,000 plus penalty assessment	2 nd and subsequent convictions: Possible 30-day license suspension
New Jersey	NJ Rv. Stat. 39:4-128.1	1 st conviction: At least \$100 2 nd and subsequent convictions: At least \$250	1 st conviction: Up to 15 days in prison or community service for 15 days 2 nd conviction: Up to 15 days in prison
New Mexico	N.M. Stat. 1978, §§ 66-7-347 & 66-8-7	Up to \$300	Up to 90 days in prison
New York	NY VAT Law § 1174	1 st conviction: \$250 to \$400 2 nd conviction within three years: \$600 to \$750 3 rd and subsequent convictions within three years: \$750 to \$1,000	1 st conviction: Up to 30 days in prison 2 nd or subsequent convictions within three years: Up to 180 days in prison
North Carolina	N.C. Gen. Stat. § 20-217	At least \$500	2 nd conviction: If within three years of first conviction, one year license suspension
North Dakota	N.D. Cent. Code §§ 39-10-46 & 39-06.1-06	\$100	
Ohio	Ohio Rev. Code §§ 4511.75 & 4510.02	Up to \$500	Up to one-year license suspension
Oklahoma	Okla. Stat. Ann. §§ 47-11-705 & 47-6-205(F)	At least \$100	Up to one-year license suspension
Oregon	OR. Rev. Stat. §§ 811.155 & 153.018	Up to \$2,000	
Pennsylvania	75 PA. Cons. Stat. § 3345	\$250	
Rhode Island	R.I. Gen. Laws 31-20-12	1 st conviction: Up to \$300 2 nd conviction: \$300 to \$500	1 st conviction: Up to 30-day license suspension 2 nd conviction: Possible one-year license

State	Statute	Penalties	
		Fines	Other Applicable Penalties
			suspension
South Carolina	SC Code Ann. §§ 56-5-2770 & 56-5-2780	1 st conviction: At least \$500 2 nd and subsequent convictions: \$2,000 to \$5,000	1 st conviction: Up to 30 days in prison or possible community service for a minimum of 10 days 2 nd and subsequent convictions: Possible 30 to 60 days in prison
South Dakota	S.D. Codified Laws §§ 32-32-6 & 22-6-2	\$500	Up to 30 days in prison
Tennessee	Tenn. Code. Ann. 55-8-151	\$250 to \$1,000	
Texas	Tex. Transp. Code § 545.066	1 st conviction: \$500 to \$1,250 2 nd and subsequent convictions within five years: \$1,000 to \$2,000	2 nd and subsequent convictions: Up to a 6-month license suspension
Utah	Utah Code Ann. 1953 § 41-6a-1302	1 st conviction: At least \$100 2 nd conviction within three years: At least \$200 3 rd and subsequent conviction within three years: At least \$500	Possible compensatory service in lieu of the fine
Vermont	Vt. Stat. Ann. Tit. 23 §§ 1075 & 2302	Up to \$1,000	
Virginia	VA Code Ann. § 46.2-844	\$250	
Washington	Wash. Rev. Code 46.61.370	Up to \$500	
West Virginia	W. Va Code, § 17C-12-7	1 st conviction: \$500 to \$1,000 2 nd conviction: \$1,000 to \$1,500 3 rd and subsequent convictions: \$2,000	1 st conviction: Up to six months in jail, 60-day license suspension 2 nd conviction: Up to six months in jail, 180-day license suspension 3 rd and subsequent convictions: Required 48 hours to six months in jail, one year license suspension
Wisconsin	Wis. Stat. Ann. §§ 346.48 & 346.49	\$30 to \$300	
Wyoming	Wyo. Stat. §§ 31-5-507 & 31-5-1201	1 st conviction: \$195 to \$745 Subsequent conviction within one year: \$395 to \$995	

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