

1 **SENATE FLOOR VERSION**

2 April 10, 2019

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1926

6 By: Kerbs, West (Tammy), Kiger,
7 Davis, Dills, Loring and
8 Ranson of the House

9 and

10 Sharp of the Senate

11 **[motor vehicles - meeting or overtaking a stopped
12 school bus - fine - cameras on school bus stop-arms -
13 revolving fund - codification - effective date]**

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-705, is
16 amended to read as follows:

17 Section 11-705. A. The driver of a vehicle meeting or
18 overtaking a school bus that is stopped to take on or discharge
19 school children, and on which the red loading signals are in
20 operation, is to stop the vehicle before it reaches the school bus
21 and not proceed until the loading signals are deactivated and then
22 proceed past such school bus at a speed which is reasonable and with
23 due caution for the safety of such school children and other
24 occupants. Any person convicted of violating the provisions of this

1 subsection shall be punished by a fine of not less than One Hundred
2 Dollars (\$100.00). In addition to the fine, a special assessment of
3 One Hundred Dollars (\$100.00) shall be assessed, of which seventy-
4 five percent (75%) shall be deposited to the credit of the Cameras
5 for School Bus Stops Revolving Fund established in Section 2 of this
6 act. The remaining twenty-five percent (25%) of the special
7 assessment shall be deposited to the credit of the reviewing law
8 enforcement agency referred to in subsection E of this section.

9 B. Visual signals, meeting the requirements of Section 12-228
10 of this title, shall be actuated by the driver of said school bus
11 whenever, but only whenever, such vehicle is stopped on the highway
12 for the purpose of receiving or discharging school children.

13 C. The driver of a vehicle upon a highway with separate
14 roadways need not stop upon meeting or passing a school bus which is
15 on a different roadway or when upon a controlled-access highway and
16 the school bus is stopped in a loading zone which is a part of or
17 adjacent to such highway and where pedestrians are not permitted to
18 cross the roadway.

19 D. If the driver of a school bus witnesses a violation of the
20 provisions of subsection A of this section, within twenty-four (24)
21 hours of the alleged offense, the driver shall report the violation,
22 the vehicle color, license tag number, and the time and place such
23 violation occurred to the law enforcement authority of the
24 municipality where the violation occurred. The law enforcement

1 authority of a municipality shall issue a letter of warning on the
2 alleged violation to the person in whose name the vehicle is
3 registered. The Office of the Attorney General shall provide a form
4 letter to each municipal law enforcement agency in this state for
5 the issuance of the warning provided for in this subsection. Such
6 form letter shall be used by each such law enforcement agency in the
7 exact form provided for by the Office of the Attorney General. A
8 warning letter issued pursuant to this subsection shall not be
9 recorded on the driving record of the person to whom such letter was
10 issued. Issuance of a warning letter pursuant to this section shall
11 not preclude the imposition of other penalties as provided by law.

12 E. 1. A school district may install and operate a video-
13 monitoring system in or on the school buses or the bus stop-arms
14 operated by the district or contract with a private vendor to do so
15 on behalf of the school district for the purpose of recording
16 violations of subsection A of this section. In the event the video-
17 monitoring system captures a recording of a violation of subsection
18 A of this section, appropriate personnel at the school district
19 shall extract data related to the violation from the recording. The
20 extracted data shall include a recorded image or video containing
21 the requirements listed in paragraph 2 of this subsection. The
22 school district shall submit the extracted data for review to the
23 law enforcement agency with jurisdiction in which the violation
24 occurred. If the reviewing law enforcement agency determines there

1 is sufficient evidence to identify the vehicle and the driver, such
2 evidence shall be submitted to the district attorney's office for
3 prosecution.

4 2. For the purposes of this subsection, "video-monitoring
5 system" means a system with one or more camera sensors and computers
6 installed and operated on a school bus that produces live digital
7 and recorded video of motor vehicles being operated in violation of
8 subsection A of this section. The system shall, at a minimum,
9 produce a recorded image of the license plate of the vehicle, an
10 identifiable picture of the driver's face, the activation status of
11 at least one warning device as prescribed in Section 12-228 of this
12 title and the time, date and location of the vehicle when the image
13 was recorded.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 9-119 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 A. There is hereby created in the State Treasury a revolving
18 fund for the State Board of Education to be designated the "Cameras
19 for School Bus Stops Revolving Fund". The fund shall be a
20 continuing fund, not subject to fiscal year limitations, and shall
21 consist of all monies received by the State Board of Education from
22 fines collected from school bus stop violations pursuant to Section
23 11-705 of Title 47 of the Oklahoma Statutes, any state-appropriated
24 funds, federal funds, donations, grants, contributions, and gifts

1 from any public or private source. All monies accruing to the
2 credit of the fund are hereby appropriated and may be budgeted and
3 expended by the State Board of Education for the purposes of
4 providing grants to public school districts as provided for in
5 subsection B of this section. Expenditures from the fund shall be
6 made upon warrants issued by the State Treasurer against claims
7 filed as prescribed by law with the Director of the Office of
8 Management and Enterprise Services for approval and payment.

9 B. Contingent upon the amount of funds available in the Cameras
10 for School Bus Stops Revolving Fund, the State Board of Education
11 shall award one or more grants annually to public school districts
12 in the state. The grants shall be used by the districts for
13 installation of camera equipment on buses to aid in identifying
14 drivers violating the provisions of Section 11-705 of Title 47 of
15 the Oklahoma Statutes. The Board shall determine the criteria for
16 and establish a process for the submission of grant applications.
17 The applications shall be considered on a statewide competitive
18 basis. The Board shall promulgate rules for the implementation of
19 the grants issued pursuant to this section.

20 SECTION 3. This act shall become effective November 1, 2019.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
22 April 10, 2019 - DO PASS AS AMENDED
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