

MAPT Letter SB406 Hearing 3-6-24.pdf

Uploaded by: Jeffrey Thompson

Position: UNF



March 6, 2024

Re: SB406 School Bus Stops

Chairman Smith and members of the Judicial Proceedings Committee,

The Maryland Association of Pupil Transportation (MAPT) is an organization composed of pupil transportation leaders from each Local Education Agency (LEA). MAPT is where you will find the most knowledgeable professionals involved in transporting Maryland public school students.

MAPT has concerns regarding SB406 School Bus Stops - Monitoring Cameras and Safety Measures, and opposes the legislation in its current iteration.

Student safety is paramount for creating a successful educational environment. One key area of student safety is school bus stops. We ask that this committee and the Maryland Legislature keep the message direct and simple regarding stopping for school buses in the process of picking up or dropping off students. That message is: If a school bus is stopped with its red loading lights activated, all vehicles must stop!

SB406 takes away from that direct and simple message. It adds confusion and ambiguity. We are concerned that the proposed change sends the wrong message to motorists, students, and families that it is acceptable for vehicles to pass a stopped school bus whose red loading lights are activated.

Thank you for your time in reading the concerns from pupil transportation professionals regarding SB406 and we ask for an Unfavorable Report from the committee. Please feel free to contact me if you have any questions on this topic or any school bus related item. You can reach me at (301) 475 4256 ext 34132 or by email at jthompson@smcps.org.

Sincerely,

Jeffrey Thompson

President

ALLEGANY – ANNE ARUNDEL – BALTIMORE CITY – BALTIMORE COUNTY – CALVERT – CAROLINE – CARROLL – CECIL – CHARLES – DORCHESTER – FREDERICK – GARRETT – HARFORD – HOWARD – KENT – MONTGOMERY – PRINCE GEORGE'S – QUEEN ANNE'S – ST. MARY'S – SOMERSET – TALBOT – WASHINGTON – WICOMICO – WORCESTER

SB 406.warning only for certain first offenses of

Uploaded by: John Woolums

Position: UNF

BILL: Senate Bill 406
TITLE: School Bus Stops – Monitoring Cameras and Safety Measures
DATE: March 6, 2024
POSITION: OPPOSE
COMMITTEE: Judicial Proceedings
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) opposes Senate Bill 406.

MABE opposes Senate Bill 406 because it would dramatically reduce the critically important enforcement of violations by drivers passing school buses loading and unloading students. The bill would apply to instances in which a driver on a road with four or more lanes approaches and passes a school bus which is stopped and loading or unloading students in the opposite lane. The bill would mandate that all first-time violators of the law prohibiting this reckless behavior receive a warning rather than a citation and fine. Local school systems firmly believe that drivers on multi-lane roads without a median should continue to be held responsible for stopping and waiting for buses to load and unload students.

Senate Bill 406 would detract from the abilities of school systems and local law enforcement agencies to protect the health and welfare of Maryland's most precious resource, our students. In 2011, MABE strongly supported enacting a new law to authorize a law enforcement agency, in consultation with a local board of education, to place school bus monitoring cameras on local school buses. This law has empowered local law enforcement agencies to issue warnings or citations not to exceed \$250 to vehicle owners or drivers for failing to stop for a school vehicle that has stopped with its alternately flashing red lights operating in accordance with the Maryland Vehicle Law.

As every driver should know, buses stopped for these purposes employ alternately flashing lights, and extending stop signs, and yet the numbers of drivers failing to stop in response to these obvious warnings are consistently alarming. The legislature has chosen to increase the maximum fine from \$250 to \$500 when violations occur in the presence of an officer to strengthen the law to further enhance student safety. MABE strongly supports enhanced public education and signage on the rules of the road, rather than reduced enforcement of the rules of the road.

MABE represents 24 local boards of education with a unified commitment to ensuring student safety in all school-related activities, and especially school bus safety. MABE opposes this bill because it would significantly weaken the enforcement tools available to local law enforcement agencies to respond to unsafe driving in close proximity to school buses clearly engaged in the loading and unloading of students.

For these reasons, MABE requests an unfavorable report on Senate Bill 406.

SB 406 - Monitoring Cameras and Safety Measures -

Uploaded by: Joseph Jakuta

Position: UNF

Committee: Judicial Proceedings

Testimony on: SB 406 - "Monitoring Cameras and Safety Measures"

Organization: Climate Parents of Prince George's

Person Submitting: Joseph Jakuta, Lead Volunteer

Position: Unfavorable

Hearing Date: March 6, 2024



Dear Mr. Chairman and Committee Members:

Thank you for considering our testimony to SB 405, which creates an exemption to ticketing for certain individuals when they do not stop when school bus stop signs are extended and require the State Highway Administration (SHA) to conduct a safety assessment of school bus stops in one county in the state. Climate Parents is a campaign to reduce climate change-causing pollution in our schools, and our group is active in Prince George's County. In particular, we recently worked directly with Prince George's County Public Schools (PGCPS) technical staff and other advocates to develop a first in the national School Climate Change Action Plan.

