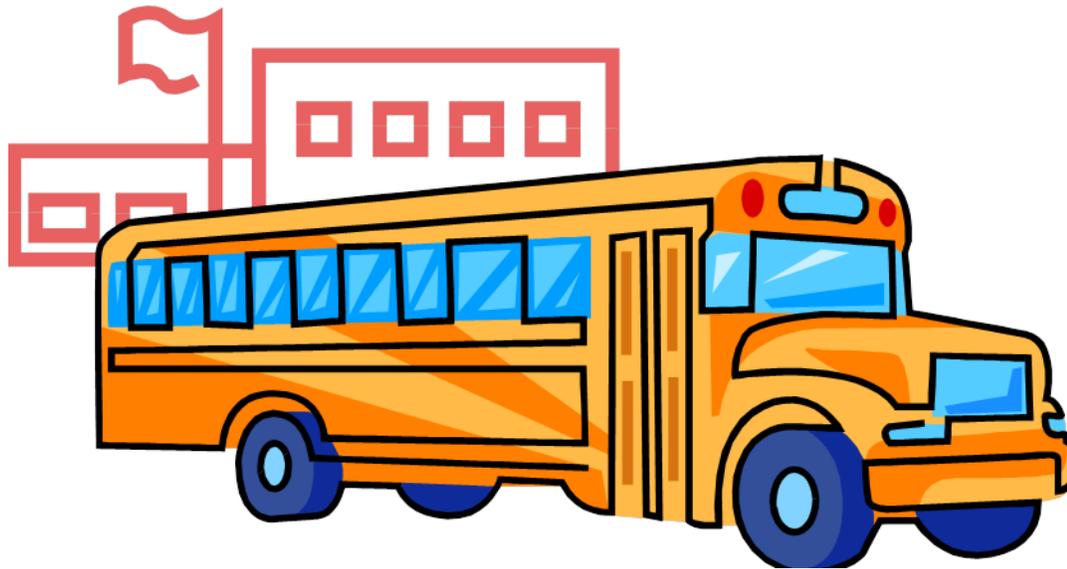


BEGINNING SCHOOL BUS DRIVER CURRICULUM

UNIT IV VEHICLE OPERATIONS



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Bus Driving Woes

Have you ever tried driving a school bus
With umpteen kids all creating a fuss?
It sure is exciting and at times very trying
To have to put up with the yelling and crying

So start your bus after checking it out
And say a prayer as you start your route
You stop at the school to pick up your load
Then it's off you go and down the road

You've gone less than a mile a noise you hear
Keep one eye on the road and one on the mirror
Of course you know the noise, you've heard it before
Joey tried to open the emergency door!

Keep your eyes on the road as there's bicyclists ahead
Then squish you get an orange on the back of your head
Look up quick to try to catch the jerk
Fifty kids all smiling a silly little smirk.

Then somewhere in back two kids start a fight
And others start screaming with all their might
Quick stop the bus if you can find a place
Before someone ends up with a bloody face.

Kids block the aisle, they don't want it stopped
At least until someone really gets popped.
You pull them apart and ask who started this mess,
The other one did, they both confess.

Back on the road everything's quieted down
Till big ole Albert starts acting like a clown.

Flipping over a seat he creates a flap
As he lands in shy little Mary's lap.

She screams so loud you can't help but look
Just in time to see him get whopped with her book.
Back in his seat with no serious harm done
Today those brats are really having fun.

As they start getting *off*, one by one
You wonder if this day will ever get done.
You could call parents but what good would it do
Their children are all angels, through and through.

There's a car pulling out, quick hit the brake
He saw you coming, it was no mistake.
That yo-yo didn't want to get behind a bus,
Let's hope the kids didn't hear you cuss.

Five more kids and day will be through
Then you can go home to a well-deserved brew.
You stop the bus with the flashers going
And some nut goes past without even slowing.

You finally come to the last stop and open the door
He stops by you as you warily wonder what for
Then says you're the best driver he's ever had
Maybe, just maybe, these kids are not all bad.

By a Bus-driving Poet – Mary Reaurne
Jefferson School Bus Driver

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<p style="text-align: center;">Unit IV Vehicle Operations Instructional Content</p>
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The driver will be provided instruction with the following concepts:

- The legal requirements for wearing and the penalties for failing to wear safety belts while operating a school bus or pupil transportation vehicle.
- The prohibitions against and the penalties for possessing or using tobacco, alcoholic liquor, or controlled substances in a school bus or pupil transportation vehicle.
- The persons and the maximum number of persons who may be transported in a school bus while transporting pupils to and from school.
- The guidelines for determining and maintaining safe following distances.
- When hazard warning lights and/or roof mounted flashing, oscillating or rotating white lights may legally be used.
- The legal and recommended procedures when approaching and crossing railroad tracks.
- The procedures for reporting dangerous railroad crossings.
- Who is legally required to yield when encountering right-of-way situations.
- When passing on the right and left is permitted and prohibited.
- Fuel conservation driving techniques.
- How he/she can improve his/her ability to correctly respond to critical situations.
- Principles for preventing and correcting any kind of traction loss.
- The correct response for loss of brakes, steering failure, tire blow out, headlight failure, accelerator sticks, and engine overheats.
- The laws regarding cell phone use and texting.

Bus Driver Seat Belt Use

Driving a large school bus takes a great deal of skill and understanding of law and procedures relating to vehicle operation. To become a professional school bus driver, it is important that drivers learn everything they can about the procedures and laws which govern their driving tasks.

In this unit, we will review important regulations which, if followed will greatly assist drivers in their everyday tasks. Ignoring these laws and procedures could result in harm to drivers and their passengers.

The greatest lifesaving and injury reducing safety device drivers have on the bus for their own protection is the safety belt. It has this potential, however, only if drivers take the time to fasten them.

MICHIGAN VEHICLE CODE (EXCERPT)

Sec. 257.710^e Safety belt required; driver or passenger to which section inapplicable; transporting child 4 years of age but less than 16 years of age; enforcement of section; violation as evidence of negligence; reduction of recovery for damages; violation as civil infraction; reports of police harassment; effect of primary enforcement; report of findings; intent; assessment of points prohibited.

(2) This section does not apply to a passenger of a school bus.

(3) Each operator and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt...

