

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 364 Session of  
2019

INTRODUCED BY GABLER, BERNSTINE, BROWN, CIRESI, HELM, HILL-  
EVANS, IRVIN, JAMES, KORTZ, McNEILL, MILLARD, MURT, OWLETT,  
PICKETT, GILLEN AND HENNESSEY, FEBRUARY 4, 2019

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 24, 2020

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, IN RULES OF THE ROAD IN GENERAL, FURTHER PROVIDING <--  
3 FOR ENFORCEMENT OF FAILURE TO STOP FOR SCHOOL BUS WITH  
4 FLASHING RED LIGHTS; AND, in other required equipment,  
5 further providing for visual signals on authorized vehicles.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 ~~Section 1. Section 4572 of Title 75 of the Pennsylvania~~ <--  
9 ~~Consolidated Statutes is amended by adding a subsection to read:~~

10 SECTION 1. SECTION 3345.1(B)(1), (C), ~~(F)(2)~~ (F), (H) <--

11 INTRODUCTORY PARAGRAPH, (I) AND (M) OF TITLE 75 OF THE  
12 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED, SUBSECTION (E)  
13 IS AMENDED BY ADDING A PARAGRAPH AND THE SECTION IS AMENDED BY  
14 ADDING SUBSECTIONS TO READ:

15 § 3345.1. ENFORCEMENT OF FAILURE TO STOP FOR SCHOOL BUS WITH  
16 FLASHING RED LIGHTS.

17 \* \* \*

18 (B) APPLICABILITY.--

1 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), THIS SECTION  
2 SHALL APPLY TO [A DRIVER] AN OWNER OF A MOTOR VEHICLE MEETING  
3 OR OVERTAKING A SCHOOL BUS STOPPED ON A HIGHWAY OR TRAFFICWAY  
4 WHEN THE RED SIGNAL LIGHTS ON THE SCHOOL BUS ARE FLASHING AND  
5 THE SIDE STOP SIGNAL ARMS ARE ACTIVATED AS DESCRIBED IN  
6 SECTION 3345.

7 \* \* \*

8 (C) LIABILITY.--FOR EACH VIOLATION OF SECTION 3345 ENFORCED  
9 UNDER THIS SECTION, THE [DRIVER] OWNER OF THE MOTOR VEHICLE <--  
10 SHALL BE LIABLE AS FOLLOWS:

11 (1) THE PENALTY FOR THE VIOLATION SHALL BE [AS PROVIDED  
12 IN SECTIONS 1535(A) (RELATING TO SCHEDULE OF CONVICTIONS AND  
13 POINTS) AND 3345.] A CIVIL VIOLATION AND A FINE SHALL BE <--

14 IMPOSED IN THE AMOUNT OF \$300 PENALTY WITH A FINE OF \$300. <--

15 THE FINE SHALL BE DISTRIBUTED AS FOLLOWS AFTER ADMINISTRATIVE <--  
16 COSTS:

17 (I) \$250 TO THE SCHOOL DISTRICT WHERE THE VIOLATION  
18 OCCURRED, WHICH SHALL BE UTILIZED FOR THE INSTALLATION OR <--  
19 MAINTENANCE OF SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEMS  
20 ON SCHOOL BUSES;

21 (II) \$25 TO THE POLICE DEPARTMENT THAT REVIEWED THE  
22 EVIDENCE PACKAGE TO DETERMINE THE VIOLATION OCCURRED; AND

23 (III) \$25 TO THE SCHOOL BUS SAFETY GRANT PROGRAM  
24 ACCOUNT.

25 (1.1) THE FINE UNDER PARAGRAPH (1) SHALL NOT BE SUBJECT  
26 TO 42 PA.C.S. § 3571 (RELATING TO COMMONWEALTH PORTION OF  
27 FINES, ETC.) OR 3573 (RELATING TO MUNICIPAL CORPORATION  
28 PORTION OF FINES, ETC.).

29 (2) [RESERVED].] A REBUTTABLE PRESUMPTION SHALL EXIST  
30 THAT THE OWNER OF THE VEHICLE WAS THE OPERATOR DRIVER AT THE <--

1 TIME OF THE ALLEGED VIOLATION.

2 (3) FOR EACH VIOLATION UNDER THIS SECTION, THE OWNER OF <--  
3 THE VEHICLE SHALL BE LIABLE FOR THE FINE IMPOSED UNLESS THE  
4 OWNER IS CONVICTED OF THE SAME VIOLATION UNDER SECTION 3345,  
5 OR HAS A DEFENSE UNDER SUBSECTION (F).

6 (4) A VIOLATION UNDER THIS SECTION SHALL NOT:

7 (I) BE DEEMED A CRIMINAL CONVICTION;

8 (II) BE MADE PART OF THE OPERATING RECORD OF THE  
9 INDIVIDUAL UPON WHOM THE PENALTY IS IMPOSED UNDER SECTION  
10 1535 (RELATING TO SCHEDULE OF CONVICTIONS AND POINTS);

11 (III) BE THE SUBJECT OF MERIT RATING FOR INSURANCE  
12 PURPOSES; OR

13 (IV) AUTHORIZE IMPOSITION OF SURCHARGE POINTS IN THE  
14 PROVISION OF MOTOR VEHICLE INSURANCE COVERAGE.

