

MEMO

TO: School District Superintendents
Business Managers

FROM: Tom G. Decker, Director, School Finance and Organization
Kelly Rodgers, Safety Officer, North Dakota Highway Patrol

DATE: November 18, 2006

RE: Safety Strobe Lights on School Buses

Safety strobe lights are required equipment on school buses with rated passenger capacities of sixteen students or more manufactured after August 1, 1998. Older school buses may be equipped with safety strobe lights at the option of the school district (NDCC 39-21-18 sub 4c). The safety strobe lights should be mounted on the rear one-third of the bus at the centerline. School bus strobe lights should have a single clear lens emitting light 360 degrees around its vertical axis. A manual switch and a pilot light shall be included to indicate when the light is in operation (2005 National School Transportation Specifications and Procedures).

A number of questions continue to arise regarding when strobe lights on buses equipped with these lights should be activated. North Dakota Century Code 39-21-27 subsection 3 states "Schoolbuses equipped with safety strobe lights pursuant to subsection 4 of section 39-21-18 must have the safety strobe lights in operation whenever the schoolbus is being operated upon a highway for purposes of transporting children either to or from school or for a school sanctioned activity. It is unlawful to operate a safety strobe light on a schoolbus when the schoolbus is used for any other purpose."

Our interpretation based on testimony before Legislative Committees regarding safety strobe lights on schoolbuses is that the strobe light should be on any time the bus is being operated for a school sanctioned activity. The strobe light should be on from the time the bus starts on its route until it returns after completing its route. This includes the drive from the bus barn to the first pickup and from the last drop-off back to the bus barn.

Testimony before committees indicated that the intent was to have the strobe light become part of the identity of a North Dakota public school bus. No distinction is made here between buses owned by school districts or those owned by contractors as long as the bus is employed in delivering children to and from public school or school related activities.

The only time the strobe light should be off is when the bus is being used for non-school related activities such as use by a private organization or when the bus is being driven to and from repair work for example. An additional consideration covered in testimony on this bill involves reducing the judgment factor relating to when the strobe light is on or when it is not on. Any time a school bus is used by a school district directly or through a contractor and is in the process of moving children to and from school or school related activities, the strobe should be in operation.

If you have any questions or any additional information, please feel free to call Tom Decker, Director of School Finance and Organization or Kelly Rodgers, Safety Officer for the Highway Patrol.

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