

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 761

(Montgomery County Delegation)

Environment and Transportation

Judicial Proceedings

Montgomery County - School Bus Stops
MC 6-24

This bill prohibits, beginning December 31, 2026, a school bus stop from being located on any highway in Montgomery County 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.

Fiscal Summary

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

Local Effect: Montgomery County revenues and expenditures may be affected beginning in FY 2026, 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: 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, Montgomery County, by midyear in fiscal 2026, 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, the Department of Legislative Services advises that the costs may be significant, depending on the 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 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; Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2024
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