

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 125 Session of  
2007

INTRODUCED BY COSTA, FONTANA, RAFFERTY, O'PAKE, RHOADES AND  
LOGAN, MARCH 5, 2007

REFERRED TO JUDICIARY, MARCH 5, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for exceptions to  
3 prohibitions of intercepting and disclosure of  
4 communications.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 5704 of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a paragraph to read:

9 § 5704. Exceptions to prohibition of interception and  
10 disclosure of communications.

11 It shall not be unlawful and no prior court approval shall be  
12 required under this chapter for:

13 \* \* \*

14 (17) (i) Provided that the requirements of  
15 subparagraphs (ii) and (iii) are satisfied, a school bus  
16 as defined in 75 Pa.C.S. § 102 (relating to definitions)  
17 to be equipped with a device capable of making an audio  
18 and video recording of the inside of the school bus while

1 being operated in the transportation of school students.  
2 Each school bus that is equipped with audio or video  
3 recording equipment must have a warning conspicuously  
4 posted at the front and back of each school bus informing  
5 the occupants of the school bus that an audio or video  
6 recording, or both, is being made during the operation of  
7 the school bus and that by riding the school bus, the  
8 student or other person consents to any recording that  
9 may be made during the operation of the school bus.

10 (ii) The Department of Education, in consultation  
11 with the Pennsylvania State Police and the Department of  
12 Transportation, shall promulgate regulations providing  
13 uniform standards for the following:

14 (A) Equipment to be used for making audio and  
15 visual recordings on a school bus.

16 (B) Installation, maintenance and operation of  
17 audio and video recording equipment.

18 (C) Referral of information to law enforcement  
19 authorities for criminal prosecution of any event  
20 recorded by audio or video that occurs on a school  
21 bus.

22 (iii) The Department of Education shall promulgate  
23 regulations providing standards to all boards of school  
24 directors for the adoption of a policy by the school  
25 district for the use of audio and video recording  
26 equipment on school buses used or operated by or for the  
27 school district. These standards must include, but not be  
28 limited to:

29 (A) Information concerning the disciplinary  
30 measures that may be utilized by the school district

1           against a school student, school employee or agent of  
2           the school district for communications, information  
3           or conduct recorded by the audio or video equipment.

4           (B) Information concerning the public  
5           availability of such communications, information or  
6           conduct recorded by the audio or video equipment.

7           (iv) No school district, school employee or agent of  
8           a school district may use, operate or otherwise employ  
9           any audio or video equipment on a school bus until the  
10          school district has provided written notification to each  
11          school student and the student's parent or guardian that  
12          the school district has adopted a policy to install,  
13          operate and use an audio or video recording system on the  
14          school buses operated by or for the school district in  
15          the transportation of school students to any public,  
16          private or parochial school or school-related activity or  
17          event.

18          Section 2. This act shall take effect in 60 days.