

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Enrolled**

**Committee Substitute**

**for**

**Senate Bill 558**

BY SENATORS TAYLOR AND DEEDS

[Passed March 14, 2026; in effect 90 days from  
passage (June 12, 2026)]



1 AN ACT to amend and reenact §17C-12-7 of the Code of West Virginia, 1931, as amended; and  
2 to amend the code by adding two new sections, designated §17C-12-7b and §17C-12-7c,  
3 relating to school bus safety violations by vehicle operators; authorizing video content from  
4 school buses that capture a violation to be sent to law enforcement; creating an  
5 aggravated offense related to passing a stopped school bus; establishing criminal and  
6 administrative penalties; and requiring completion of a driver education safety course.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 12. SPECIAL STOPS REQUIRED.**

**§17C-12-7. Overtaking and passing school bus; penalties; signs and warning lights upon  
buses; requirements for sale of buses; mounting of cameras; educational  
information campaign; limitation on idling.**

1 (a) The driver of a vehicle, upon meeting or overtaking from either direction any school  
2 bus which has stopped for the purpose of receiving or discharging any school children, shall stop  
3 the vehicle before reaching the school bus when there is in operation on the school bus flashing  
4 warning signal lights, as referred to in §17C-12-8 of this code, and the driver may not proceed  
5 until the school bus resumes motion, or is signaled by the school bus driver to proceed or the  
6 visual signals are no longer actuated. This section applies wherever the school bus is receiving  
7 or discharging children including, but not limited to, any street, highway, parking lot, private road,  
8 or driveway: *Provided*, That the driver of a vehicle upon a controlled access highway need not  
9 stop upon meeting or passing a school bus which is on a different roadway or adjacent to the  
10 highway and where pedestrians are not permitted to cross the roadway.

11 (b) Any driver acting in violation of subsection (a) of this section is guilty of a misdemeanor  
12 and, upon conviction for a first offense, shall be fined not less than \$500 or more than \$1,000, or  
13 confined in jail not more than six months, or both fined and confined. Upon conviction of a second  
14 violation of subsection (a) of this section, the driver shall be fined not less than \$1,000 nor more  
15 than \$1,500, or confined in jail not more than six months, or both fined and confined. Upon

16 conviction of a third or subsequent violation of subsection (a) of this section, the driver shall be  
17 fined \$2,000 and confined not less than 48 hours in jail but not more than six months.

18 (c) Where the actual identity of the operator of a motor vehicle operated in violation of  
19 subsection (a) of this section or §17C-12-7b of this code is unknown but the license plate number  
20 of the motor vehicle is known, it may be inferred that the operator was an owner or lessee of the  
21 motor vehicle for purposes of the probable cause determination. Where there is more than one  
22 registered owner or lessee, the inference created by this subsection shall apply to the first listed  
23 owner or lessee as found on the motor vehicle registration: *Provided*, That a person charged with  
24 a violation of subsection (a) of this section or §17C-12-7b of this code, under the provisions of  
25 this subsection, where the sole evidence against the owner or lessee is the presence of the  
26 vehicle at the scene at the time of the offense, shall only be subject to the applicable fine set forth  
27 in subsection (b) for a violation of this section or the applicable fines set forth in §17C-12-7b of  
28 this code for aggravated illegal passing of a stopped school bus upon conviction but not  
29 confinement: *Provided, however*, That the offenses set forth in subsections (f) and (g) of this  
30 section are separate and distinct from that set forth in subsection (a) of this section.

31 (d) Service of process of a complaint issued pursuant to subsection (c) of this section shall  
32 be effected consistent with West Virginia Rule of Criminal Procedure 4.

33 (e) In addition to the penalties prescribed in subsection (b) of this section, the  
34 Commissioner of Motor Vehicles shall, upon conviction, suspend the driver's license of the person  
35 so convicted:

36 (1) Of a first offense under subsection (b) of this section, for a period of 60 days;

37 (2) Of a second offense under subsection (b) of this section, for a period of 180 days; or

38 (3) Of a third or subsequent offense under subsection (b) of this section, for a period of  
39 one year.

40 (f) Any driver of a vehicle who willfully violates the provisions of subsection (a) of this  
41 section and the violation causes serious bodily injury to any person other than the driver is guilty

42 of a felony and, upon conviction, shall be confined in a state correctional facility not less than one  
43 year nor more than three years and fined not less than \$2,000 nor more than \$5,000.

