

## State laws providing for specific penalties in connection with harming transit and school bus employees\*

| State | Section   | Provision   | Penalty   |
|-------|---|---|---|
| CA    | <a href="#">Cal Pen Code 190.25</a>                               | Murder of a transportation worker.  | <a href="#">Life without parole.</a>  |
| CA    | <a href="#">Cal Pen Code 212.5</a>                                | Robbery of a transportation worker.   | <a href="#">First degree robbery.</a>   |
| CA    | <a href="#">Cal Pen Code 241.3</a>                                | Assault of transportation worker or passenger.  | <a href="#">\$2,000 fine, 1 year in jail, or both.</a>  |
| CA    | <a href="#">Cal Pen Code 243.3</a>                                | Battery of transportation worker or passenger.  | <a href="#">\$10,000 fine or 1 year in jail, or both. If injury occurs, up to 3 years prison.</a>   |
| CA    | <a href="#">Cal Pen Code 245.2</a>                                | Assault with deadly weapon on transportation worker.  | <a href="#">3, 4, or 5 years in prison.</a>   |
| CO    | <a href="#">Colorado Revised Statutes § 32-9-160</a>              | Wrongfully interfering with any RTD employee in the proper discharge of his duties.                   | <a href="#">Class 2 misdemeanor. Minimum 3 month of imprisonment, \$250 fine, or both and maximum of 364 days of imprisonment, \$1,000 fine, or both.</a>     |
| CT    | <a href="#">Connecticut General Statutes § 53a-167c</a>           | Assault of public safety, emergency medical, public transit or health care personnel: Class C felony. | <a href="#">Class C felony</a>  |
| DC    | <a href="#">Code of the District of Columbia §22-3751 et seq.</a> | Enhanced penalties for committing a crime of violence against transportation providers.               | <a href="#">Up to one and 1/2 times the maximum term of imprisonment otherwise authorized by the offense, or one and 1/2 times the maximum fine, or both.</a> |
| DC    | <a href="#">Code of the District of Columbia § 35-261</a>         | Notice of enhanced penalties.   | <a href="#">Requires WMATA to post signs regarding the enhanced penalties on all buses trains, and at or near Metrorail station kiosks.</a>                   |

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| DE    | <a href="#">Title 11, § 612(a)(3)</a><br>and<br><a href="#">§ 613(a)(5)</a> | Includes transit operators in the list of other positions, such as volunteer firefighters and paramedics, that result in heightened levels for crimes in which the operator was a victim. | <p>§ 612(a)(3)<br/><a href="#">A person who intentionally causes physical injury to a public transit operator who is acting in the lawful performance of duty is guilty of an assault in the second degree, a class D felony.</a></p> <p>§ 613(a)(5)<br/><a href="#">A person who intentionally causes serious physical injury to a public transit operator who is acting in the lawful performance of duty is guilty of an assault in the first degree, a class B felony.</a></p> |
| FL    | <a href="#">Florida Statute 784.07(2)(a)</a>                                | Assault of transit employee.  | <a href="#">1st degree misdemeanor.</a>  |
| FL    | <a href="#">Florida Statute 784.07(2)(b)</a>                                | Battery of transit employee.  | <a href="#">3rd degree felony.</a>   |
| FL    | <a href="#">Florida Statute 784.07(2)(c)</a>                                | Aggravated assault of transit employee.   | <a href="#">2nd degree felony.</a>   |
| FL    | <a href="#">Florida Statute 784.07(2)(d)</a>                                | Aggravated battery of transit employee.   | <a href="#">1st degree felony.</a>   |
| GA    | <a href="#">OCGA 16-5-20</a>  | Simple assault committed in a transit vehicle or station.   | <a href="#">Misdemeanor of a “high &amp; aggravated nature.”</a>   |
| GA    | <a href="#">OCGA 16-5-21</a>  | Aggravated assault committed in a transit vehicle or station.   | <a href="#">3 to 20 years in prison.</a>   |
| GA    | <a href="#">OCGA 16-5-23</a>  | Simple battery committed in a transit vehicle or station.   | <a href="#">Misdemeanor of a “high &amp; aggravated nature.”</a>   |
| GA    | <a href="#">OCGA 16-5-23.1</a>  | Battery committed in a transit vehicle or station.  | <a href="#">Misdemeanor of a “high &amp; aggravated nature.”</a>   |
| GA    | <a href="#">OCGA 16-5-24</a>  | Aggravated battery committed in a transit vehicle or station.   | <a href="#">5 to 20 years in prison.</a>   |
| HI    | <a href="#">HRS 711-1112</a>  | Interference with operator of public transit vehicle.   | <a href="#">Class ‘C’ felony. Five years or less, but not less than one year.</a>  |
| ID    | <a href="#">ID Code 18-1522</a>   | Disruption or interference with school bus driver.  | <a href="#">Misdemeanor.</a>   |

