

# SENATE BILL REPORT

## SSB 5540

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As Amended by House, April 5, 2011

**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: 2/14/11, 2/17/11 [DPS].

Passed Senate: 3/04/11, 49-0.

Passed House: 4/05/11, 93-3.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5540 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; White, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Ericksen, Hill, Hobbs, Litzow, Nelson, Ranker, Sheldon and Shin.

**Staff:** Katherine Taylor (786-7434)

**Background:** Under current law, the driver of a vehicle upon overtaking or meeting from either direction any school bus which has stopped on the roadway for the purpose of receiving or discharging any school children must stop the vehicle before reaching the school bus when there is in operation a visual stop signal on the school bus. The driver must not proceed until the school bus resumes motion or the visual stop signals are no longer activated.

**Summary of Substitute Bill:** An automated school bus safety camera is affixed to a school bus for the purposes of recording one or more sequenced photographs of the rear of a vehicle that drives past school buses when the stop paddle and flashing lights are deployed.

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

- infractions are processed like parking tickets;

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- cameras can only take photographs of the back of a vehicle and those photographs may only be used to enforce this infraction;
- infractions must be mailed to the vehicle owner within 14 days; and
- any compensation paid to the vendor of the equipment may not be based upon infractions or revenue generated.

Before entering into a contract, a school district is required to follow the competitive bid process to ensure the most beneficial contract to the school district.

Any revenue collected from the infractions, less the cost to operate the program, must be used for school zone safety projects.

If a driver does not pay an infraction resulting from a school bus safety camera, the driver cannot renew his or her license until it has been paid.

School districts may decide if and when school buses are taken out of service if the buses are not fitted with automated bus cameras or functional cameras. School districts are to be held harmless from and not liable for any criminal or civil liability arising from the use or nonuse of automated bus cameras. Camera manufacturers or vendors must bear the cost of any repair, replacement, or administrative work costs related to the automated bus cameras. Revenue collected from infractions detected through the use of automated school bus safety cameras, less the administration and operating costs of the cameras, must be remitted to school districts. The maximum monetary penalty for passing a stopped school bus with red lights flashing, which is detected through the use of an automated school bus safety camera, is \$394.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**Staff Summary of Public Testimony on Original Bill:** PRO: School children are frequently injured and sometimes killed by cars that illegally pass school buses when the buses are stopped and children are exiting the bus. Installing school bus stop paddle cameras would deter drivers from illegally passing school buses. It is very difficult for a bus driver to see a driver that is illegally passing a school bus.

**Persons Testifying:** PRO: Allan Jones, Office of Superintendent of Public Instruction; Doug Nelson, Public School Employers of Washington; Brennor Beck, Peninsula School District.

**House Amendment(s):** A vote of the school district board of directors is required 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.

Revenue collected from infractions detected through the use of automated school bus safety cameras may be used for infraction enforcement and processing costs incurred by local law enforcement or local courts.

The monetary penalty for failure to stop for a school bus that displays a stop signal may be up to twice the amount permitted under the penalty schedule when the infraction is generated by an automated school bus safety camera.