Drivers can be ticketed for failing to wear a safety belt.

Smoking and Alcohol on the Bus

The primary responsibility of drivers is the health and safety of their passengers. The use of tobacco, alcohol or other controlled substances interferes with this responsibility.

Please be advised that many Michigan School Districts have adopted policies that ban smoking in school buildings, school grounds and vehicles at any time. Check with your supervisor regarding the position of your district.

Sec. 257.1853 (5) A person shall not smoke on a school bus

257.1873 Violation as civil infraction or felony; powers of motor carrier officers.

(1) A person who violates this act is responsible for a state civil infraction and shall be assessed a fine of not more than \$500.00, unless that violation is by this act or other law of this state declared to be a felony or a civil infraction.

History: 1990, Act 187, Eff. Aug. 15, 1990;-- Am. 2006, Act 108, Eff. Aug. 15, 2006

Use of tobacco product on school property

Sec. 750.473. A person shall not use tobacco products on school property except as indicated below:

- 1) A person who violates is guilty of a misdemeanor.
- 2) As used in this section;
 - a) School District means local or intermediate district
 - b) School property means a building, structure, facility and other real estate owned by a school district.
 - c) Tobacco product means any of the following;
 - i) Carry a lighted cigar, cigarette, pipe, or other lighted smoking device.
 - ii) The inhaling or chewing of a tobacco product.
 - iii) The placing of a tobacco product within a person's mouth.
- 3) Does not apply to that part of a schools property consisting of outdoor areas including but not limited to, an open air stadium, during either of the following time periods.
 - a) Saturdays, Sundays, and other days on which there are no regular scheduled school hours.
 - b) After 6 PM on days during which there are regularly scheduled school hours.

Who and how many can ride on the bus?

Michigan law limits who and how many persons may be transported in a school bus while transporting pupils to and from school. This is done for the safety and protection of all concerned.

Sec. 257.1859 Persons eligible for transportation; applicability of subsection (1); limitation as to seating; violation as civil infraction; fine; processing.

(1) A driver of a school bus shall not transport or permit to be transported on a school bus while transporting pupils to and from school a person other than pupils, persons enrolled in a school-sponsored preschool program authorized by state or federal statute, teachers or chaperons of the pupils or other persons authorized by the school for the protection of property or the health, safety, and welfare of the pupils or persons attending other school related functions, or both. This subsection shall not apply during the transportation of persons under section 65.

(2) After the fourth Friday following Labor Day of each school year a school bus shall not be used to transport more than 100% of the number of persons for which the school bus has a rated seating capacity.

(3) A person who violates or directs a violation of this section is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00. A civil infraction under this subsection shall be processed in the same manner as a civil infraction under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

School Bus Seating

Excerpt: *The National Association of State Directors of Pupil Transportation Services believes all children riding in school buses, or other buses used to transport pupils to and from school or school-related activities, should be properly and safely seated facing forward. In addition, the State Directors Association believes there should be adequate space on the seat for the child to be seated completely within the seating compartment. ***School Bus Seat Capacity Position Paper 1999**

NHTSA recommends that all passengers be seated entirely within the confines of the school bus seats while the bus is in motion. Federal motor vehicle safety standard No. 222, "School Bus Passenger Seating and Crash Protection" requires that the interior of large buses provide occupant protection so that children are protected without the need to buckle-up. Occupant crash protection is provided by a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing seat backs. Persons not sitting or sitting partially outside of the school bus seats will not be afforded the occupant protection provided by the school bus seats.

Use of Hazard Warning Lights

Drivers may, when conditions warrant it, use their hazard warning lights roof mounted lights to provide an extra margin of safety. They are not to be used, however, under everyday normal driving conditions.

Sec. 257.698a

Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such a warning to the front shall be mounted at the same level and as widely spaced laterally as practicable and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of no less than 500 feet under normal atmospheric conditions at night.

Strobe Lights

Sec. 257.1831 A school bus may be equipped with a flashing, oscillating, or rotating light mounted on the roof of the bus approximately 6 feet from the rear of the vehicle which displays a white light to the front, side, and rear of the bus which light may be actuated by the driver for use only in inclement weather such as fog, rain, or snow, when boarding or discharging passengers, from ½ hour before sunset until ½ hour after sunrise, or where conditions hinder the visibility of the school bus.

Basic Speed Law

Sec. 257.627 Speed limitations.

(1) A person operating a vehicle on a highway shall operate that vehicle at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing. A person shall not operate a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.

Following Distance

Sec. 257.643 Distance between vehicles; violation as civil infraction.

(1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon, and the condition of, the highway.

(2) A person shall not operate a motor vehicle with a gross weight, loaded or unloaded, in excess of 5,000 pounds outside the corporate limits of a city or village, within 500 feet of a like vehicle described in this subsection, moving in the same direction, except when overtaking and passing the vehicle.

(3) A distance of not less than 500 feet shall be maintained between 2 or more driven vehicles being delivered from 1 place to another.

(4) A person who violates this section is responsible for a civil infraction.

History: 1949, Act 300, Eff. Sept. 23, 1949; Am. 1978, Act 510, Eff. Aug. 1, 1979.

Timed Interval

- Provide vehicle separation by timed interval.
- Legally, drivers are required to maintain certain following distances. The difficulty comes in estimating these distances. There are a couple ways of doing it.
- The method we will review is based on counting. Because of the difficulty in judging distance, a new following technique was devised based on counting. This technique allows drivers to determine safe following distance by allowing a one second interval for each ten feet of length of their vehicle for speeds under 40 mph.
- For speeds over 40 mph, you must add one extra second for safety.
- Take the length of your vehicle. Use 20 feet for all types of passenger cars. For larger vehicles, round out the length to the nearest ten feet. For instance, if your bus is 38 feet long, round it out to 40 feet.
- If your vehicle is 20 feet long, allow two seconds of time between your car and the one in front.
- If your vehicle is 30 feet long, allow three seconds; 40 feet long, four seconds; and so on.
- At speeds above 40 mph, allow five seconds if your vehicle is 40 feet long, six seconds if your vehicle is 50 feet long; and so on.
- Next, you need a check point over which you will time the passage of your vehicle. You can use a road sign, tar strip in the road, mile marker, light post or any fixed object; and the closer to the pavement the better.
- As the rear of the vehicle ahead passes the check point you have selected; start counting, one thousand and one, one thousand and two, one thousand and three. Depending on the vehicle length you are using for the time interval, you should not pass the check point with the front of your vehicle before you have completed your count.