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|-------|------------------------------------|---|--|
| IL    | <a href="#">625 ILCS 50/1</a>      | Requires a notice to be prominently displayed in each vehicle used for the transportation of the public for hire which must substantially state the following: “Any person who assaults or harms an individual whom he knows to be a driver, operator, employee or passenger of a transportation facility or system engaged in the business of transportation for hire and who is then performing in such capacity or using such public transportation as a passenger, if such individual is assaulted, commits a Class ‘A’ misdemeanor, or if such individual is harmed, commits a Class 3 felony. | None.  |
| IL    | <a href="#">720 ILCS 5/12-2</a>    | Aggravated assault on a driver, operator, employee, or passenger of any transportation facility or system engaged in the business of transportation of the public for hire.   | <a href="#">Class ‘A’ misdemeanor.</a>   |
| IL    | <a href="#">720 ILCS 5/12-3.05</a> | Aggravated battery (intentionally or knowingly causing great bodily harm) to a driver, operator, employee, or passenger of any transportation facility or system engaged in the business of transportation of the public for hire.  | <a href="#">Class 3 felony.</a>  |
| LA    | <a href="#">R.S. 14:34.5.1</a>     | Battery of bus operator or cable car operator while that person is on duty in course and scope of his or her employment.  | <a href="#">Fine not more than \$500 and prison for not less than forty- eight hours nor more than six months without benefit of probation, parole, or suspension of sentence.</a> |

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| MA    | <a href="#">Mass Ann Laws Ch.265, Sect 13 D</a>         | Assault & battery on certain public officers & employees (including bus, trackless trolley, rail, or rapid transit motorman, operator, gateman, guard or collector).  | <a href="#">90 days to 2 1/2 years prison or fine of \$500 to \$5000.</a>  |
| MD    | <a href="#">Md. Transportation Code Ann. § 7-705.fl</a> | Prohibited Acts: Obstruct, hinder, or interfere with the operation or operator of a transit vehicle or railroad passenger car or a person engaged in official duties as a station agent, conductor, or station attendant.                   | <a href="#">Misdemeanor subject to a fine of not more than \$1,000, imprisonment not exceeding 1 year, or both.</a>  |
| MN    | <a href="#">Minn Stat 609.855 Sub 2</a>                 | Unlawful interference with transit operator.  | <a href="#">Up to 3 years in prison or \$5000 fine, or both if violation was accompanied by force or violence or a communication of a threat of force or violence. If no force or violence or threat of force or violence, up to 90 days in jail or fine not to exceed \$1000.</a> |
| MO    | <a href="#">577.703 R.S. Mo</a>                         | The offense of "assault with the intent to commit bus hijacking" is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. | <a href="#">Class 'D' felony. Class 'A' felony if a dangerous weapon is employed.</a>  |
| MO    | <a href="#">577.703 R.S. Mo</a>                         | Bus hijacking (seizure or exercise of control, by force or violence, or threat of force or violence, of any bus).   | <a href="#">Class 'B' felony.</a>  |

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| NC    | <a href="#">G.S. 14-33(c)(7)</a>              | Assault on a public transit operator, including a public employee or a private contractor employed as a transit operator, when the operator is discharging or attempting to discharge his or her duties. | <a href="#">Class A1 Misdemeanor.</a>  |
| NV    | <a href="#">Nev Rev Stat Ann 193.161.1</a>    | Felony committed on a school bus while bus operator engaged in official duties.  | <a href="#">Imprisonment for a term 1 to 20 years long &amp; in addition to term prescribed by statute for that crime.</a>   |
| NV    | <a href="#">Nev Rev Stat Ann 200.030.1(d)</a> | Murder of the first degree. Among other types of murder, it includes murder committed on a school bus while the bus operator was engaged in official duties.   | <a href="#">Class 'A' felony.</a>  |
| NV    | <a href="#">Nev Rev Stat Ann 200.471.2(c)</a> | Assault on a transit operator.   | <a href="#">Gross misdemeanor. If assault is made with a deadly weapon, or the present ability to use a deadly weapon, upgraded to a 'B' felony (1-6 years prison or up to \$5000 fine, or both).</a>                          |
| NV    | <a href="#">Nev Rev Stat Ann 200.481.2(c)</a> | Battery of transit operator who sustains substantial bodily harm.  | <a href="#">Class 'B' felony (minimum 2-10 years prison or up to \$10,000 fine, or both). No substantial bodily harm needed if deadly weapon used. Gross misdemeanor if no substantial bodily harm &amp; no deadly weapon.</a> |
| NM    | <a href="#">NM Stat Ann 30-7-12</a>           | Seizure or exercising control of a bus by force or violence or by threat of force or violence.   | <a href="#">3rd degree felony.</a>   |
| NM    | <a href="#">NM Stat Ann 30-7-12</a>           | Intimidating, threatening, or assaulting any driver of a bus with intent of seizing or exercising control of bus.  | <a href="#">4th degree felony.</a>   |
| NJ    | <a href="#">NJ Stat 2C:12-1.5(g)</a>          | Simple assault upon any operator of a motorbus or any employee of a rail passenger service, or school bus driver.  | <a href="#">Upgraded to 3rd degree aggravated assault if victim suffers bodily injury. 4th degree aggravated assault if no injury.</a>   |

