

HOUSE BILL REPORT

SSB 5540

As Reported by House Committee On: Transportation

Title: An act relating to automated school bus safety cameras.

Brief Description: Authorizing the use of automated school bus safety cameras.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Hobbs, Delvin, King and Hewitt).

Brief History:

Committee Activity:

Transportation: 3/16/11, 3/24/11 [DPA].

Brief Summary of Substitute Bill (As Amended by House)

- Authorizes school districts to install automated school bus safety cameras on school buses to detect vehicles that fail to stop for a school bus that displays a stop signal if the use of the cameras is approved by a vote of the school district board of directors.
- Limits how the photographs may be taken and used, how long the photographs may be retained, and how the infractions are issued.
- Limits how school districts may enter into contracts with camera vendors and how the vendors may be compensated.
- Requires infractions issued by automated school bus safety cameras to be processed like parking infractions and any revenue collected, less the cost to operate the program, must be remitted to school districts for school zone safety projects.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 25 members: Representatives Clibborn, Chair; Billig, Vice Chair; Liiias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon,

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Jinkins, Johnson, Klippert, Ladenburg, McCune, Morris, Moscoso, Reykdal, Rivers, Rolfes, Ryu, Shea, Takko, Upthegrove and Zeiger.

Staff: Wendy Malkin (786-7114).

Background:

The driver of a vehicle, upon meeting or overtaking from either direction a school bus that has stopped on the roadway to receive or discharge school children, must stop before reaching the bus when there is a visual stop signal displayed on the school bus. The driver must not proceed until the school bus resumes motion or the visual stop signal is no longer activated. However, a driver on a divided highway traveling in the opposite direction of the school bus need not stop and a driver on a highway with three or more lanes traveling in the opposite direction from the bus need not stop. A person found to have violated the requirement to stop for a school bus that displays a stop signal must be assessed a monetary penalty that is twice the penalty that is permitted for the infraction under the penalty schedule. The doubled infraction amount is \$394. Half of the money collected from the infraction must be deposited in the School Zone Safety Account.

Revenue from parking infractions remains with the issuing jurisdiction. Under certain conditions, the Department of Licensing (DOL) is prohibited from renewing vehicle registrations on vehicles that have outstanding parking infractions.

Summary of Amended Bill:

School districts may install and operate automated school bus safety cameras on school buses to detect vehicles that fail to stop for a school bus that displays a stop signal if the use of the cameras is approved by a vote of the school district board of directors. School districts are not required to take buses out of service if the buses are not fitted with automated school bus safety cameras.

School districts are authorized to install automated school bus safety cameras with the following requirements:

- pictures may be taken of only vehicles and vehicle license plates while an infraction is occurring and must not reveal driver or passenger faces;
- infraction notices must be mailed to the registered owner of the vehicle within 14 days of the infraction and may be responded to by mail;
- any compensation paid to the vendor of the equipment must be based on the value of the equipment and services provided and may not be based on a portion of the infractions or revenue generated;
- photographs generated by the automated school bus safety cameras may be used only for infraction enforcement and must not be retained longer than necessary to enforce the infraction; and
- before entering into a contract with the manufacturer or vendor of the camera equipment, a school district is required to follow a competitive bid process.

The registered owner of the vehicle is responsible for the infraction unless the owner submits a written statement to the court or testifies to the court that the vehicle was, at the time, stolen or in the care, custody, or control of another person. An infraction generated by an automated school bus safety camera must be processed in the same manner as parking infractions, and the infraction is not part of the registered owner's driving record. Under certain conditions, the DOL is prohibited from renewing a vehicle registration if the vehicle has an outstanding infraction issued by an automated school bus safety camera.

The maximum monetary penalty for failure to stop for a school bus that displays a stop signal is limited to twice the amount permitted under the penalty schedule when the infraction is generated by an automated school bus safety camera. The maximum amount of the penalty is \$394. Any revenue collected from an infraction generated by a camera, less the cost to operate the program, must be remitted to school districts for school zone safety projects. The administrative and operating costs of the cameras includes infraction enforcement and processing costs that are incurred by local law enforcement or local courts.

If the registered owner of the vehicle is a rental car business, the rental car company must be given notice before an infraction is issued. The notice must give the rental car company time to identify the driver, pay the fine, or provide a statement that the driver cannot be identified because the car was stolen at the time of the infraction.

Amended Bill Compared to Substitute Bill:

The amended bill makes the following changes:

- requires a vote of the school district board of directors to approve the use of automated school bus safety cameras before a school district may install and operate the cameras to detect vehicles that fail to stop for a school bus that displays a stop signal;
- allows the monetary penalty for failure to stop for a school bus that displays a stop signal to be up to twice the amount permitted under the penalty schedule when the infraction is generated by an automated school bus safety camera; and
- allows revenue collected from infractions detected through the use of automated school bus safety cameras to be used for infraction enforcement and processing costs incurred by local law enforcement or local courts.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for sections 5, 7, and 9, relating to penalties when using automated school bus safety cameras, which become amendments to previously enacted sections if a specified contingency occurs.

Staff Summary of Public Testimony:

(In support) This bill is different than red light camera bills because it helps children. This bill is not about fundraising for the schools, it is about safety. Young children often run out in the road because they drop something that rolls in the street or they are excited around the bus and are not careful in the street.

There will be no sign on school buses saying the bus has a camera, but there is a big flashing stop sign that comes out of the side of the bus. Rather than put signage on the bus, maybe it is better to put signs on the road in the school district or notify the public in another way. School districts would likely use one or two cameras and rotate them around the city to problem areas. Then the school districts could go to the media and tell the public about the cameras to change behavior.

Bus drivers try to get students to school safely, but vehicles go around stop paddles all the time, on both the left and the right sides of the bus. Four years ago the state doubled the penalty, but there are still problems. Bus drivers are not able to write reports that identify violators while managing the kids getting on or off the bus, and it is hard for law enforcement to follow up on the reports. A survey of bus drivers shows it is a problem all over the state.

(In support with amendments) There are a few changes that would improve the bill. There needs to be language that allows some of the generated revenue to go to the costs of the local courts and police that are incurred by enforcing the bill. Also, the cameras should not be authorized without a vote of the school board.

(Opposed) None.

Persons Testifying: (In support) Senator Hobbs, prime sponsor; Doug Nelson, Public School Employees of Washington; Brennor Beck; and Allan Jones, Office of Superintendent of Public Instruction.

(In support with amendments) Randall Lewis, City of Tacoma.

Persons Signed In To Testify But Not Testifying: None.