



Sally Cluchey

15 Brickyard Way

Bowdoinham, ME 04008

Phone: (207) 814-8879

Sally.Cluchey@legislature.maine.gov

HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: MAINE RELAY 711

April 22, 2025

Testimony of Rep. Sally Cluchey presenting

LD 329, An Act to Increase the Fine for Passing a Stopped School Bus

Before the Joint Standing Committee on Transportation

Good morning, Senator Nangle, Representative Crafts, and honorable members of the Transportation Committee. My name is Sally Cluchey, and I represent House District 52, which includes the communities of Bowdoinham, Bowdoin, and Richmond. I'm here to present LD 329: An Act to Increase the Fine for Passing a Stopped School Bus.

This bill was brought to me by Katie Spear, a Richmond resident and the Transportation Director for RSU2, whose drivers see firsthand how often this happens. It's also a recurring problem in MSAD 75 and other rural districts, where young children — sometimes as young as five — are crossing the road alone.

At my request, Sagadahoc County Sheriff Joel Merry gathered data from all law enforcement agencies in Sagadahoc county. In just over two years, there were 143 complaints about this violation. Only 8 resulted in criminal summonses, 3 in civil citations, and 11 in warnings — about 15% enforcement. I want to emphasize: this is not a reflection of law enforcement failing to do their jobs. I am deeply grateful to Sheriff Merry and to every officer who works to keep our roads safe. Enforcement is extremely difficult and time-consuming. Officers often rely on secondhand reports or unclear bus camera footage. The burden of proof for prosecution is high. And these cases, even when they're prosecuted, rarely lead to meaningful consequences for the driver. And yet the consequences for the child can be life-changing.

Two weeks ago in the Health Coverage, Insurance and Financial Services Committee, we heard from a parent whose 13-year-old son, Nathaniel, was hit by a truck that passed his stopped school bus. His lower leg and foot were crushed. He spent months in recovery, and his leg will never be the same. His medical bills total nearly \$200,000.

The challenge we're faced with here is that our laws are insufficient to deter this behavior. Maine law currently provides two different enforcement paths:

- A civil violation with a fine of \$154, and

- A criminal offense, which is a Class E crime carrying a minimum fine of \$250 and a 30-day license suspension for a second offense.

Despite these penalties, this is a law that is broken frequently. This is not a crime of necessity or desperation. It's reckless, impatient, and a blatant disregard for the law that keeps our children safe.

As currently written, LD 329 increases the fine for the criminal offense. But as the data shows, most of these violations are either not charged or are charged at the civil level — where the fine is just \$154. If this committee is open to it, I would respectfully suggest that we consider increasing the civil fine to \$1,000 as well, so that the law sends a consistent and serious message regardless of how the offense is ultimately charged.

And I'll close with this thought: Later today, this committee will be hearing several bills related to driver's education. I urge you to think of this bill in that same context. This is not just about penalties. It's also about creating a culture of safety and responsibility on our roads — starting with how we train drivers and reinforced by how we hold them accountable.

Thank you for your time, and I welcome any questions.