

HOUSE BILL 849

R5

3lr0351

By: **Delegates Moon, Charkoudian, Palakovich Carr, Solomon, and Wilkins**

Introduced and read first time: February 9, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **School Bus Stops – Violations – Enforcement and Safety Measures**

3 FOR the purpose of requiring a law enforcement agency to issue a warning for certain
4 violations on State highways enforced by school bus monitoring cameras; requiring
5 the State Highway Administration to develop a certain plan for improved safety
6 measures at certain school bus stops in Montgomery County and to report its
7 findings to the Montgomery County Council, the Montgomery County Department
8 of Transportation, Montgomery County Public Schools, the Montgomery County
9 Vision Zero Coordinator, and the Montgomery County delegation to the General
10 Assembly on or before a certain date; and generally relating to school bus stops.

11 BY repealing and reenacting, without amendments,
12 Article – Transportation
13 Section 21–706.1(c)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2022 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Transportation
18 Section 21–706.1(e) and (f)(2)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2022 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – Transportation**

24 21–706.1.

25 (c) (1) A school bus monitoring camera may not be used in a local jurisdiction

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



under this section unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.

(2) If authorized by the governing body of the local jurisdiction, a law enforcement agency, in consultation with the county board of education, may place school bus monitoring cameras on school buses in the county.

(e) (1) **[Unless] EXCEPT AS PROVIDED IN SUBSECTION (F)(2) OF THIS SECTION, UNLESS** the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (h)(5) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a school bus monitoring camera during the commission of a violation.

(2) A civil penalty under this subsection may not exceed \$500.

(3) For purposes of this section, the District Court shall prescribe:

(i) A uniform citation form consistent with subsection (f)(1) of this section and § 7–302 of the Courts Article; and

(ii) A civil penalty, which shall be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

(f) (2) **(I) FOR A FIRST VIOLATION, A LAW ENFORCEMENT AGENCY MAY NOT ISSUE A CITATION AND SHALL MAIL A WARNING NOTICE TO AN OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF:**

1. THE VIOLATION RECORDED BY A SCHOOL BUS MONITORING CAMERA OCCURRED ON A ROAD THAT HAS FOUR OR MORE LANES OF TRAFFIC; AND

2. THE MOTOR VEHICLE WAS TRAVELING IN THE OPPOSITE DIRECTION OF THE SCHOOL BUS.

(II) [The] FOR A SECOND OR SUBSEQUENT VIOLATION, A law enforcement agency may mail a warning notice in place of a citation to the owner liable under subsection (e) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Highway Administration, in consultation with law enforcement agencies, shall identify school bus stops located on State highways in Montgomery County that experience high incidence of violations of § 21–706 of the Transportation Article and develop a plan, including a timeline, for the implementation of additional safety measures for those school bus stops.

1 (b) A plan developed under subsection (a) of this section shall include
2 consideration of the feasibility of constructing medians on undivided State highways at
3 locations with high incidence of violations.

4 (c) On or before December 31, 2023, the State Highway Administration shall
5 submit its plan to the Montgomery County Council, the Montgomery County Department
6 of Transportation, Montgomery County Public Schools, the Montgomery County Vision
7 Zero Coordinator, and, in accordance with § 2-1257 of the State Government Article, the
8 Montgomery County delegation to the General Assembly.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2023.