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| NY    | <a href="#">NY Penal Law 120.05, sub. 11</a> | Assault on train operator, ticket inspector, conductor, bus operator or station agent while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus. | <a href="#">2nd degree assault.</a>   |
| OH    | <a href="#">ORC Ann. 2903.13.(C)4(d)</a>     | Assault of a school bus driver.   | <a href="#">5th degree felony.</a>  |
| OK    | <a href="#">21 Okl St. 1903</a>              | Using force or violence or threat of force or violence to seize or exercise control over a bus.   | <a href="#">Felony (up to 20 years prison or \$20,000 fine, or both. Intent to seize control of bus by intimidation, threat, or assault punishable by 'A' felony (up to 10 years prison or \$5,000 fine, or both. For either offense, the more severe penalty applies if deadly weapon is used.</a> |
| OR    | <a href="#">ORS 163.165.1(d)</a>             | Assault in the third degree (including the causing of physical injury to the operator of a public transit vehicle while the operator is in control of or operating the vehicle).                      | <a href="#">Class C felony.</a>   |
| PA    | <a href="#">18 Pa.C.S. § 2702.(a)(3)</a>     | Intentionally, knowingly or recklessly causing serious bodily injury to an employee of an agency, company or other entity engaged in public transportation, while in the performance of duty.         | <a href="#">Felony of the first degree.</a>   |
| RI    | <a href="#">RI Gen Laws 11-5-5</a>           | Assault of public officials (including Rhode Island Public Transit Authority bus drivers).  | <a href="#">Felony punishable by up to 3 years prison or \$1,500 fine, or both.</a>   |
| SC    | <a href="#">SC Code Ann 16-3-612</a>         | Student committing assault & battery against school personnel (including bus drivers).  | <a href="#">Misdemeanor punishable by up to 1 year in prison or up to \$1,000 fine, or both.</a>  |

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| SC    | <a href="#">SC Code Ann 58-23-1830</a>               | Obstructing, hindering, interference with, or otherwise disrupting or disturbing the operation or operator of a public transportation vehicle.  | <a href="#">Misdemeanor. First offense: Up to 30 days jail or \$200 fine. Second offense: Up to 60 days jail, or \$500 fine, or both. Third or subsequent offense: Up to 90 days jail or \$1,000 fine, or both.</a> |
| SC    | <a href="#">SC Code Ann 59-67-245</a>                | Interference with operation of a school bus (includes threats to driver).   | <a href="#">Misdemeanor (\$100 fine or 30 days jail).</a>   |
| UT    | <a href="#">UT Code Ann 76-10-1504.(1)(a)</a>        | Assault with intent to commit bus hijacking (intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person). | <a href="#">2nd degree felony. 1st degree felony if dangerous weapon used.</a>  |
| UT    | <a href="#">UT Code Ann 76-10-1504.(2)(a)</a>        | Bus hijacking (seizure or exercise of control, by force or violence, or threat of force or violence, of any bus).   | <a href="#">1st degree felony.</a>  |
| WA    | <a href="#">Rev Code Wash (ARCW) 7.48.140.(4)</a>    | Interference with the provision or use of public transportation services, or obstructing or impeding a municipal transit driver, operator, or supervisor in performance of duties.                      | <a href="#">Public nuisance.</a>  |
| WA    | <a href="#">Rev Code Wash (ARCW) 9.66.010.A</a>      | Interference with municipal transit vehicle or station.   | <a href="#">Public nuisance.</a>  |
| WA    | <a href="#">Rev Code Wash (ARCW) 9.91.025.(1)(p)</a> | Unlawful bus conduct (includes intentional obstruction of municipal transit vehicles or interference with provision of public transportation services).   | <a href="#">Misdemeanor.</a>  |

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| WA    | <a href="#">Rev Code Wash (ARCW) 9A.36.031.(1)(b)</a> | Assault upon a person employed as a transit operator or driver, immediate supervisor, mechanic, or security officer. Includes public or private transit company or a contracted transit service provider.<br>Also includes assault on a school bus driver or mechanic employed by a school district transportation service. | <a href="#">3rd degree assault (Class 'C' felony).</a>  |
| WI    | <a href="#">Wis Stat 940.20.(6)(b)1</a>               | Battery to public transit vehicle operator, driver, or passenger. (Occurring on the vehicle, if offender forces victim to leave vehicle, or if victim is prevented from gaining access to the vehicle).   | <a href="#">Class I felony.</a>   |
| WV    | <a href="#">W. Va. Code § 61-2-10b</a>                | Malicious assault; unlawful assault; battery; and assault on governmental representatives, health care providers, and emergency medical service personnel; definitions; penalties   | <a href="#">Jail time ranges from 24 hours to 15 years, depending on severity and number of violations.</a> |
| WV    | <a href="#">W. Va. Code § 61-2-16a</a>                | Malicious assault; unlawful assault; battery and recidivism of battery; assault on a driver, conductor, motorman, captain, pilot or other person in charge of any vehicle used for public conveyance.   | <a href="#">3 to 15 years in prison.</a>  |

\*Information prepared by ATU Government Affairs Department Updated October 26, 2012.  
Additional research conducted March 2024 to verify legislation identified is current.