- You are driving a school bus. This falls in the 40 feet category; so you use a four second interval for your following distance. This represents one second for each ten feet plus one extra second for safety for speeds above 40 mph.
- As the rear of the vehicle ahead of you passes by your check point, start counting, one thousand and one, one thousand and two, one thousand and three, one thousand and four, (and possibly one thousand and five).
- You should complete the four (or five) second count before you reach the check point. If you do not complete the four (or five) second count, you are following too closely to make a safe stop in an emergency.
- When driving conditions are hazardous because of weather such as rain, snow, ice, sleet, dust or haze; when lighting is poor; or if you are being followed too closely, increase your count. This will allow you more time to come to a smooth, safe stop.
- This is a following distance you can count on. Try it! It works!

Managing Your Space

Space Behind and to the Side

- Space behind
- Stay to the right
- Dealing with tailgaters safely
 - Avoid quick lane changes
 - Increase your following distances – Allow an extra second between you and the vehicle ahead
 - Do not speed up
 - Avoid tricks – headlight or brake light flashing
 - Space to side
 - Keep your vehicle centered in your lane
 - Your vehicle is wide and you have little room to spare
 - Drop back or pull forward to keep open spots next to you

If someone is tailgating, you can increase your own safety by adding a second or two to your count. That protects you from having to make a sudden stop and getting rammed from the rear. You can make a smoother, longer, more gradual stop with the added time, and that forces the tailgater to do the same.

Defensive Driving

The Three A's of Defensive Driving: **ATTITUDE, AWARENESS, ACTIONS**

As a school bus driver, you have to be ready for anything. That means you need to take control of your attitude, your awareness, and your actions.

Be Ready for Anything

- Stay positive
- Stay aware
- Expect the unexpected
- Stay in control
- Act, don't react

Defensive drivers know when it comes to other drivers; Murphy's Law is the rule, not the exception. Other drivers will make mistakes and usually at the worst times.

Attitude Affects

- How you drive
- Reaction time
- How students behave
- Alertness

Make your first defense a positive attitude. Most traffic accidents are caused by a driver's poor performance. Do you know what causes poor performance? In most cases, it's not lack of driving skill, its attitude. Getting dozens of kids to listen and follow the rules is not easy. And they're all different. What works with one group may not for another. Adjust your attitude and the kids will know you mean business. If you let them think they've got the best of you, they know they can push your buttons and that's a major safety problem.

Get control of your passengers

- Gain their respect by staying positive
- Tell them the rules and why they are important
- Praise them when they're good
- Never lose your cool
- When they break the rules, make sure you take appropriate action
- Speak to the ringleader alone
- If they still don't listen, follow your school district discipline policy

What happens when you are driving down the road and a driver cuts you off, or tailgates, or drives erratically in your direction? What do you do?

- Steer clear of it
- Never take a driver's behavior personally
- If you have to, count to ten
- Avoid eye contact with other drivers
- Follow posted speed limits
- Keep safe distances
- Use horn sparingly
- Get your students to school or home safely

Awareness

- Expect the unexpected
- Know your route
- Check route conditions
- Inspect your vehicle
- Emergency equipment
- Loading / unloading children

Action = Control

- Seatbelt
- Speed limit
- Signals
- Safe distance
- Blind Spots
- Reduced visibility

Right of Way Situations

There are many types of right-of-way situations that may be encountered in the driving task. All of them are important to the school bus driver, because accidents sometimes occur when drivers fail to do the correct thing. Knowing and observing these right-of-way rules is critical in helping drivers maintain an accident-free driving record.

Intersections

Michigan law does not specify who has the right-of-way. The law specifies who must yield under given circumstances. This is a very important distinction. In any of these right-of-way situations, drivers can proceed only if the driver, legally required to yield, has yielded, and it is safe to proceed.

Sec. 257.649

1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.
2. When two (2) vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
3. The driver of a vehicle approaching a yield sign, in obedience to the sign, shall slow down to a speed reasonable for the existing conditions and shall yield the right-of-way to a vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the driver would be moving across or within the intersection.
4. Except when directed to proceed by a police officer, the driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection. If there is not a crosswalk, the driver shall stop at a clearly marked stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

After having stopped, the driver shall yield the right-of-way to a vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when the driver would be moving across or within the intersection.

5. When a vehicle approaches the intersection of a highway from an intersecting highway or street which is intended to be, and is constructed as, a merging highway or street, and is plainly marked at the intersection with appropriate merge, immediate hazard on the highway about to be entered and shall adjust its speed so as to enable it to merge safely with the through traffic.

Left Turns

Sec. 257.650

1. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to a vehicle approaching from the opposite direction which is within the intersection or so close to the intersection as to constitute an immediate hazard; but the driver, having so yielded and having given a signal when and as required by this chapter, may make the left turn and the drivers of all other

vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.

At an intersection at which a traffic signal is located, a driver intending to make a left turn shall permit vehicles bound straight through in the opposite direction which are waiting to go to pass through the intersection before making the left turn.

Turning left onto a one-way street.

Sec. 257.647 Turning at intersection; violation as civil infraction.

(1) The driver of a vehicle intending to turn at an intersection shall do so as follows:

(a) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(b) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line in a manner as not to interfere with the progress of any streetcar, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(c) Approach for a left turn from a 2-way roadway into a 1-way roadway shall be made in that portion of the right half of the roadway nearest the center line and clear of existing car tracks in use, and by passing to the right of the center line where it enters the intersection. Approach for a left turn from a 1-way roadway into a 2-way roadway shall be made as close as practicable to the left curb or edge of the roadway and by passing to the right of the center line of the roadway being entered.

(d) Where either streets or roadways are 1-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

Left-Turn Signal with Four-Arrow Display

Why Is It a Better Left-Turn Signal? It's Safer: A national study demonstrated that drivers made fewer mistakes with the new signals than with traditional left-turn-arrow signals.

It's More Efficient: The new signals provide traffic engineers with more options to handle variable traffic volumes.

It's More Consistent: You will see the same signals in every state because the new signals are being introduced throughout the U.S. and, a National Study confirms it's a better left-turn signal.

