



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1098

PRINTERS NO. 2107

PRIME SPONSOR: Browne

COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
School Bus Safety Grant Program Account	See "Fiscal Impact"	See "Fiscal Impact"
Judicial Computer System Augmentation Account	See "Fiscal Impact"	See "Fiscal Impact"
Political Subdivision Funds	\$0	\$0

SUMMARY: Amends the Vehicle Code providing for school bus arm cameras for enforcement of overtaking a school bus and establishes a competitive grant program to promote and increase school bus safety education and training. The section requiring PennDOT to develop temporary regulations takes effect immediately; the remainder of the legislation is effective in six months.

ANALYSIS: Amends Title 75 (Vehicle Code) to create a side stop signal arm speed enforcement system (SASES) for failure to stop for a school bus with flashing red lights; creates a surcharge for illegally passing a school bus; and establishes the School Bus Safety Grant Program Account.

Enforcement-Failure to Stop for a School Bus: This legislation permits a school entity to adopt a side stop signal arm speed enforcement system (SASES). The new program created in Title 75 Section 3345.1 permits a camera to be placed on a side stop arm to assist a bus driver in identifying a person and vehicle that illegally passes a school bus, as prohibited by Section 3345 of the Vehicle Code. The school entity, upon a vote of the school board, may contract with a vendor or manufacturer to install and maintain cameras on buses either owned, leased or privately contracted by the school entity for the transport of pupils. Any camera system shall be approved by PennDOT. Any system installed prior to the effective date of this paragraph shall obtain PennDOT approval within six months of the effective date of the legislation.

Vendors will be responsible to provide the school entity with the image of the vehicle, plate number, and time, date and location of the offense. The school entity, along with the bus driver, is responsible to file a report with the police department that has jurisdiction where the offense occurred.

Use of SASES Images: The legislation prohibits recorded images collected as part of the SASES from being used for any other surveillance purposes, unless a court issues an order directing that the information be provided to law enforcement officials if the information is requested solely in connection with a criminal law enforcement action. Information obtained through the SASES is not subject to the Right-to-Know Law and must be destroyed within 1 year of final disposition.

Defenses: This legislation establishes a defense if a person named in the citation was not operating the vehicle at the time of the violation. The person is required to submit evidence to the court that the person was not the driver at the time of the alleged violation. The person named in the citation is not required to identify the actual driver of the vehicle.

School Bus Safety Grant Program: Section 3345.1 also establishes a School Bus Safety Grant Program. The \$35 surcharge established in section 3345 will be deposited into a restricted account within the General Fund and shall be used by PennDOT to implement the School Bus Safety Grant Program. The program is established to promote and increase school bus safety education and training throughout this Commonwealth. PennDOT shall do the following:

- award school bus safety grants on a competitive basis;
- pay any actual administrative costs arising from the administration of this section out of the fines deposited into the fund; and
- develop a uniform application process and regulations to administer the grant program.

Regulations: PennDOT is charged with adopting temporary regulations to enact the program, and permanent regulations within three years after the legislation's enactment.

FISCAL IMPACT: According to the most recent, annual data from the Administrative Office of Pennsylvania Courts (AOPC), the statewide total number of citations issued for violations of 75 Pa.C.S. § 3345(a) was 2,198, of which 690 resulted in a conviction. It is very likely that convictions would increase as a result of this legislation, however, if 690 convictions occur each year, this would result in revenue of \$24,150 for the School Bus Safety Grant Program Account to be used towards school bus safety education and training.

Of the remaining 1,508 cases, 1,000 were changed to a different or lesser charge. Those convicted of a violation of 75 Pa.C.S. § 3345(a) are subject to a fine of \$250. Assuming that 50% of the 1,000 cases where the charge was changed would have resulted in a conviction of 75 Pa.C.S. § 3345(a), this would result in an additional \$125,000 in fine revenue for the Judicial Computer System Augmentation Account.

The remainder of this legislation would have no adverse fiscal impact on Commonwealth or political subdivision funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: October 16, 2018

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.