

Senate Judiciary Committee

Brendan Bunnell 271-4063

HB 1308-FN, relative to increasing the penalty for passing a stopped school bus.

Hearing Date: March 19, 2026

Time Opened: 1:10 p.m.

Time Closed: 1:25 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill increases penalties for unlawfully passing a stopped school bus, authorizes bus camera footage as identification evidence, and mandates license suspension for first and repeat offenses.

Sponsors:

Rep. Giasson
Rep. Markell
Rep. Reinfurt

Rep. Layon
Rep. Mazur
Rep. Sabourin dit
Choiniere

Rep. Litchfield
Rep. Miller

Who supports the bill: Representative Cyril Aures, Representative Henry Giasson, Representative Eric Turer, Representative Joseph Barton, Bridget Quinn (Teamsters New England), Cory Stone, Amy Erickson, Linda Burnap, Susan Dunker, Priscilla Dube.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of the testimony presented:

Representative Henry Giasson introduced House Bill 1308, explaining that it is a bipartisan effort to enhance penalties for drivers who pass school buses while children are actively embarking or disembarking.

- He stated that the bill was prompted by a mismatch between the number of violations occurring and the number being formally reported. He explained that bus driver statements are admissible, but in real situations drivers are focused on student safety, including watching for children, closing doors, and responding

to moving vehicles, which makes it difficult to accurately identify offending drivers or record details such as license plate numbers, vehicle make, model, or description.

- Explained that under current law, law enforcement must obtain a warrant to access school bus camera footage. He stated that both law enforcement and bus companies have indicated that requiring a warrant for what is currently a minor traffic infraction is impractical. As a result, bus companies may report violations, but police often lack sufficient evidence to act, and over time companies reduce reporting because enforcement is ineffective. He stated that this contributes to the discrepancy between actual incidents and reported cases, noting that while data may suggest the problem is limited, bus companies report that violations can occur multiple times in a single day.
- Explained that the bill reclassifies the offense as a misdemeanor due to the serious risk posed to children, describing the conduct as comparable to reckless endangerment. He also stated that the bill allows school bus camera footage to be accessed without requiring a warrant, making it more practical to gather evidence. He emphasized that the footage could be used both to support prosecution and to protect individuals in cases where they were not the driver or where the violation did not occur. He added that this change aligns with increasing the severity of the offense while ensuring that evidence is available to meet the burden of proof.
- Senator Gannon asked for clarification, stating that it sounded like the bill increases the penalty while lowering the standard of proof.
 - Rep. Giasson responded that the bill does the opposite of lowering the burden of proof. He explained that the penalty is increased, and the process for obtaining evidence is made more practical by removing the warrant requirement, allowing camera footage to be used to build or refute a case.
 - Senator Gannon expressed concern that increasing penalties while removing the warrant requirement could create issues for defense attorneys. The senator stated support for the bill but noted a potential legal concern regarding the change.
- Senator Reardon clarified that the bill does not change the burden of proof required to charge someone, but instead changes the method of obtaining evidence, allowing access to camera footage through a subpoena rather than a warrant. She then asked whether the camera footage could be used for purposes beyond identifying the vehicle involved.
 - Giasson responded that the bill explicitly limits the use of camera footage, stating that it “shall be used for the sole purpose of supplementing observations and sworn statements of the school bus driver or operator.”

Representative Cyril Aures, representing Merrimack District 13, testified in support of House Bill 1308. He explained that his support is based on personal experience witnessing multiple incidents where drivers passed stopped school buses, including an incident involving a bus his own children were boarding.

- Stated that, in his view, many of these violations are the result of drivers not paying attention. He argued that increasing awareness and imposing stronger consequences would help address the problem and encourage safer behavior.
- Shared an example involving his wife, Rosemary, who was present in the room. He explained that she stopped for a school bus with flashing lights while children were getting off, and her vehicle was rear-ended by another driver. He stated that the driver's excuse was that they "didn't see" her, which he criticized as evidence of inattentive driving and emphasized that individuals who fail to pay attention should not be operating a vehicle.
- He also described another incident in which he personally chased a driver who passed a stopped school bus. He explained that he was only able to catch up to the driver because the individual eventually stopped at an intersection. He stated that the driver admitted to being in a hurry and not taking the time to stop for the bus.
- Rep. Aures concluded by reiterating his strong support for the bill and offered to answer questions.