Typical Flashing Yellow Arrow Operation for a Four-Arrow Display

Interval 1: Flashing Yellow Arrow

Allows you to turn left when oncoming traffic is clear [oncoming traffic has a green light]. You must carefully determine that there is an adequate gap in the oncoming traffic, and ensure that there are no pedestrian conflicts, before making your turn.

Interval 2: Steady Green Arrow

Allows you to turn left. Proceed with caution. [At intersections equipped with vehicle detection cameras or in-pavement sensors, this sequence may be skipped if there are no left-turning vehicles.]

Interval 3: Steady Yellow Arrow

Warns you that the left-turn signal is about to change to red and that you should prepare to stop – *or* prepare to complete your left turn if you are legally within the intersection and there is no conflicting traffic present.

Interval 4: Steady Red Arrow

Requires you to stop and wait during this interval. [This interval will be followed by Interval 1.]

Entering the Highway

Sec. 257.652

1. The driver of a vehicle about to enter or cross a highway from an alley, private road or driveway, shall come to a full stop before entering the highway and shall yield right-of-way to vehicles approaching on the highway.

Emergency Vehicles

Sec. 257.653

1. Upon the immediate approach of an authorized emergency vehicle equipped with not less than one lighted flashing, rotating, or oscillating lamp exhibiting a red or blue light visible under normal atmospheric condition from a distance of 500 feet to the front of the vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell:
 - a. The driver of another vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as

possible to the right-hand edge or curb of the roadway clear of an intersection, and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

The Attorney General has ruled that an emergency vehicle may pass a stopped school bus when the bus is displaying its alternately flashing red lights provided the emergency vehicle is in a death threatening situation and goes by safely.

Students should be instructed of this situation and if the situation ever arises, the driver should if at all possible, keep the students in the bus with the doors closed. Do not turn off your right turn signal lights!

Funeral Processions

Sec. 257.654

1. A motor vehicle forming part of a funeral procession, when going to a place of burial shall have the right-of-way over all other vehicles except fire apparatus, ambulances, and police patrol vehicles at a street or highway intersection within this state if the vehicle in the funeral procession displays a flag which shall be fluorescent in color, and upon which shall be printed, stamped, or stained a black cross, the star of David, or a crescent and star. The lead vehicle and the last vehicle in the funeral procession may carry an additional flag. The flag shall not contain the name embossed or printed on the flag, except the word, "funeral."

Roundabouts

A roundabout is a circular intersection at which all traffic travels counterclockwise, always to the right, around a central island. Vehicles entering from each leg of the intersection must yield to the traffic already in the roundabout, which is coming from the left. Vehicles exit the roundabout by making a right turn onto the desired road.

Approaching the Roundabout

- Slow down before entering a roundabout.
- Look for roadside signs and pavement markings to direct you into the correct lane **before** entering the roundabout.
- As you approach the yield line, look to your left before proceeding into the roundabout.
- When an appropriate gap in traffic appears, enter the roundabout and merge with the flow of the other vehicles. Never make a left turn to enter a roundabout this will place you in front of oncoming traffic.

Traveling in a Roundabout

- Always stay to the right of the center island.
- Vehicles within the roundabout have the right of way.
- Do not stop within a roundabout unless it is the only way to safely avoid a collision or other danger.
- Avoid changing lanes in a multiple-lane roundabout. Move into the lane you need before entering the roundabout.
- Give special consideration to trucks, trailers and other large vehicles. Avoid passing or driving next to large vehicles, as they may need more than one lane to navigate through the roundabout.
- When entering or exiting a roundabout, watch for pedestrians crossing the street.

Exiting the Roundabout

- Maintain a slow speed.
- Indicate your exit by using your right turn signal.
- Do not accelerate until you are beyond the pedestrian crossing at the exit.

Passing other Vehicles

Passing is an extremely hazardous movement. Laws governing this movement have been designed to minimize the risk to the greatest extent possible. Drivers should pay particular attention to these laws and should never pass unless they are absolutely certain that the maneuver can be completed safely.

Passing on the Right

Sec. 257.634

1. Upon each roadway of sufficient width the driver of a vehicle shall drive the vehicle upon the right half of the roadway, except as follows:
 - a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing that movement.
 - b. When the right half of a roadway is closed to traffic while under construction or repair or when an obstruction exists making it necessary to drive to the left of the center of the highway. A driver who is driving on the left half of a roadway, under this subdivision, shall yield the right-of-way to an oncoming vehicle traveling in the proper direction upon the unobstructed portion of the roadway.
 - c. Upon a roadway divided into three marked lanes for traffic under the rules applicable on the roadway.

2. Upon a roadway having two or more lanes for travel in one direction, the driver of a vehicle shall drive the vehicle in the extreme right-hand lane available for travel except as otherwise provided in this section. However, the driver of a vehicle may drive the vehicle in any lane lawfully available to traffic moving in the same direction of travel when the lanes are occupied by vehicles moving in substantially continuous lanes of traffic and in any left-hand lane lawfully available to traffic moving in the same direction of travel for a reasonable distance before making a left turn.
3. This section shall not be construed to prohibit a vehicle traveling in the appropriate direction from traveling in any lane of a freeway having three (3) or more lanes for travel in the same direction. However, a city, village, township, or county may not enact an ordinance which regulates the same subject matter as any provision of this subsection.

Sec. 257.637

1. The driver of a vehicle may overtake and pass upon the right of another vehicle only if one or more of the following conditions exist:
 - a. When the vehicle overtaken is making or about to make a left turn.
 - b. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction and when the vehicles are moving in substantially continuous lanes of traffic.
 - c. Upon a one-way street, or upon a roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lanes of moving vehicles and when the vehicles are moving in substantially continuous lanes of traffic.
2. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting the overtaking and passing in safety. The driver of a vehicle shall not overtake and pass another vehicle upon the right by driving off the pavement or main-traveled portion of the roadway.

Passing on the Left

Section 257.636

1. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules stated in sections 637 to 643a:

- a. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass at a safe distance to the left of that vehicle, and when safely clear of the overtaken vehicle shall take up a position as near the right-hand edge of the main traveled portion of the highway as is practicable.
- b. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall take up a position as near the right-hand edge of the main traveled portion of the highway as is practicable.
- c. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.

