

SENATE BILL REPORT

SB 5770

As of February 13, 2019

Title: An act relating to increasing the penalties for failing to stop for a school bus displaying red flashing lights.

Brief Description: Increasing the penalties for failing to stop for a school bus displaying red flashing lights.

Sponsors: Senators Palumbo, Kuderer and Wilson, C..

Brief History:

Committee Activity: Transportation: 2/14/19.

Brief Summary of Bill

- Increases the total penalty to \$500 for failure to stop for a stopped school bus displaying flashing red lights.
- Requires suspension or revocation of a driver's license for failure to stop for a stopped school bus displaying flashing red lights, dependent on the number of violations committed.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: A driver approaching a school bus stopped on the road for receiving or discharging school children must stop before reaching the school bus when the stop arm is activated with flashing red lights. Failure to stop is a traffic infraction, with a base penalty of \$93, and a total fine of \$420.

Automated School Bus Safety Cameras. School districts, if approved by the applicable school board, may install and operate automated school bus safety cameras on school buses. The installation and operation must be for the purpose of detecting vehicle infractions involving the overtaking or unlawful meeting of a school bus that has stopped on the roadway to load or unload school children.

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.

An "automated school bus safety camera" is defined in statute as a device affixed to a school bus that is synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of a vehicle at the time the vehicle is detected for an infraction. Automated school bus safety cameras may only take pictures of the vehicle and vehicle license plate, and only while an infraction is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle.

If an infraction is detected through the use of an automated school bus safety camera, a notice of the infraction must be mailed to the registered owner of the vehicle by a law enforcement officer within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address. Absent evidence to the contrary or other factors, the registered owner or renter of the vehicle is responsible for the infraction and the associated monetary penalty. A person responsible for an infraction detected through the use of an automated school bus safety camera may be assessed a monetary penalty of \$419.

If a school district installs and operates an automated school bus safety camera, the compensation paid to the manufacturer or vendor of the equipment must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of any fines or civil penalties imposed or the revenue generated by the equipment.

Summary of Bill: The penalty for the failure to stop for a school bus stop arm flashing red lights is increased:

- for violations detected by a law enforcement officer, the base penalty is \$225 which results in a total fine of approximately \$500; and
- for violations detected by an automated school bus safety camera, the total fine is \$500.

A person failing to stop for a school bus stop arm displaying flashing red lights is also subject to driver's suspension as follows:

- the first violation, suspension of driver's license for 90 days;
- the second violation, suspension of driver's license for one year; and
- the third violation, revocation of the driver's license.

The driver's license suspension is applicable to both a violation detected by an automated bus safety camera and infractions issued by law enforcement officers.

Appropriation: None.

Fiscal Note: Requested on February 4, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on September 1, 2019.