

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 364

PRINTER NO. 3908

AMOUNT

See Fiscal Impact

FUND

School Bus Safety
Grant Program Account

DATE INTRODUCED

February 4, 2019

PRIME SPONSOR

Representative Gabler

DESCRIPTION

House Bill 364 amends Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to further provide the option for school districts to install yellow lights on school vehicles and to modernize Act 159 of 2018 regarding the school bus stop arm camera enforcement program.

Section 3345.1 (relating to enforcement of failure to stop for school bus with flashing red lights) of Title 75 is amended as follows:

- Changes the penalty to a civil violation with a fine of \$300 for illegally passing a school bus with a camera installed on a school bus stop arm, and the fine shall not be subject to 42 PA.C.S. § 3571 (relating to Commonwealth portion of fines, etc.) or § 3573 (relating to municipal corporation portion of fines, etc.);
- Allocates the above mentioned fine amount as follows:
 - I. \$250 to the school district where the violation occurred;
 - II. \$25 to the police department that reviewed the evidence package to determine the violation occurred; and
 - III. \$25 to the School Bus Safety Grant Program Account.
- Requires that, to the extent practical, ensuring that photographs or recorded video images produced by an automated side stop signal arm enforcement system shall not identify the operator, the passengers or the contents of the vehicle;
- Provides that notice of liability under this section may be dismissed solely because a photograph or recorded video image allows for identification of the operator, passengers or contents of the vehicle;
- Provides that the vehicle owner shall provide notice to the court or vendor of the individual who committed the violation, including instances of rental vehicles;

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- Allows a school district to enter into an intergovernmental agreement with the primary police department with authority to issue these violation notices. The primary police department is the police department in any municipality in which the school district is located. If a municipality does not have its own police department, the school district may petition the State Police for review of the evidence package;
- Provides for the methods that police departments must use in reviewing evidence packages and providing of information;
- Requires the vendor to submit the following information to police departments (instead of the school entity): a copy of the recorded image showing the vehicle, the license plate information, and the date, time and place of the alleged violation;
- Removes the provisions relating to compensation to manufacturer or vendor; and
- Changes references from vocational-technical school to career and technical school.

Section 4572 (relating to visual signals on authorized vehicles) of Title 75 is amended as follows:

- Allows school vehicles to be equipped with a permanently affixed or removable yellow flashing or revolving light, as determined by PennDOT's regulations;
- Provides that the light shall only be activated when the vehicle is preparing to stop or is stopped to load and unload students; and
- Clarifies that nothing under subsection (b.1) (relating to yellow flashing or revolving lights on school vehicles) shall be construed to permit an activity by a driver of a school vehicle prohibited under section 3351 (relating to stopping, standing and parking outside business and residence districts) or 3353 (relating to prohibitions in specified places).

This act shall take effect in 60 days.

FISCAL IMPACT:

Current law does allow for stop-arm cameras on school buses, and this legislation simply encourages more school districts to take advantage of this technology, which would increase the enforcement of § 3345(a) violations. Additionally, many violations are not prosecuted because of the lack of evidence, and this technology would increase the likelihood of violators being held liable for illegally passing a school bus.

The number of violations and revenue generated from fines will be dependent on the number of schools that purchase stop-arm cameras for school buses and any changes in driving behavior that result from schools implementing the new technology.