



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William Smith Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 29, 2023

RE: **HB 849 – School Bus Stops - Violations - Enforcement & Safety Measures**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 849**. This bill seeks to mandate a warning to be issued for a first offense, instead of a civil penalty citation, where a school bus monitoring camera records a motor vehicle during the commission of a violation, but only occurring on a road that has four or more lanes of traffic and with the violating vehicle traveling in the opposite direction of the school bus.

This bill, if passed, would have a statewide effect, but seems to address a perceived issue in only one jurisdiction. The current law in effect (Transportation Article 21-706.1) already allows local jurisdictions to issue a civil penalty citation OR a mailed warning to the owner (or driver under subsection (h)(5) of this section) of the vehicle. If the local jurisdiction wants to issue warnings in any circumstance, they may do that today.

It is unreasonable to mandate state-wide legislation for local jurisdictions to create a database system to identify vehicle owners and/or drivers to determine if they are first-time offenders. A state-wide mandate that a warning be issued for a first offense in any circumstance is logistically impossible since each local jurisdiction manages its programs independently, potentially through different vendors. If a violation occurred in one local jurisdiction, the other jurisdictions would not know. Even for tracking who has received warnings vs. civil penalty citations within a location jurisdiction, at least one school bus monitoring camera vendor used by local jurisdictions has advised this is not a feature or capability supported by their system.

The primary and most important purpose of stopped school bus enforcement is for the safety of our children. In the short time recorded school bus monitoring systems have been in place there have been many documented examples of near misses due to drivers not paying attention or flagrantly violating the law. This legislation does not change what is required and expected of drivers on the roadway. The purpose of recorded school bus monitoring programs is to enforce the law equitably and to change driver behavior to protect and save the lives of our children. We

would encourage and support local jurisdictions that want to initiate public education campaigns for their community to bring awareness to the laws surrounding stopped school buses. We would also encourage and support local jurisdictions to work together with the State Highway Administration, their local highway/roadway departments, and their school boards of education to identify appropriate and safe school bus stop locations, but we oppose this state-wide approach to what seems to be a local issue that can be addressed within the current law.

For these reasons, MCPA and MSA **OPPOSE HB 849** and request an **UNFAVORABLE** committee report.