Section 257.638

1. A vehicle shall not be driven to the left of the center of a two-lane highway or in the center lane of a three lane highway in overtaking and passing another vehicle proceeding in the same direction unless the left side or center lane is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of a vehicle approaching from the opposite direction.
 - b. When the view is obstructed upon approaching within 100 feet of a bridge, viaduct, or tunnel.
2. The limitations of subsection (1) shall not apply upon a one-way roadway.

Fuel Conservation

Fuel prices have increased substantially in the past several years. This has greatly added to the cost of transporting students to and from school by school bus. It is imperative that drivers do everything possible to conserve as much fuel as possible to help keep these costs down. Failure to do so wastes money for the school district.

Facing Critical Situations

Even the most competent bus driver is confronted by critical situations caused by hazardous roadway conditions, mechanical malfunctions, unpredictable outside forces or obstacles and driver failures. The professional bus driver is prepared to meet these situations. During this

unit, we will discuss some of the most common critical situations drivers might experience.

Topics to be discussed.

- Responses to critical situations
- Traction loss
- Vehicle malfunction and failure

One of the concerns of this unit is helping drivers properly respond to critical situations. To help drivers in this regard, we will:

- Define critical situations
- Identify critical situations
- Predict how drivers respond
- Explain why they respond that way
- Explain how drivers can improve their responses

A critical situation is any situation which may result in a collision. Critical situations may be caused by:

- Driver action
- Roadway situation
- Vehicle malfunction

CRITICAL SITUATIONS may result in collisions.

Why do drivers respond as they do?

The influence of surprise on a driver's actions is important. Also, lack of knowledge and skill, and lack of practice of that knowledge and skill can influence how a driver responds to that surprise.

- Surprise causes hasty actions
- Surprise leads to panic and fear
- Panic confuses skills
- Correct actions must be learned in advance

Experience with a critical situation reduces the emotional impact and increases the chance of making the correct response.

How drivers can improve.

- **Drivers can improve their responses**
 - Panic can be reduced by constantly thinking about the possibility of a critical situation occurring.
 - If one is thinking about the possibility and constantly looking out for potential critical situations, one will be less surprised when they do occur.
- **Mind set**
 - Drivers should keep themselves in a state of mental readiness in anticipation of a critical situation.

- If mentally ready, a driver will be better able to mentally and physically cope with the situation when it occurs.
- Knowing how to respond helps.
- If drivers know what to do for a given situation and have mentally practiced this response, they will be in a better position to respond when the actual situation occurs.
- **Practice**
 - Practice “what if” situations to increase ability to respond appropriately.
 - As a driver begins driving alone, each must be trained to look at the traffic situation in front and around him/her.
 - Plan and practice, “what if this occurs?”
 - Plan and practice, “what would you do?”
 - Repetition reduces surprise.
 - The more drivers practice any skill the better they will be in performing that skill.
 - The more they think about potential hazards and the more they mentally perform the correct response, the more apt they will be to respond in that manner when the actual situation occurs.
 - Practice and repetition produce habit patterns.

Driver Safety Formula:

To summarize, the following little formula will help illustrate safe vehicle operation.

$$\textbf{Skill + Knowledge + Conditioning + Concentration} \\ \textbf{= Reduction in Critical Situations}$$

This formula includes some of the ideas pointed out while playing the game. The main point of this formula is that the combination of several components leading to a reduction in critical driving situations will be seen throughout the remaining topics in this unit.

A conditioning process and constant concentration will help a driver prevent critical situations from going beyond the point of no escape.

Traction Loss Topics

Traction is important to starting, stopping and turning any vehicle. Therefore, when traction is reduced or lost completely, the driver is confronted with a critical situation.

Traction loss occurs when the tires lose their rolling grip on the road surface, resulting in partial or total loss of vehicle control.

Causes of Traction Loss

- Over-powering: Over accelerating causing wheels to spin.
- Over-braking: Braking too hard, locking wheels.
- Steering and Speed: Attempting to slow down during a turning maneuver rather than before.
- Unequal Traction: The traction between the rear wheels is different because they are on different types of surfaces. For example, when one rear wheel drops off pavement onto a gravel shoulder.
- Hydroplaning: Front wheels will leave pavement on a wet surface and ride on top of the water.

Minimizing Traction Loss

Skidding can be minimized by:

- Keeping brakes and tires in good working order
- Increasing sight distance and reacting to hazards well in advance
- Matching speed to conditions
- Avoiding overpowering, over braking and over steering
- Periodically checking “feel” of slippery surface
- Staying off highway when conditions are hazardous

A skid happens whenever the tires lose their grip on the road. This is caused in one of four ways:

- Over-Braking: Braking too hard and locking up the wheels. Skids also can occur when using the speed retarder when the road is slippery.
- Over-Steering Turning: Turning the wheels more sharply than the vehicle can turn.
- Over-Acceleration: Supplying too much power to the drive wheels, causing them to spin.
- Driving Too Fast: Most serious skids result from driving too fast for road conditions. Drivers who adjust their driving to conditions don't over-accelerate and don't have to over-brake or over-steer from too much speed.

By far the most common skid is one in which the rear wheels lose traction through excessive braking or acceleration. Skids caused by acceleration usually happen on ice or snow. They can be easily stopped by taking your foot off the accelerator.

Rear wheel braking skids occur when the rear drive wheels lock. Because locked wheels have less traction than rolling wheels, the rear wheels usually slide sideways in an attempt to “catch up” with the front wheels. In a bus or straight truck, the vehicle will slide sideways in a “spin out.” With vehicles towing trailers, a drive-wheel skid can let the trailer push the towing vehicle sideways, causing a sudden jackknife.

Types of Vehicle Skids and Methods to Minimize

Front Wheel Skids

Most front-wheel skids are caused by driving too fast for conditions. Other causes are: lack of tread on the front tires, and cargo loaded so not enough weight is on the front axle. In a front-wheel skid, the front end tends to go in a straight line regardless of how much you turn the steering wheel. On a very slippery surface, you may not be able to steer around a curve or turn.

When a front-wheel skid occurs, the only way to stop the skid is to let the vehicle slow down. Stop turning and/or braking so hard. Slow down as quickly as possible without skidding.