44 (g) Any driver of a vehicle who willfully violates the provisions of subsection (a) of this  
45 section, and the violation causes death, is guilty of a felony and, upon conviction, shall be confined  
46 in a state correctional facility not less than one year nor more than 10 years and fined not less  
47 than \$5,000 nor more than \$10,000.

48 (h) Every bus used for the transportation of school children shall bear upon the front and  
49 rear of the bus a plainly visible sign containing the words "school bus" in letters not less than eight  
50 inches in height. When a contract school bus is being operated upon a highway for purposes  
51 other than the actual transportation of children either to or from school, all markings on the  
52 contract school bus indicating "school bus" shall be covered or concealed. Any school bus sold  
53 or transferred to another owner by a county board of education, agency or individual shall have  
54 all flashing warning lights disconnected and all lettering removed or permanently obscured, except  
55 when sold or transferred for the transportation of school children: *Provided*, That every county  
56 board of education shall install forward-facing and rear-facing cameras on all school buses  
57 purchased on or after July 1, 2019, for the purpose of enforcing this section and for any other  
58 lawful purpose.

59 (i) To the extent that state, federal, or other funds are available, the State Police shall  
60 conduct an information campaign to educate drivers concerning the provisions of this section and  
61 the importance of school bus safety.

62 (j) The content of video cameras installed on school buses that record a violation of  
63 subsection (a) of this section is authorized to be sent directly to an appropriate law enforcement  
64 agency for purposes of citation and enforcement.

65 (k) The State Board of Education shall promulgate a rule in accordance with the provisions  
66 of §29A-3B-1 *et seq.* of this code governing the idling of school buses.

**§17C-12-7b. Aggravated passing or failure to stop for a stopped school bus.**

1 (a) A person commits the offense of aggravated illegal passing of a stopped school bus  
2 when the person overtakes, passes, attempts to pass, or fails to stop for a school bus that is  
3 stopped and displaying activated stop arm signals and flashing warning light signals for the  
4 purpose of receiving or discharging school children, in violation of §17C-12-7 of this code, and  
5 one or more of the following aggravating circumstances are present:

6 (1) The violation occurs at a speed exceeding the posted speed limit by 10 miles per hour  
7 or more;

8 (2) The vehicle passes the school bus on the side where school children are entering or  
9 exiting; or

10 (3) A school child is outside of the school bus and present in the roadway, shoulder, or  
11 the immediate vicinity of the school bus at the time of the violation.

12 (b) Any person convicted under this section is guilty of a misdemeanor and shall be fined  
13 not less than \$1,500 nor more than \$3,000 and confined in a regional jail facility for not less than  
14 48 consecutive hours nor more than six months. The mandatory minimum term of confinement  
15 may not be suspended, deferred, or subject to probation.

16 (c) A person convicted under this section twice within a five-year period shall be fined not  
17 less than \$3,000 nor more than \$4,500 and confined in a regional jail facility for not less than  
18 seven consecutive days. The mandatory minimum term of confinement may not be suspended,  
19 deferred, or subject to probation.

20 (d) A third conviction under this section within a 10-year period constitutes a felony  
21 punishable by imprisonment in a state correctional facility for not less than one year nor more  
22 than five years and a fine of not less than \$5,000. A person sentenced pursuant to this subsection

23 must serve a minimum of 30 consecutive days before being eligible for a suspended or deferred  
24 sentence.

25 (e) Upon a conviction under this section, the Division of Motor Vehicles shall suspend the  
26 driver's license of the offender for a period of not less than 90 days for a first offense, 180 days  
27 for a second offense, and one year for a third or subsequent offense.

28 (f) If serious bodily injury or death results from a violation of this section, the offender shall  
29 be prosecuted under the applicable felony provisions of this code.

**§17C-12-7c. Mandatory driver education.**

1 Any person convicted of a violation of §17C-12-7 or §17C-12-7b of this code shall be  
2 required, as a condition of reinstatement of driving privileges, to successfully complete a school  
3 bus safety and driver education course.



The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

Originated in the Senate.

In effect 90 days from passage.

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within is ..... this the.....  
Day of ....., 2026.

.....  
*Governor*