
Bill:	House Bill 849	Date:	March 29, 2023
Title:	School Bus Stops - Violations - Enforcement and Safety Measures	Committee:	Judicial Proceedings
Position:	Opposed	Contact:	Kim Buckheit kimberly.buckheit1@maryland.gov 443-902-0622

On behalf of the Maryland Center for School Safety (MCSS), thank you for the opportunity to submit this letter of *opposition* to House Bill 849.

Just as we all agree students should feel safe when learning at school, they should feel equally safe when getting on and off a school bus. MCSS and our school safety partners advocate and support efforts to ensure school and student safety at all times, including traveling to and from school.

In the absence of a physical median, traffic laws are the same across the nation requiring motorists to stop for school buses regardless of the number of lanes. Allowing motor vehicle operators a first time waiver when violating school bus traffic laws, even when driving the opposite direction on a four-lane highway, goes against all school safety principles. Motorists must be aware of their surroundings and anticipate that school children may be crossing the street in any direction when getting on and off a school bus. Stop arm cameras on school buses are intended to further reinforce for drivers the importance of protecting our children by providing consistent penalties intended *and proven* to increase driver compliance. There is no second chance when a vehicle strikes a child.

The Maryland Code already provides safeguards for vehicle owners to ensure that stop arm cameras do not issue citations in error. For example, to demonstrate that a motorist has committed a violation, a school bus monitoring camera must capture an image that "clearly identif[es] the registration plate number." Md. Code Ann., Trans. § 21-706.1 (a)(4), (d). Additionally, there are mechanisms for defense, including that (1) the motor vehicle or registration plates were stolen before the violation occurred, (2) the person named in the citation was not operating the vehicle at the time of the violation, and (3) additional evidence "deem[ed] pertinent" by the court. Md. Code Ann., Trans. § 21-706.1 (h).

Giving even one free pass to a school bus stop arm violator goes against all identified school bus safety best practices, including the National Highway Traffic Safety Administration (NHTSA) recommendations that promote increasing education and *enforcement*. "Studies have shown that, without the threat of enforcement and without the public actually seeing or hearing about the law being enforced (this includes prosecution and conviction), your program will have little, if any, impact." NHTSA, *Reducing the Illegal Passing of School Buses Best Practices Guide*, <https://www.nhtsa.gov/school-bus-safety/reducing-illegal-passing-school-buses#purpose-of-this-guide>.

Thank you again for taking the time to consider the information shared above, and MCSS strongly requests that the committee give House Bill 849 an unfavorable report.