- A competent driver rarely allows his/her vehicle to lose traction, but if it does, he/she assesses the capability to cope effectively with the situation.

Correcting a Vehicle Skid

- Do the following to correct a drive-wheel braking skid:
 - Stop Braking: This will let the rear wheels roll again and keep the rear wheels from sliding any further. If on ice, push in the clutch to let the wheels turn freely.
 - Turn Quickly: When a vehicle begins to slide sideways, quickly steer in the direction you want the vehicle to go -- down the road. You must turn the wheel quickly.
 - Counter Steer: As a vehicle turns back on course, it has a tendency to keep right on turning. Unless you turn the steering wheel quickly the other way, you may find yourself skidding in the opposite direction.

Learning to stay off the brake, turn the steering wheel quickly, push in the clutch, and counter-steer in a skid takes a lot of practice. The best place to get this practice is on a large driving range or "skid pad."

Potential Vehicle Malfunctions

Critical situations influencing the safety of the school bus and its passengers can develop from vehicle malfunction as well as from traction loss. We will review six of these vehicle malfunctions and describe the correct response.

Potential vehicle malfunctions

- Loss of brakes

- Steering failure
- Tire blow out
- Headlight failure
- Accelerator sticks
- Engine overheats

Loss of Brakes

Loss of brakes will be identified by a signal from a buzzer and/or light. When this occurs, the driver should:

- Use engine as a brake by downshifting.
- Depress brake pedal to activate the emergency brake system.
- Do not apply the parking brake.
- Get off the road and stop immediately.

Steering Failure

- When there is a failure in the power steering, grip the wheel firmly and get off roadway as quickly as possible.
- When there is no response in the steering wheel because of a break in the steering linkage, stop the bus as quickly and safely as possible.
 - Evacuate passengers, if necessary.
 - Secure area.

Tire Blow Out

- Recognize Tire Failure. Quickly knowing you have a tire failure will let you have more time to react. Having just a few seconds to remember what it is you're supposed to do can help you. The major signs of tire failure are:
 - Sound: The loud "bang" of a blowout is an easily recognized sign. Because it can take a few seconds for your vehicle to react, you might think it was some other vehicle. But anytime you hear a tire blow, you'd be safest to assume it was yours.
 - Vibration: If the vehicle thumps or vibrates heavily, it may be a sign that one of the tires has gone flat. With a rear tire, that may be the only sign you get.
 - Feel: If the steering feels "heavy," it is probably a sign that one of the front tires has failed. Sometimes, failure of a rear tire will cause the vehicle to slide back and forth or "fishtail." However, dual rear tires usually prevent this.

Any of these signs is a warning of possible tire failure. You should do the following in the event of a failure:

- Hold the Steering Wheel Firmly: If a front tire fails, it can twist the steering wheel out of our hand. The only way to prevent this is to keep a firm grip on the steering wheel with both hands at all times.
- Stay Off the Brake: It's natural to want to brake in an emergency. However, braking when a tire has failed could cause loss of control. Unless you're about to run into something, stay off the brake until the vehicle has slowed down. Then brake very gently, pull off the road, and stop.
- Check the Tire: After you've come to a stop, get out and check all the tires. Do this even if the vehicle seems to be handling all right. If one of your dual tires goes, the only way you may know it is by getting out and looking at it.

Headlight Failure

When there is a headlight failure show down as quickly and safely as possible.

- Try to maintain lane position while at the same time try to find some place to safely pull off the road. Look for anything that might assist in maintaining lane position such as pavement markings, guard rails, delineator, tree line, etc.
 - Turn on parking/auxiliary lights.
 - Turn on emergency flashers.
 - Flash brake lights and turn on right turn signal before leaving roadway.

Accelerator Sticks

- When the accelerator sticks, the driver must cut power to the wheels. This can be done by either shifting to neutral or depressing clutch. The engine will roar since it is going so fast, but at least the bus will not be out of control. After cutting power to the wheels, get off the roadway as quickly and safely as possible and turn off the ignition.
- The driver should not turn off the ignition because with some power steering systems the power steering will be lost making it extremely difficult to steer the bus.

Engine Overheats

- The temperature gauge or warning light will indicate when the engine is too hot. At times, steam might also be seen coming out of the engine compartment. When this occurs, the driver should pull

off the road as quickly and safely as possible. This is very important because the engine can be seriously damaged.

- Turn off the engine. The hood may be opened to allow better air circulation; but the driver should not take the cap off the radiator. Because of the tremendous pressure that has built up in the cooling system, the water will shoot out and the driver could become severely burned.
- Call supervisor for assistance.

Railroad Grade Crossings

Many accidents could be eliminated through planned safety procedures for crossing railroad tracks. Crossing railroad tracks represents one of the greatest school bus hazards insofar as casualties and fatalities are concerned. STOP, LOOK, and LISTEN. All school buses loaded or empty must stop for railroad crossings except as provided in 257.1857 subsection 2, 3, and 4.

Learn these procedures and practice them until they become automatic actions. Failure to do so could mean no second chance.

257.1857 Railroad track grade crossings; requirements; "abandoned railroad track" defined; violation as civil infraction; fine; processing.

(1) Except as provided in subsections (2), (3), and (4), the driver of a school bus, before crossing a railroad track at grade, shall stop the vehicle within 50 feet but not less than 15 feet from the nearest rail, activate hazard warning lights, turn off all interior switches including fans, heaters, and radios, open the passenger door and driver-side window, and while stopped shall listen and look in both directions along the track for an approaching train and for signals indicating the approach of a train, and shall not proceed until the driver can do so safely. After stopping as required in this subsection, and upon proceeding when it is safe to do so, the driver of the vehicle shall cross only in a gear of the vehicle that does not require changing gears while traversing the crossing. The driver shall not shift gears while crossing the track or tracks.

Single and Multiple Tracks

1. Check your mirrors for traffic.
2. Inform your students to be quiet because there is a railroad crossing ahead.
3. Turn on your hazard lights well in advance of the crossing. Two hundred feet (200 feet) is a good warning for motorists behind you.

