

HOFF1

HB 1094

Justin Zajic

Good Morning, my name is Justin Zajic, Superintendent of the Chamberlain School District

I am here today in support of HB 1094. This bill stems from a reoccurring issue on our bus routes and concerns brought to us from parents and school board members in our District. The Chamberlain School District has seen a significant increase in School Bus Stop Arm Violations, vehicles are not stopping when the bus lights are flashing, and the stop sign is out as required by law. This fall, our district had nine serious violations in as many weeks. In the Chamberlain District, many of these violations occur on highways with a speed limit of 65 MPH.

When I started to troubleshoot this issue, I asked other School Districts across the state if they frequently see these types of violations and what they do when one occurs.

Here are a few responses from Districts across the state:

- **Harrisburg:** Increase of violations- Deputy riding along a route to observe violations
- **Sioux Falls-** A significant concern, but not tracked.
- **Yankton-** Tracking of these violations started in 2020-21, annual violations continue to increase.
 - 2020-21: 28 driver reported stop arm violations (9 charged)
 - 2021-22: 4 driver reported stop arm violations
 - 2022-23: 33 Driver reported stop arm violations
 - 2023-24: 103 Driver stop arm violations
 - 2024-25 26 Driver reported violations (As Of November)

Currently, Enforcement of these violations is complicated. Law enforcement is not able to issue a citation unless they witness the incident or are able to locate the vehicle after and the driver admits to the violation. In rural South Dakota, locating these vehicles on bus routes that span more than 100 miles is not realistic. Thus, many of the incidents continue without consequence.

From the National Transportation Safety Board:

Every state has a law making it illegal to pass a school bus that's stopped to load or unload passengers with its red lights flashing and stop arm extended. Far too many drivers simply choose to ignore the law for their own convenience and put children at risk.

In 2018, we saw the deadly consequences of such a choice when a pickup truck driver failed to stop for a stopped school bus that had its red warning lights and stop arm activated. The pickup truck struck children crossing the road to board the stopped bus. As a result of the investigation, we recommended that states enact legislation to permit stop arm cameras on school buses to capture images and allow citations to be issued for illegal school bus passings based on the camera-obtained information- Directly from the NTSB's School Bus Safety's guidance page.

Across the United States, legislative bodies are heeding the advice from the NTSB and allowing video footage and images to be used to issue citations for illegally passing school buses. The few moments that a driver saves by illegally passing a school bus are not worth a tragedy for a community, a school, for parents, siblings, or friends. HB 1094 will help to significantly curb these violations and potentially avoid these tragedies, close calls, and keep our kids in South Dakota safe.