Multiple-lane roads are some of the most dangerous roads to cross, especially for young children attempting to access a bus stop. To create a system that allows for drivers to put student's in danger with no repercussions is moving Maryland in the wrong direction when it comes to safe access to school bus stops.

Secondly, it is challenging to see why the provisions requiring SHA to assess unsafe bus stops are limited to Montgomery. SHA manages roads in every Maryland County as well as Baltimore City and it is NOT equitable that SHA would be required to conduct this study throughout Maryland. It is especially concerning since medians and pedestrian refuge islands can make crossing wide streets safer.¹ That only one county would benefit from this effort to increase safety while taking away an enforcement mechanism is problematic.

We do understand a bit where this is coming from, but think the solution is all wrong. If the idea is that drivers are unaware of new Maryland laws and should be left off with a warning. For one driver's are not required to show knowledge of new laws when they renew their licensees. It is probably one of the only licenses that Maryland issues where the recipient is not required to maintain their skills and knowledge in order to keep the privilege that comes with the license. Rather than having drivers test whether they are familiar with traffic laws as our kids are walking to the bus stop, why not have them demonstrate that they know what the laws are in order to renew the license that provides them the privilege to drive a car on our roads. It would make our kids and all of the other vulnerable road users safe.

But this legislation certainly does not.

We encourage a UNFAVORABLE report for this legislation.

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<https://highways.dot.gov/safety/proven-safety-countermeasures/medians-and-pedestrian-refuge-islands-urban-and-suburban-areas>

MCPA-MSA-SB 406-School Bus Stops - Cameras and Saf

Uploaded by: Natasha Mehu

Position: UNF



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 6, 2024

RE: **SB 406 – School Bus Stops - Violations – Monitoring Cameras & Safety Measures**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 406**. 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 SB 406** and request an **UNFAVORABLE** committee report.

SB0406-JPR_MACo_OPP.pdf

Uploaded by: Sarah Sample

Position: UNF



Senate Bill 406

School Bus Stops – Monitoring Cameras and Safety Measures

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: March 6, 2024

From: Sarah Sample

The Maryland Association of Counties (MACo) **OPPOSES** SB 406. This bill would require county law enforcement agencies to issue a warning instead of a citation for a certain school bus stop violation on state highways. This restriction involves only a violation that is recorded on a highway with four or more lanes by a vehicle traveling in the opposite direction of the school bus.

School bus monitoring systems have the distinct ability to capture violations by motor vehicles when they happen at dangerously close range to students, especially on state highways where the speed limits are higher than neighborhood streets. The great benefit of these programs is their ability to change behavior quickly and ensure that drivers exercise extreme caution when encountering a school bus. The civil fine that comes with these violations is a powerful mechanism to make sure residents abide by these laws.

A warning, without a civil fine, does not elicit the same response as when an actual penalty accompanies the violation. A first-time penalty is proven to drastically reduce recidivism rates immediately, advancing the true policy goal: safer roadways for students. Waiting for a second violation before applying a penalty leaves the possibility open for hundreds of thousands of drivers to make the mistake again, which simply serves to multiply the danger that students experience in these environments.

SB 406 would severely restrict the ability of counties to keep these bus stops safe and for this reason, MACo **OPPOSES** SB 406 and urges an **UNFAVORABLE** report.

2024 SB 406 Monitoring Cameras - Smith.pdf

Uploaded by: Steve Nelson

Position: UNF



March 5, 2024

The Honorable William C. Smith, Jr., and Members
Senate Judicial Proceedings Committee
Senate Office Building
Annapolis, MD 21401

Re: Oppose – SB 406 - School Bus Stops – Monitoring Cameras and Safety Measures

Dear Chairman Smith and Members of the Committee:

The Maryland School Bus Contractors Association (MSBCA) opposes **SB 406 School Bus Stops – Monitoring Cameras and Safety Measures**. MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions that own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State. MSBCA remains committed to the safety of the students they transport and considers it a privilege to do so.

MSBCA maintains concerns with SB 406 which circumvents existing law. Specifically, SB 406 calls for the issuance of a warning for motorists not stopping for buses in the process of picking up and dropping off children going to and from schools Statewide, rather than the levying of a civil penalty fine that which may occur under current law.

The members of MSBCA hold the safety of the children they transport to schools and the drivers which undertake this difficult task as our most important function. The existing law was adopted to ensure that both students and drivers were protected from careless motorists in order to save lives.