4. Stop no less than 15 feet and no more than 50 feet from the nearest rail.
5. Shut off all electrical switches, such as heaters, fans, wipers, defrosters and radios.
6. Open driver's window.
7. Open service door.
8. Look both ways and listen carefully.
9. Check traffic situation and recheck tracks before crossing.
10. Close service door.
11. Cross the tracks in a gear that does not require shifting while crossing the track or tracks. Michigan law requires, 'THE DRIVER SHALL NOT SHIFT GEARS WHILE CROSSING THE TRACK OR TRACKS.'
12. Continue to check for trains and traffic.
13. Turn off your hazard lights.
14. Close window and turn on electrical switches as needed.

Multiple Crossings

After completing steps 1 through 9 as noted above:

1. Use extreme caution to assure that one train is not hidden by another train that may be parked on a side rail or approaching from the opposite direction.
2. Determine if you must stop for a second set of tracks. You must stop if there is room for the bus plus 15 feet in front of and 15 behind the bus to the nearest track.
3. Complete steps 10 through 14.

Reminders:

- Use the right lane of a four lane roadway when possible.
- You may not drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate is closed or is being opened or closed.
- If warning lights are activated, and no train is approaching, proceed according to **Your District Policy**. Some district policies have included:
 - Use of radio to notify supervisor of the problem – district can then advise or,
 - If the barrier remains down and no train is approaching DO NOT go around or through the barrier. Use another route or await arrival of police.
- Report hazardous railroad crossing conditions to your supervisor, i.e.:

- Signal malfunctions
- Poor conditions of tracks at crossing
- Poor condition of roadway approaching the crossing
- Switching of railroad cars that hold up traffic for long periods of time
- Railroad cars on side rails that block your vision
- Trees or brush that obstruct your vision
- If your bus should stall on the railroad tracks, and a train is approaching, evacuate your students immediately. Students should move in the direction of the approaching train to avoid being hit by flying debris.

When Stops are not Required at a Railroad Crossing

Sec. 257.1857

(2) A stop need not be made at a railroad track grade crossing where a uniformed police officer or a traffic-control signal directs traffic to proceed.

(3) A stop need not be made at an abandoned railroad track grade crossing. As used in this subsection, "abandoned railroad track" means a railroad track which meets both of the following requirements:

(a) The track has been completely paved over or removed.

(b) All signs, signals, and other warning devices are removed.

(4) A stop shall not be made at a railroad track grade crossing on a freeway or limited access highway where the crossing is protected by a clearly visible signal, crossing gate, or barrier at a time when the signal, crossing gate, or barrier is not activated.

(5) A person who violates this section is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00. A civil infraction under this subsection shall be processed in the same manner as a civil infraction under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

How long do I have to wait at the crossing?

Sec. 257.667

(1.) When a person driving a vehicle approaches a railroad grade crossing under any of the following circumstances, the driver shall stop the vehicle not more than 50 feet, but not less than 15 feet from the nearest rail of the railroad, and shall not proceed until the driver can do so safely:

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train.

- (b) A crossing gate is lowered or a flagman gives or continues to give a signal of the approach or passage of a railroad train.
- (c) A railroad train approaching within approximately 1,500 feet of the highway crossing gives a signal audible from that distance, and the train by reason of its speed or nearness to the crossing is an immediate hazard.
- (d) An approaching railroad train is plainly visible and is in hazardous proximity to the crossing.

If none of the above conditions exist, drivers are permitted to proceed after stopping if it is safe to do so.

Crossing Gates or Barriers

Sec. 257.667

- (2) A person shall not drive a vehicle through, around, or under a crossing while the gate or barrier is closed or is being opened or closed.

Reporting Dangerous Crossings

Reporting dangerous railroad crossings:

- Be sure problem is reportable.
- Types of situations which should be identified are:
- Visual obstructions such as weeds, brush or trees (Do not report buildings not on railroad right-of-way or railroad buildings which cannot be removed)
- Signal malfunctions or when signals are not working at all
- Condition of roadway at crossing
- Condition of track at crossing
- Switching operations on spur track where crossing is blocked for long periods of time
- Box car parked on spur track near crossing
- Fill in form: Michigan Department of Transportation "School Bus Driver's Report of Railroad Crossing Concern" 1435.
- Turn in report to supervisor.

Michigan Department
Of Transportation
1435 (09/08)

SCHOOL BUS DRIVER'S REPORT OF RAILROAD CROSSING CONCERN

If you have questions, please contact Jeannine Farkas at (517) 373-8235 or farkasi3@michigan.gov. Please fax completed form to: (517) 373-0856.

EDUCATIONAL AGENCY

SCHOOL DISTRICT/SCHOOL

ADDRESS	CITY	STATE	ZIP CODE
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RAILROAD CROSSING INFORMATION

NAME OF RAILROAD

NAME OF STREET	NATIONAL INVENTORY/DOT NUMBER
----------------	-------------------------------

CITY	TOWNSHIP	COUNTY
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NEARBY ROADS

and

TYPE OF WARNING DEVICES AT CROSSING (Please check all boxes that apply)

<input type="checkbox"/> Crossbucks	<input type="checkbox"/> Yield Signs	<input type="checkbox"/> Stop Signs	<input type="checkbox"/> Pavement Markings	<input type="checkbox"/> No Passing Lines
<input type="checkbox"/> Stop Bars	<input type="checkbox"/> Flashing Lights	<input type="checkbox"/> Cantilevers w/Flashing Lights		<input type="checkbox"/> Gates
<input type="checkbox"/> Other				

DESCRIBE CONCERN:

If site distance issue, check which quadrant. NE NW SE SW. Please state issue

PERSON REPORTING CONCERN	DATE REPORTED
--------------------------	---------------

TRANSPORTATION SUPERVISOR	TELEPHONE NO
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EMAIL ADDRESS

FOR OFFICIAL USE ONLY

INSPECTOR ASSIGNED	DATE GIVE TO INSPECTOR
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Distracted Driving

Driving while distracted is a choice that drivers make that can lead to serious or even deadly consequences. Distracted driving is any activity that could divert a person's attention away from the primary task of driving thus endangering drivers, passengers and bystander safety. These distractions include, but are not limited to texting, using a cell phone, reading a map or other document, radio use and eating while a vehicle is moving. As a professional school bus driver, there is no room for distractions.

