

HOUSE BILL 356

R5
HB 849/23 – ENT

4lr0409
CF SB 406

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

Introduced and read first time: January 17, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 5, 2024

CHAPTER _____

1 AN ACT concerning

2 **School Bus Stops – Monitoring Cameras and Safety Measures**

3 FOR the purpose of requiring a law enforcement agency, under certain circumstances, to
4 issue a warning rather than a citation for a failure to stop for a school vehicle that is
5 recorded by a school bus monitoring camera; requiring the State Highway
6 Administration to develop a certain plan for improved safety measures at certain
7 school bus stops in Montgomery County and to report its findings to the Montgomery
8 County Council, the Montgomery County Department of Transportation,
9 Montgomery County Public Schools, the Montgomery County Vision Zero
10 Coordinator, and the Montgomery County Delegation to the General Assembly on or
11 before a certain date; and generally relating to school bus stops.

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 21–706.1(c)
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Transportation
19 Section 21–706.1(e) and (f)(2)
20 Annotated Code of Maryland
21 (2020 Replacement Volume and 2023 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



That the Laws of Maryland read as follows:

Article – Transportation

21–706.1.

(c) (1) A school bus monitoring camera may not be used in a local jurisdiction 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) A LAW ENFORCEMENT AGENCY SHALL MAIL A WARNING NOTICE IN PLACE OF A CITATION TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF:**

1. THE VIOLATION WAS THE OWNER’S FIRST;

2. THE VIOLATION OCCURRED ON A ROAD THAT HAS FOUR OR MORE LANES OF TRAFFIC; AND

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

(II) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, A law enforcement agency may mail a warning notice in place of a citation to the owner liable under subsection (e) of this section.

1 SECTION 2. AND BE IT FURTHER ENACTED, That:

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

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

10 (c) On or before December 31, 2024, the State Highway Administration shall
11 submit its plan to the Montgomery County Council, the Montgomery County Department
12 of Transportation, Montgomery County Public Schools, the Montgomery County Vision
13 Zero Coordinator, and, in accordance with § 2–1257 of the State Government Article, the
14 Montgomery County Delegation to the General Assembly.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.