Rick Laughton, a business agent for Teamsters Local 633 and a 48-year Teamster member, testified in support of House Bill 1308 on behalf of over 900 school bus drivers in New Hampshire. He explained that the union represents drivers across multiple bus companies and emphasized that drivers regularly witness vehicles illegally passing stopped school buses. He stated that, as previous testimony described, drivers are focused on the safety of children and do not have the ability to identify license plates or vehicle details during these incidents.

- Described the frequent occurrence of these violations and noted that drivers and bus companies strongly support the bill. He explained that reporting incidents can be time-consuming, describing a recent example where a driver had to go to the police department and provide a full statement, which adds to the burden despite the importance of reporting.
- Argued that modern technology should be used more effectively, noting that buses are already equipped with cameras and suggesting improvements such as cameras on extended stop signs. He emphasized the stakes involved, stating that the cost of additional safety measures should be weighed against the risk to children's lives.
- Emphasized that illegal passing of school buses is not occasional but frequent and increasing. He stated that drivers routinely observe vehicles passing within

feet of children entering or exiting buses. He explained that enforcement has historically been difficult because drivers cannot both supervise children and document violations, and by the time an incident occurs, the offending vehicle is often gone. He stated that onboard camera systems have become essential because they provide objective evidence, capturing license plates, vehicle descriptions, and sometimes the driver, while documenting exactly what occurred.

- Explained that House Bill 1308 appropriately incorporates the use of video evidence to supplement, not replace, the sworn statements of bus drivers. He stated that this improves both enforcement and fairness by providing verifiable evidence and allowing vehicle owners access to recordings, ensuring due process.
- Stated that drivers do not want to act as enforcement officers but want compliance with existing safety rules, and that cameras make enforcement more consistent and effective.
- Concluded by stating that the bill is ultimately about prevention, noting that each violation represents a moment where a child could have been seriously injured or killed. He urged the committee to support House Bill 1308 to enhance safety and enforcement tools.

Bridget Quinn, representing Teamsters Joint Council 10 New England, testified in support of House Bill 1308. She explained that Joint Council 10 represents approximately 53,000 Teamsters across six New England states. She stated that illegally passing a stopped school bus with its stop arm extended is clearly unlawful, yet remains a widespread problem.

- She cited national data showing that between 2022 and 2023 there were approximately 43 million illegal school bus passings, and from 2000 to 2023 there were 61 fatal crashes related to such incidents. She emphasized that even one fatality is too many.
- Argued that the bill would provide law enforcement with necessary tools to enforce existing laws, particularly through the limited and targeted use of camera footage strictly for identifying violations.
- State that school bus drivers consistently express that their primary concern is the safety of children, and that this legislation would help ensure students can safely get on and off buses.
- Senator Abbas asked about the provision in the bill allowing footage to be obtained by subpoena only by law enforcement or a county attorney. He questioned how an accused individual would access that footage to defend themselves, noting that without pending charges there may be no mechanism to subpoena the evidence.

- o Mrs. Quinn responded that she was not an attorney and could not answer definitively but stated she would follow up to obtain clarification.
- Senator Gannon asked Mrs. Quinn to confirm the number of illegal passings, referencing the large figure she mentioned.
 - o Mrs. Quinn confirmed that the number was approximately 43 million nationwide and acknowledged that it is a significant and concerning statistic.
- Senator Abbas followed up by suggesting the committee should look into why the subpoena language is limited to law enforcement and county attorneys, noting that in criminal defense, attorneys typically do not seek evidence that would incriminate their clients, but acknowledged that video evidence could also be used to prove innocence.
- Senator Altschiller asked whether everyone involved in a referenced bus incident in Exeter was safe.
 - o Mr. Laughton confirmed that everyone was safe and clarified that the incident discussed was not recent but had been shared previously by a shop steward.

BMB
Date Hearing Report completed: March 23, 2026