

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 540 (Delegate Moon, *et al.*)
Environment and Transportation

Education - School Bus Stops - Prohibited Locations

This bill prohibits a school bus stop from being located on any highway with five or more undivided traffic lanes unless (1) a school crossing guard is posted at the school bus stop to assist students in crossing the highway or (2) a traffic control device that maintains a red signal while a student is boarding or exiting a school bus is placed at the school bus stop. The bill only applies in a local jurisdiction for which the use of a school bus monitoring camera is authorized. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: Local government revenues and expenditures may be affected in certain jurisdictions, as discussed below.

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

A "school bus monitoring camera" is a camera placed on a school bus that is designed to capture a recorded image of a driver of a motor vehicle committing a violation. 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. (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.) 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.

Local Fiscal Effect: As school bus monitoring systems are operated by several jurisdictions in the State, the Department of Legislative Services (DLS) is unable to assess the exact impact of the bill on each jurisdiction. However, Prince George's County Public Schools (PGCPS) notes that the bill has no effect on school bus stops within the county, as PGCPS operations and procedures already conform to the bill's requirements. Anne Arundel County Public Schools similarly notes that none of the school district's stops are located on a highway with five or more undivided traffic lanes. St. Mary's County

Public Schools (SMCPS) advises that, while school bus monitoring cameras are authorized in the county, the school system does not currently have an active program; to the extent the county begins utilizing school bus monitoring cameras, the bill likely has an operational and fiscal impact, as certain school bus stops in the county may be subject to the bill's requirements.

In other jurisdictions that operate school bus monitoring cameras, local finances and operations may be more significantly affected. For example, Montgomery County reports that, during fiscal 2023, approximately 42% of all school bus camera violations in the county were recorded for vehicles passing a stopped school bus in the opposite direction on a highway with *four* or more lanes. Under the bill, some portion of those citations may no longer be issued, as the bill prohibits a school bus stop on a highway with *five* or more undivided traffic lanes (unless a school crossing guard is posted or a traffic control device is placed, as specified).

Thus, under the bill, Montgomery County may need to either (1) hire additional crossing guards; (2) procure additional traffic control devices; or (3) relocate school bus stops to other locations in order to comply with the bill. While the exact impact on the county cannot be quantified at this time, DLS advises that the costs may be significant, depending on the exact number of school bus stops in the county that meet the criteria established by the bill. In addition, to the extent school bus stops are moved to other locations, revenues from school bus monitoring cameras may be affected.

Additional Comments: This analysis assumes that the bill applies in local jurisdictions where school bus monitoring cameras are not only authorized but actively deployed. However, to the extent the bill is instead interpreted to apply where their use has been authorized, regardless of whether they are operational, additional local school systems, including SMCPS, are affected.

Additional Information

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

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Department of Transportation; Montgomery County; Baltimore City Public Schools; Anne Arundel County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Department of Legislative Services

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