15 \* \* \*

16 (E) LIMITATIONS.--

17 \* \* \*

18 (1.1) (I) TO THE EXTENT PRACTICAL, AN AUTOMATED SIDE  
19 STOP SIGNAL ARM ENFORCEMENT SYSTEM SHALL USE NECESSARY  
20 TECHNOLOGIES TO ENSURE THAT PHOTOGRAPHS OR RECORDED VIDEO  
21 IMAGES PRODUCED BY THE SYSTEM SHALL NOT IDENTIFY THE  
22 OPERATOR DRIVER, THE PASSENGERS OR THE CONTENTS OF THE <--  
23 VEHICLE.

24 (II) NO NOTICE OF LIABILITY ISSUED UNDER THIS  
25 SECTION MAY BE DISMISSED SOLELY BECAUSE A PHOTOGRAPH OR  
26 RECORDED VIDEO IMAGE ALLOWS FOR THE IDENTIFICATION OF THE  
27 OPERATOR DRIVER, PASSENGERS OR CONTENTS OF THE VEHICLE AS <--  
28 LONG AS A REASONABLE EFFORT HAS BEEN MADE TO COMPLY WITH  
29 THIS PARAGRAPH.

30 \* \* \*

1 (F) DEFENSES.--

2 \* \* \*

3 (1) IT SHALL BE A DEFENSE TO A PROSECUTION USING A SIDE <--  
4 STOP SIGNAL ARM ENFORCEMENT SYSTEM FOR A VIOLATION UNDER  
5 SECTION 3345 THAT THE PERSON NAMED IN THE CITATION WAS NOT  
6 OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION. THE  
7 PERSON SHALL BE REQUIRED TO SUBMIT EVIDENCE TO THE COURT THAT  
8 THE PERSON WAS NOT THE DRIVER AT THE TIME OF THE ALLEGED  
9 VIOLATION.

10 (2) ~~(I)~~ THE PERSON NAMED IN THE CITATION SHALL NOT BE <--  
11 REQUIRED TO IDENTIFY THE ACTUAL DRIVER OF THE VEHICLE AT THE  
12 TIME THE VIOLATION OCCURRED.

13 ~~(II) THE OWNER SHALL PROVIDE TO THE COURT OR VENDOR <--  
14 FOR THE SCHOOL ENTITY A SWORN AFFIDAVIT SIGNED UNDER  
15 PENALTY OF PERJURY CONTAINING THE NAME AND ADDRESS OF THE  
16 PERSON WHO HAD CARE, CUSTODY OR CONTROL OF THE MOTOR  
17 VEHICLE, INCLUDING AN EMPLOYEE OF THE OWNER OR THE PERSON  
18 WHO WAS RENTING OR LEASING THE MOTOR VEHICLE AT THE TIME  
19 OF THE ALLEGED VIOLATION.~~

20 ~~(III) THE PRIMARY POLICE DEPARTMENT FOR THE SCHOOL  
21 ENTITY SHALL MAIL OR ELECTRONICALLY TRANSFER A NOTICE OF  
22 THE CITATION TO THE PERSON IDENTIFIED AS HAVING THE CARE,  
23 CUSTODY OR CONTROL OF THE MOTOR VEHICLE AT THE TIME OF  
24 THE VIOLATION. THE PROOF REQUIRED UNDER THIS SECTION  
25 CREATES A REBUTTABLE PRESUMPTION THAT THE PERSON HAVING  
26 THE CARE, CUSTODY OR CONTROL OF THE MOTOR VEHICLE AT THE  
27 TIME OF THE VIOLATION WAS THE OPERATOR OF THE MOTOR  
28 VEHICLE AT THE TIME OF THE VIOLATION.~~

29 ~~(IV) THE NOTICE REQUIRED UNDER THIS PARAGRAPH SHALL  
30 CONTAIN THE FOLLOWING:~~

1           ~~(A) THE INFORMATION DESCRIBED IN THE ORIGINAL~~  
2           ~~NOTICE OF VIOLATION.~~

3           ~~(B) A STATEMENT THAT THE PERSON RECEIVING THE~~  
4           ~~NOTICE WAS IDENTIFIED BY THE OWNER OF THE MOTOR~~  
5           ~~VEHICLE AS THE PERSON HAVING THE CARE, CUSTODY OR~~  
6           ~~CONTROL OF THE MOTOR VEHICLE AT THE TIME OF THE~~  
7           ~~VIOLATION.~~

8           ~~(C) A STATEMENT THAT THE PERSON MAY OFFER A~~  
9           ~~DEFENSE AS DESCRIBED IN THIS SUBSECTION. IF A PERSON~~  
10           ~~IDENTIFIED BY THE OWNER AS HAVING CARE, CUSTODY OR~~  
11           ~~CONTROL OF THE MOTOR VEHICLE AT THE TIME OF THE~~  
12           ~~VIOLATION, THE RESPONSIBILITY SHALL REVERT TO THE~~  
13           ~~OWNER OF THE VEHICLE.~~

