

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 961

(Senator A. Washington)

Judicial Proceedings

Motor Vehicles - School Bus Monitoring Cameras - Issuance of Citations

This bill extends the time period (from two weeks to 30 days) within which a law enforcement agency is required to mail certain citations for violations recorded by a school bus monitoring camera. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The bill does not materially affect State finance or operations.

Local Effect: Local government revenues may be minimally delayed to the extent local law enforcement agencies issue citations later than they otherwise would under current law. Expenditures are likely not materially affected.

Small Business Effect: None.

Analysis

Current Law:

Duty to Stop

If a school vehicle stops on a roadway and is operating alternately flashing red lights, the driver of any other vehicle meeting or overtaking the school vehicle must stop at least 20 feet from the rear of the school vehicle, if approaching from its rear, or at least 20 feet from the front of the school vehicle, if approaching the school vehicle from its front.

The driver of any vehicle meeting or overtaking the school bus may not proceed until the school vehicle resumes motion or the alternately flashing red lights are deactivated. The requirement does not apply to the driver of a vehicle on a divided highway, if the school vehicle is on a different roadway.

A person convicted of a violation of either of these requirements is subject to a fine of up to \$1,000. The prepayment penalty for either violation is \$570, with three points assessed against the individual's driver's license.

School Bus Monitoring Cameras

Local jurisdictions may use school bus monitoring camera systems if expressly authorized by the governing body. If authorized, a law enforcement agency, in consultation with the local board of education, may place school bus monitoring cameras on school buses in the county. A recorded image indicating a violation must include (1) an image of the motor vehicle; (2) an image of at least one of the motor vehicle's registration plates; (3) the time and date of the violation; and (4) to the extent possible, the location of the violation.

Unless the driver receives a citation from a police officer at the time of the violation, the owner of the vehicle is subject to a civil penalty if the vehicle is recorded by a school bus monitoring camera. Generally, a citation issued as a result of a violation captured by a school bus monitoring camera must be mailed within two weeks of the violation. If the District Court finds that the person named in the citation – the owner – was not operating the vehicle at the time of the violation or receives evidence identifying the driver, the law enforcement agency may issue a citation to the operator of the vehicle instead. Citations must be issued within two weeks in those cases (*i.e.*, after receipt of the relevant evidence from the District Court). The civil penalty may not exceed \$500. The District Court must prescribe a uniform citation form and a civil penalty that may be paid if the person chooses to prepay the civil penalty without appearing in District Court.

A law enforcement agency is authorized to mail a warning notice in place of a citation.

From the fines collected, a political subdivision may recover the costs of implementing and administering the school bus monitoring cameras and may spend any remaining balance solely for public safety purposes, including pedestrian safety programs.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1287 (Delegate Guyton) - Rules and Executive Nominations.

Information Source(s): Frederick County; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 15, 2023
km/ljm

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