



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

SENATE BILL NO. 851

PRINTER'S NO. 1158

PRIME SPONSOR: Langerhole

### COST / (SAVINGS)

| FUND         | FY 2023/24                       | FY 2024/25                       |
|--------------|----------------------------------|----------------------------------|
| General Fund | (\$174,000)<br>See Fiscal Impact | (\$211,000)<br>See Fiscal Impact |

**SUMMARY:** SB 851 PN 1158 eliminates October 24, 2023, School Bus Stop-Arm Camera program expiration and makes numerous program changes. The removal of the School Bus Stop-Arm Camera Program's expiration date would take effect immediately, while the remainder of the legislation would take effect in sixty (60) days.

**ANALYSIS:** This legislation amends Title 75 (Vehicles) Section 3345 (related to meeting or overtaking a school bus) and Section 3345.1 (related to enforcement of failure to stop for school bus with flashing lights) to make changes to current law authorizing school districts to use school bus stop-arm cameras to enforce illegally passing a school bus while the stop-arm is activated and red lights are flashing:

- Allows a school district to contract with a system administrator to administer their camera program;
- Provides that it is a third-degree misdemeanor with a \$500 fine per violation if the system administrator, school entity, contracted company that provides pupil transportation, or primary police department illegally uses the information collected by a camera;
- PennDOT's temporary regulations, currently scheduled to expire on October 24, 2023, would expire upon the prompt promulgation of final regulations;
- Expands eligibility for grants under the School Bus Safety Grant Program to include reimbursement or payment for education, training and other associated costs related to the issuance of a commercial learner's permit, commercial driver's license, or school bus endorsement by PennDOT to an individual for the purpose of driving a school bus. Grants cannot exceed \$100,000;
- Requires a school district to enter into an intergovernmental agreement with a primary police department to review the information collected by a camera and certify the violation;
- Requires the school entity or system administrator to submit a report to PennDOT and Pennsylvania State Police, who must compile the information and submit a joint report to the House and Senate Transportation Committees on an annual basis;
- Requires the school entity, or the system administrator, to post notice on their public website notifying the public about their camera program;
- The owner of the motor vehicle cannot be required to disclose the identity of the operator of the vehicle at the time of the violation if the owner was not operating the vehicle at the time of the violation;
- Adds a defense to a violation that the school bus stop arm camera was not in compliance with PennDOT's regulations with respect to testing for accuracy, certification, or calibration;

Additionally, the legislation rewrites the process of issuing a notice of violation and removes the current process for appealing a violation to the Magisterial District Judge and replaces it with an administrative hearing process.

**FISCAL IMPACT:** In order to evaluate the fiscal impact related to the enactment of this legislation, we need to consider components individually:

- Elimination of the expiration date of the School Bus Stop-Arm Camera Program would extend the ability of PennDOT to collect fines under the program, thus resulting in a positive impact on Commonwealth funds. If we assume a similar rate of fine collection, as in the past two fiscal years, for 2023/24, from November through June, the revenues are expected to be approximately \$174,000. For the full fiscal year in 2024/25, those revenues are expected to be about \$211,000; and,
- Illegal use of information collected by a camera, which as provided by the bill would be third-degree misdemeanor with a \$500 fine per violation, would have a positive impact on Commonwealth and County funds, however the impact is indeterminable as the number of occurrences could not be estimated.

**PREPARED BY:** Gueorgui Tochev  
House Appropriations Committee (D)

**DATE:** October 17, 2023

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