The law, which is included in the State's Driver Education Curriculum, should be known to every Maryland driver regardless of jurisdiction. In fact, Maryland State Police (MSP), in advance of the 2023-2024 school year issued a press release reiterating the law to Maryland motorists and included the following facts and guidance; "Millions of children ride school buses and are most at risk when they get on or off the bus. There were 1,009 fatal school-transportation-related crashes from 2011 to 2020, according to the National Highway Safety Administration". MSP added, "Stop when a bus stops. It is illegal to pass a school bus with its red lights flashing... Students of all ages are unpredictable. Therefore, prepare for the unexpected and "maintain safe distances from the school bus at all times".

Once again, MSBCA opposes SB 406 and asks for an unfavorable report. Thank you for your consideration and your commitment to our State.

Sincerely,

Steve Nelson

Steve Nelson, President
1 State Circle, Annapolis, MD 21401
410.268.3099

MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State.

03.05.24 LOO SB 0406 Joint.pdf

Uploaded by: Terry Hale

Position: UNF

Danielle Hornberger
County Executive

Steven Overbay
Director of Administration

Office: 410.996.5202
Email: dhornberger@ccgov.org



Jackie Gregory
Council President

Robert Meffley
Vice President

Office: 410.996.5201
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CECIL COUNTY GOVERNMENT
Cecil County Administration Building
200 Chesapeake Boulevard, Elkton, MD 21921

February 1, 2024

The Honorable William C. Smith, Jr.
The Honorable Jeff Waldstreicher
Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

RE: SB 0406 – School Bus Stops - Monitoring Cameras and Safety Measures
Letter of Opposition

Dear Chairman Smith, Vice Chair Waldstreicher and Members of the Judicial Proceedings Committee:

The County Council and the County Executive of Cecil County unanimously oppose SB 0406 - School Bus Stops – Monitoring Cameras and Safety Measures. The hearing on this legislation is scheduled on March 6, 2024.

It is our understanding that this legislation will require a law enforcement agency, under certain circumstances, to issue a warning rather than a citation for a failure to stop for a school vehicle that is recorded by a school bus monitoring camera; and requiring the State Highway Administration to develop a certain plan for improved safety measures at certain school bus stops in Montgomery County and to report its findings on or before December 31, 2024.

Cecil County has growing concerns on the safety of school children. This bill will adversely affect our children by not penalizing those drivers who do not heed the lights on a bus.

The County Executive and County Council of Cecil County respectfully request that the Judicial Proceedings Committee send an unfavorable report on SB 0406.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Hornberger".

Danielle Hornberger
County Executive

A handwritten signature in blue ink, appearing to read "Jackie Gregory".

Jackie Gregory
President of County Council

SB0406 - SHA - School Bus Stops - Monitoring Camer

Uploaded by: Pilar Helm

Position: INFO

March 6, 2024

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis MD 21401

RE: Letter of Information – Senate Bill 406 – School Bus Stops – Monitoring Cameras and Safety Measures

Dear Chair Smith and Committee members:

The Maryland Department of Transportation (MDOT) offers the following information for the Committee's consideration on Senate Bill 406.

Senate Bill 406 would require law enforcement to issue warnings for first time offenses related to automated school bus monitoring violations issued to vehicles traveling in the opposite direction on an undivided road with four or more lanes. Additionally, the bill requires the State Highway Administration (SHA), in consultation with law enforcement agencies, to identify high incidence locations for school bus camera violations along State highways in Montgomery County and develop a feasibility study and plan for improved safety measures at these locations. SHA must report its findings to various stakeholders in the county and the Montgomery County Delegation by December 31, 2024.

The SHA does not currently participate in Montgomery County's school bus monitoring program and does not have access to violation data. For SHA to meet the requirements of Senate Bill 406, law enforcement would need to share the relevant data with SHA. In addition, SHA would need a clear definition of "high incidence" locations.

While Senate Bill 406 does not require SHA to construct medians at high incidence locations, the bill requires SHA to consider the feasibility of constructing medians on undivided State highways at locations with high incidence of violations. SHA cannot speak to the specific feasibility or costs of performing this work, as these will depend on the locations identified and the level of effort required to integrate medians at the site. However, the addition of medians on undivided highways would result in significant right-of-way needs along these corridors, which may require land acquisition or removal or modification of travel lanes. This has the potential to impact traffic patterns within the corridor and deny more reasonable, effective, and practicable safety countermeasures. Additional considerations for this type of work include utility relocations, relocation of bus stops, and impacts to transit and local amenities.

The Honorable William C. Smith, Jr.
Page Two

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating Senate Bill 406.

Respectfully submitted,

Matthew Mickler
Deputy Director (Acting)
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Maryland State Highway Administration
410-545-5629

Pilar Helm
Director
Office of Government Affairs
Maryland Department of Transportation
410-865-1090