

NOTIFICATION OF ENHANCEMENT – SCHOOL BUS VIOLATION

Defendant: _____, Case No. _____

ELEMENTS

41-6a-1302: (2) The operator of a vehicle on a highway, upon meeting or overtaking a school bus equipped with signals required under this section which is displaying alternating flashing: (a) amber warning light signals, shall slow the vehicle, but may proceed past the school bus using due care and caution at a speed not greater than 20 MPH for the safety of the school children that may be in the vicinity; or (b) red light signals visible from the front or rear, shall stop immediately before reaching the bus and may not proceed until the flashing red light signals cease operation. (3) The operator of a vehicle need not stop upon meeting or passing a school bus displaying alternating flashing red light signals if the school bus is traveling in the opposite direction when: (a) traveling on a divided highway; (b) the bus is stopped at an intersection or other place controlled by a traffic-control signal or by a peace officer; or (c) on a highway of five or more lanes, which may include a left-turn lane or two-way left turn lane.

ENHANCEMENT / PENALTIES

41-6a-1302(6)(a): A violation of Subsection (2) or (3) is a class C misdemeanor and the minimum fine shall be: (i) \$175 for a first offense; (ii) \$310 for a second offense within three years of a previous conviction or bail forfeiture; and (iii) \$715 for a third or subsequent offense within three years of a previous conviction or bail forfeiture.

41-6a-1302(6)(c): The court may order the person to perform compensatory service in lieu of the fine or any portion of the fine if the court makes the reasons for the waiver part of the record.

Minimum / Maximum Sentence

Class C Misdemeanor: 0 days to 90 days jail; Amounts listed above to \$1,052.50 fines and surcharges, plus interest

I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.

Date

Defendant