Research on distracted driving reveals some surprising facts:

- Twenty percent of injury crashes in 2009 involved reports of distracted driving. [Source - National Highway Transportation Safety Administration (NHTSA)]
- Of those killed in distracted driving-related crashes, 995 involved reports of a cell phone as a distraction (18% of fatalities in distraction-related crashes). (NHTSA)
- In 2009, 5,474 people were killed on U.S. roadways, and an estimated additional 448,000 were injured in motor vehicle crashes that were reported to have involved distracted driving. (FARS and GES)
- The age group with the greatest proportion of distracted drivers was the under-twenty age group – 16% of all drivers younger than twenty involved in fatal crashes were reported to have been distracted while driving. (NHTSA)
- Drivers who use handheld devices are four times as likely to get into crashes serious enough to injure themselves. (Source - Insurance Institute for Highway Safety)
- Use of a cell phone while driving, whether it's handheld or hands-free, delays a driver's reactions as much as having a blood alcohol concentration at the legal limit of .08%. (Source - University of Utah)

Texting and Cell Phone Use on a School Bus

- PA 36 of 2013, which took effect in Michigan on October 28, 2013, specifically includes a school bus in the definition of a commercial vehicle with regards to prohibitions of texting and hand-held mobile telephone use and provides penalties for improper use. MCL 257.602b (2 & 3)
- Section 602b (2) states that "a person shall not read, manually type, or send a text message on a wireless 2-way communication device that is located in the person's hand or in the person's lap, including a

wireless telephone... while operating a commercial motor vehicle or a school bus on a highway or street in this state.”

- In Section 602b (3) the law prohibits a person using a hand-held mobile telephone to conduct a voice communication while operating a commercial motor vehicle or a school bus on a highway, including while temporarily stationary due to traffic, a traffic control device, or other momentary delays. This does not include a 2-way radio service.
- It does allow the use of a hand-held mobile telephone if the operator of the commercial vehicle or school bus has moved the vehicle to the side of, or off, a highway and has stopped in a location where the vehicle can safely remain stationary.
- As defined in section (3); "use of a hand-held mobile telephone means one or more of the following: (a) Using at least 1 hand to hold a mobile telephone to conduct a voice communication. (b) Dialing or answering a mobile telephone by pressing more than a single button. (c) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seat belt that is installed as required by law and adjusted in accordance with the vehicle manufacturer’s instructions. The definition of a hand-held mobile telephone does not include 2-way radio service or a citizens band radio service.
- Section (4) does allow for the use of a described device to do any of the following: (a) Report a traffic accident, medical emergency or serious road hazard. (b) Report a situation in which the person believes his or her personal safety is in jeopardy. (c) Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.
- Finally section (5) describes a civil infraction fines for violation of this law of \$100.00 for the first violation and \$200.00 for the second and subsequent violations.

What about the district that uses cell phones vs. two way radios?

Push to talk mobile communication equipment is allowable provided the driver **does not** reach for, dial or hold the actual mobile telephone in his/her hand while driving and the driver is able to touch the button needed to operate the push-to-talk feature **from the normal seated position with their safety belt fastened.**

School Bus Driver Cellphone Prohibition MCL 257.602b

MICHIGAN VEHICLE CODE (EXCERPT) Act 300 of 1949

257.602b Reading, typing, or sending text message on wireless 2-way communication device prohibited; use of hand-held mobile telephone prohibited; exceptions; "use a hand-held mobile telephone" defined; violation as civil infraction; fine; local ordinances superseded.

Sec. 602b.

(1) Except as otherwise provided in this section, a person shall not read, manually type, or send a text message on a wireless 2-way communication device that is located in the person's hand or in the person's lap, including a wireless telephone used in cellular telephone service or personal communication service, while operating a motor vehicle that is moving on a highway or street in this state. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigation system that is affixed to the motor vehicle. Beginning October 28, 2013, this subsection does not apply to a person operating a commercial vehicle.

(2) Except as otherwise provided in this section, a person shall not read, manually type, or send a text message on a wireless 2-way communication device that is located in the person's hand or in the person's lap, including a wireless telephone used in cellular telephone service or personal communication service, while operating a commercial motor vehicle or a school bus on a highway or street in this state. As used in this subsection, a wireless 2-way communication device does not include a global positioning or navigation system that is affixed to the commercial motor vehicle or school bus. This subsection applies beginning October 28, 2013.

(3) Except as otherwise provided in this section, a person shall not use a hand-held mobile telephone to conduct a voice communication while operating a commercial motor vehicle or a school bus on a highway, including while temporarily stationary due to traffic, a traffic control device, or other momentary delays. This subsection does not apply if the operator of the commercial vehicle or school bus has moved the vehicle to the side of, or off, a highway and has stopped in a location where the vehicle can safely remain stationary. As used in this subsection, "mobile telephone" does not include a 2-way radio service or citizens band radio service. This subsection applies beginning October 28, 2013.

As used in this subsection, "use a hand-held mobile telephone" means 1 or more of the following:

- (a) Using at least 1 hand to hold a mobile telephone to conduct a voice communication.
- (b) Dialing or answering a mobile telephone by pressing more than a single button.

(c) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that he or she is no longer in a seated driving position, restrained by a seat belt that is installed as required by 49 CFR 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

(4) Subsections (1), (2), and (3) do not apply to an individual who is using a device described in subsection (1) or (3) to do any of the following:

(a) Report a traffic accident, medical emergency or serious road hazard.

(b) Report a situation in which the person believes his or her personal safety is in jeopardy.

(c) Report or avert the perpetration or potential perpetration of a criminal act against the individual or another person.

(d) Carry out official duties as a police officer, law enforcement official, member of a paid or volunteer fire department, or operator of an emergency vehicle.

(5) An individual who violates this section is responsible for a civil infraction and shall be ordered to pay a civil fine as follows:

(a) For a first violation, \$100.00.

(b) For a second or subsequent violation, \$200.00.

(6) This section supersedes all local ordinances regulating the use of a communications device while operating a motor vehicle in motion on a highway or street, except that a unit of local government may adopt an ordinance or enforce an existing ordinance substantially corresponding to this section.

History: Add. 2010, Act 60, Eff. July 1, 2010 ;-- Am. 2011, Act 159, Imd. Eff. Sept. 30, 2011 ;-- Am. 2012, Act 498, Eff. Mar. 28, 2013 ;-- Am. 2013, Act 36, Imd. Eff. May 21, 2013