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# Traffic Focus for August

**El Paso, Texas**— The El Paso Police Department's Traffic Unit and Safe Communities of the Special Services Division have issued their traffic focus of the month. **PASSING A SCHOOL BUS**; Offense will be the Traffic Focus for August 2023.

## **Transportation Code Sec. 545.066. PASSING A SCHOOL BUS; Offense.**

- (a) An operator on a highway, when approaching from either direction, a school bus stopped on the highway to receive or discharge a student:
- (1) shall stop before reaching the school bus when the bus is operating a visual signal as required by Section 547.701, and (2) may not proceed until:
    - (A) the school bus resumes motion;
    - (B) the operator is signaled by the bus driver to proceed; or
    - (C) the visual signal is no longer actuated.
  - (b) An operator on a highway having separate roadways is not required to stop:
    - (1) for a school bus that is on a different roadway; or
    - (2) if on a controlled-access highway, for a school bus that is stopped:
      - (A) in a loading zone that is a part of or adjacent to the highway; and
      - (B) where pedestrians are not permitted to cross the roadway.
  - (c) An offense under this section is a misdemeanor punishable by a fine of not less than \$500 or more than \$1,250, except that the offense is:
    - (1) a misdemeanor punishable by a fine of not less than \$1,000 or more than \$2,000 if the person is convicted of a second or subsequent offense under this section committed within five years of the date on which the most recent preceding offense was committed;
    - (2) a Class A misdemeanor if the person causes serious bodily injury to another; or
    - (3) a state jail felony if the person has been previously convicted under Subdivision (2).
  - (d) The court may order that the driver's license of a person convicted of a second or subsequent offense under this section be suspended for not longer than six months beginning on the date of conviction. In this subsection, "driver's license" has the meaning assigned by Chapter 521.
  - (e) If a person does not pay the previously assessed fine or costs on a conviction under this section, or is determined by the court to have insufficient resources or income to pay a fine or costs on a conviction under this section, the court may order the person to perform community service. The court shall set the number of hours of service under this subsection.
  - (f) For the purposes of this section:
    - (1) a highway is considered to have separate roadways only if the highway has roadways separated by an intervening space on which operation of vehicles is not permitted, a physical barrier, or a clearly indicated dividing section constructed to impede vehicular traffic; and
    - (2) a highway is not considered to have separate roadways if the highway has roadways separated only by a left turn lane.

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