

they would be in little danger from vehicles that had so stopped and were in the act of starting up, and it is very probable that the legislature out of an abundance of caution had this fact in mind. At least, the drivers of passing vehicles, if they stop and remain standing as the statute provides, have a better opportunity to observe a child who attempts to cross the highway after it alights from a bus, whether it reaches the side of the road on which the bus is standing or not, and may thus more easily avoid striking the child than if he had not stopped. The requirement to stop and remain standing, as contained in these statutes, is a salutary, and I believe a very wise precaution in providing for the safety of passengers in school busses.

I am convinced, however, that the driver of a vehicle on a road or highway who, upon approaching a school bus from the front or rear, which is loading or discharging passengers, stops and keeps his vehicle stationary until the passengers in the bus have alighted and have reached the side of the highway which is to the right when facing in the direction the bus had been traveling, and proceeds on his way before those passengers have crossed the highway, if they should attempt to do so, could not be convicted of a violation of Section 12604-3, General Code. If, in so doing, he should strike any of the passengers crossing to the opposite side of the street, it is possible he might be guilty of violating some other provision of law, dependent upon the circumstances.

I am therefore of the opinion in specific answer to your question, that the words "nearest adjacent side of said road or highway", as used in Section 12604-1, mean the side to the right of a school bus when facing in the direction the school bus is headed.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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4948.

APPROVAL, PROPOSED AGREEMENT IN CONNECTION  
WITH THE RE-CONSTRUCTION OF SUBWAY IN MIAMI  
COUNTY, OHIO.

COLUMBUS, OHIO, November 29, 1935.

HON. JOHN JASTER, JR., *Director of Highways, Columbus, Ohio.*

DEAR SIR:—You have submitted for my consideration a proposed agreement by and between the Department of Highways and The Baltimore and Ohio Railroad Company with reference to a driveway in connection with

the re-construction of a subway known as Structure No. MI-36-115, Miami County, S. N. 190, Bridge 26 Piqua Crossing.

Finding said agreement in proper legal form, the same is hereby approved as to form and returned herewith.

Respectfully,

JOHN W. BRICKER,  
*Attorney General.*

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4949.

APPROPRIATION ACT—DISCUSSION OF SPECIFIC CHARACTER OF APPROPRIATION—O. A. G. 1915, VOL. II, P. 1871, O. A. G. 1934, VOL. I, P. 314 AND O. A. G. 1935, NO. 4503 AFFIRMED.

*SYLLABUS:*

*Opinions of the Attorney General 1915, Vol. II, page 1871; for 1934. Vol. I, page 314, and Opinion No. 4503 rendered August 3, 1935, defining the constitutional requirement that appropriations be specific, affirmed.*

COLUMBUS, OHIO, November 30, 1935.

HON. W. H. HERNER, *Chairman, Senate Finance Committee, Columbus, Ohio.*

DEAR SENATOR:—As Chairman of the Finance Committee of the Ohio Senate, and in pursuance of the resolution of said Committee adopted November 19, 1935, you have submitted for my consideration the question as to whether or not certain language if incorporated in a proposed general appropriation act of the 91st General Assembly, would constitute a valid appropriation of the entire amount of money that may be available under the law and not otherwise appropriated for the maintenance and repair of highways and for highway construction purposes.

It is proposed to incorporate in a general appropriation act appropriations to the Department of Highways, as follows: