

Wolfe County Transportation Department

Passing Stopped School Bus or Church Bus Prohibited

Application to Properly Marked Vehicles - - Rebuttable Presumption

As To Identity of Violator



KRS 189.370

- (1) If any school or church bus used in the transportation of children is stopped upon a highway for the purpose of receiving or discharging passengers, with the stop arm and signal lights activated, the operator of a vehicle approaching from any direction shall bring his vehicle to a stop and shall not proceed until the bus has completed receiving or discharging passengers and has been put into motion. The stop requirement provided for in this section shall not apply to vehicles approaching a stopped bus from the opposite direction upon a highway of four (4) or more lanes.
- (2) Subsection (1) of this section shall be applicable only when the bus displays the markings and equipment required by Kentucky minimum specifications for school buses.
- (3) If any vehicle is witnessed to be in violation of subsection (1) of this section and identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name the vehicle is registered or leased was the operator of the vehicle at the time of the alleged violation and is subject to the penalties as provided for in KRS 189.990 (5).

Penalties

KRS 189.990 (5)

Any person who violates KRS 189.370 shall for the first offense be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) or imprisoned not less than thirty (30) days nor more than sixty (60) day, or both. For each subsequent offense occurring within three (3) years, the person shall be fined not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) or imprisoned not less than sixty (60) days nor more than six (6) months, or both. The minimum fine for this violation shall not be subject to suspension. A minimum of six (6) points shall be assessed against the driving record of any person convicted.

	Fine	Court Cost	Points Assessed	Potential Jail Time	Offense Level
1 st Offense	\$100.00 to \$200.00	Approx \$150.00	6	30-60 Days	Class B Misdemeanor
2 nd Offense	\$300.00 To \$500.00	Approx \$150.00	6	60 Days- 6 Months	Class A Misdemeanor