

SSB 6620 - S AMD 913  
By Senator Frockt

1 On page 28, after line 10, insert the following:

2 "Part VII - Other School Safety Provisions

3 **Sec. 24.** RCW 46.63.180 and 2013 c 306 s 716 are each amended to  
4 read as follows:

5 (1) School districts may install and operate automated school bus  
6 safety cameras on school buses to be used for the detection of  
7 violations of RCW 46.61.370(1) if the use of the cameras is approved  
8 by a vote of the school district board of directors. School districts  
9 are not required to take school buses out of service if the buses are  
10 not equipped with automated school bus safety cameras or functional  
11 automated safety cameras. Further, school districts shall be held  
12 harmless from and not liable for any criminal or civil liability  
13 arising under the provisions of this section.

14 (a) Automated school bus safety cameras may only take pictures of  
15 the vehicle and vehicle license plate and only while an infraction is  
16 occurring. The picture must not reveal the face of the driver or of  
17 passengers in the vehicle.

18 (b) A notice of infraction must be mailed to the registered owner  
19 of the vehicle within fourteen days of the violation, or to the  
20 renter of a vehicle within fourteen days of establishing the renter's  
21 name and address under subsection (2)(a)(i) of this section. The law  
22 enforcement officer issuing the notice of infraction shall include a  
23 certificate or facsimile of the notice, based upon inspection of  
24 photographs, microphotographs, or electronic images produced by an  
25 automated school bus safety camera, stating the facts supporting the  
26 notice of infraction. This certificate or facsimile is prima facie  
27 evidence of the facts contained in it and is admissible in a  
28 proceeding charging a violation under this chapter. The photographs,  
29 microphotographs, or electronic images evidencing the violation must  
30 be available for inspection and admission into evidence in a  
31 proceeding to adjudicate the liability for the infraction. A person

1 receiving a notice of infraction based on evidence detected by an  
2 automated school bus safety camera may respond to the notice by mail.

3 (c) The registered owner of a vehicle is responsible for an  
4 infraction under RCW 46.63.030(1)(e) unless the registered owner  
5 overcomes the presumption in RCW 46.63.075, or, in the case of a  
6 rental car business, satisfies the conditions under subsection (2) of  
7 this section. If appropriate under the circumstances, a renter  
8 identified under subsection (2)(a)(i) of this section is responsible  
9 for an infraction.

10 (d) Notwithstanding any other provision of law, all photographs,  
11 microphotographs, or electronic images prepared under this section  
12 are for the exclusive use of law enforcement in the discharge of  
13 duties under this section and are not open to the public and may not  
14 be used in a court in a pending action or proceeding unless the  
15 action or proceeding relates to a violation under this section. No  
16 photograph, microphotograph, or electronic image may be used for any  
17 purpose other than enforcement of violations under this section nor  
18 retained longer than necessary to enforce this section.

19 (e) If a school district installs and operates an automated  
20 school bus safety camera under this section, the compensation paid to  
21 the manufacturer or vendor of the equipment used must be based only  
22 upon the value of the equipment and services provided or rendered in  
23 support of the system, and may not be based upon a portion of the  
24 fine or civil penalty imposed or the revenue generated by the  
25 equipment. Further, any repair, replacement, or administrative work  
26 costs related to installing or repairing automated school bus safety  
27 cameras must be solely paid for by the manufacturer or vendor of the  
28 cameras. Before entering into a contract with the manufacturer or  
29 vendor of the equipment used under this subsection (1)(e), the school  
30 district must follow the competitive bid process as outlined in RCW  
31 28A.335.190(1).

32 (f) Any revenue collected from infractions detected through the  
33 use of automated school bus safety cameras, less the administration  
34 and operating costs of the cameras, must be remitted to school  
35 districts for school zone safety projects, and other school safety  
36 projects, as determined by the school district using the automated  
37 school bus safety cameras. The administration and operating costs of  
38 the cameras includes infraction enforcement and processing costs that  
39 are incurred by local law enforcement or local courts. During the  
40 2013-2015 fiscal biennium, the infraction revenue may also be used

1 for school bus safety projects by those school districts eligible to  
2 apply for funding from the school zone safety account appropriation  
3 in section 201, chapter 306, Laws of 2013.

4 (2)(a) If the registered owner of the vehicle is a rental car  
5 business, the law enforcement agency shall, before a notice of  
6 infraction is issued under this section, provide a written notice to  
7 the rental car business that a notice of infraction may be issued to  
8 the rental car business if the rental car business does not, within  
9 eighteen days of receiving the written notice, provide to the issuing  
10 agency by return mail:

11 (i) A statement under oath stating the name and known mailing  
12 address of the individual driving or renting the vehicle when the  
13 infraction occurred;

14 (ii) A statement under oath that the business is unable to  
15 determine who was driving or renting the vehicle at the time the  
16 infraction occurred because the vehicle was stolen at the time of the  
17 infraction. A statement provided under this subsection (2)(a)(ii)  
18 must be accompanied by a copy of a filed police report regarding the  
19 vehicle theft; or

20 (iii) In lieu of identifying the vehicle operator, the rental car  
21 business may pay the applicable penalty.

22 (b) Timely mailing of a statement under this subsection to the  
23 issuing law enforcement agency relieves a rental car business of any  
24 liability under this chapter for the notice of infraction.

25 (3) For purposes of this section, "automated school bus safety  
26 camera" means a device that is affixed to a school bus that is  
27 synchronized to automatically record one or more sequenced  
28 photographs, microphotographs, or electronic images of the rear of a  
29 vehicle at the time the vehicle is detected for an infraction  
30 identified in RCW 46.61.370(1)."

31 Renumber the remaining section consecutively and correct any  
32 internal references accordingly.

**SSB 6620** - S AMD **913**  
By Senator Frockt

1        On page 1, line 10 of the title, after "rifles;" strike "and" and  
2 after "funds;" insert "and regulating automated school bus safety  
3 camera revenue;"

4        On page 1, line 12 of the title, after "9.41.124," strike "and"  
5 and after "9.41.240" insert ", and 46.63.180"

EFFECT: Allows revenue collected from infractions detected by automated school bus safety cameras and remitted to school districts to be used for other school safety projects in addition to school zone safety projects.

--- END ---