14           ~~(V) THE OWNER MAY NOT ATTEMPT TO TRANSFER~~  
15           ~~RESPONSIBILITY MORE THAN ONE TIME USING THIS PROCEDURE.~~

16           ~~(VI) IF A PERSON OTHER THAN THE OWNER DENIES THE~~  
17           ~~PERSON WAS THE OPERATOR AND DECLINES RESPONSIBILITY, A~~  
18           ~~NEW NOTICE SHALL BE ISSUED TO THE OWNER WHICH SHALL~~  
19           ~~INCLUDE THE FOLLOWING:~~

20           ~~(A) A STATEMENT THAT THE OTHER PERSON DECLINED~~  
21           ~~RESPONSIBILITY; AND~~

22           ~~(B) A PROVISION ALLOWING FOR THE OPTION OF~~  
23           ~~PAYING THE CIVIL FINE OR CONTESTING THE VIOLATION BY~~  
24           ~~A STATED DATE THAT SHALL NOT BE LESS THAN 20 DAYS~~  
25           ~~FROM THE MAILING OF THE NEW NOTICE.~~

26           ~~(VII) THE PERSON RECEIVING THE NOTICE SHALL BE~~  
27           ~~RESPONSIBLE FOR PAYMENT OF THE CIVIL FINE UNLESS THE~~  
28           ~~PERSON EITHER:~~

29           ~~(A) RETURNS A SIGNED STATEMENT ON A FORM~~  
30           ~~PROVIDED WITH THE NOTICE OF VIOLATION THAT THE PERSON~~

1 ~~WAS NOT THE OPERATOR AND DECLINING RESPONSIBILITY, IN~~  
2 ~~WHICH CASE RESPONSIBILITY FOR THE VIOLATION SHALL~~  
3 ~~REVERT TO THE OWNER; OR~~

4 ~~(B) ADMITS TO BEING THE OPERATOR BUT DENIES~~  
5 ~~COMMITTING THE VIOLATION, IN WHICH CASE THE PERSON~~  
6 ~~MAY CONTEST THE NOTICE OF VIOLATION IN THE SAME~~  
7 ~~MANNER AS THE OWNER MAY CONTEST THE VIOLATION.~~

8 \* \* \*

9 ~~(G.1) DUTY OF SCHOOL DISTRICT. A SCHOOL DISTRICT MAY ENTER~~  
10 ~~INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE PRIMARY POLICE~~  
11 ~~DEPARTMENT WITH AUTHORITY TO ISSUE VIOLATIONS USING AN AUTOMATED~~  
12 ~~SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEM. THE PRIMARY POLICE~~  
13 ~~DEPARTMENT IS THE POLICE DEPARTMENT IN ANY MUNICIPALITY IN WHICH~~  
14 ~~THE SCHOOL DISTRICT IS LOCATED. IF A MUNICIPALITY IN WHICH THE~~  
15 ~~SCHOOL DISTRICT WHERE THE VIOLATION OCCURRED IS LOCATED DOES NOT~~  
16 ~~HAVE ITS OWN POLICE DEPARTMENT, THE SCHOOL DISTRICT MAY PETITION~~  
17 ~~THE STATE POLICE FOR REVIEW OF THE EVIDENCE PACKAGE FROM THE~~  
18 ~~AUTOMATED SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEM.~~

19 ~~(G.2) DUTY OF POLICE AND POLICE DEPARTMENT. POLICE OFFICERS~~  
20 ~~AND POLICE DEPARTMENTS ENFORCING VIOLATIONS OF SECTION 3345 AND~~  
21 ~~USING AUTOMATED SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEMS SHALL:~~

22 ~~(1) REVIEW SUBMITTED EVIDENCE FROM THE MANUFACTURER OR~~  
23 ~~VENDOR OF A SYSTEM TO DETERMINE IF THERE IS SUFFICIENT~~  
24 ~~EVIDENCE THAT A VIOLATION UNDER SECTION 3345 OCCURRED AND~~  
25 ~~ELECTRONICALLY CERTIFY THE NOTICE OF VIOLATION.~~

26 ~~(2) PROVIDE INFORMATION TO A SCHOOL DISTRICT OR~~  
27 ~~CONTRACTED COMPANY THAT PROVIDES SCHOOL TRANSPORTATION WITH~~  
28 ~~INFORMATION RELATED TO THE POLICE OR POLICE DEPARTMENT'S~~  
29 ~~CAPACITY TO VIEW AND AUTHORIZE THE NOTICE OF VIOLATION.~~

30 ~~(3) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS~~

<--

1 SECTION THAT THE PERSON NAMED IN THE NOTICE OF THE VIOLATION  
2 WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION.  
3 THE OWNER MAY BE REQUIRED TO SUBMIT EVIDENCE THAT THE OWNER  
4 WAS NOT THE DRIVER AT THE TIME OF THE ALLEGED VIOLATION.

5 (4) IF AN OWNER RECEIVES A NOTICE OF VIOLATION UNDER  
6 THIS SECTION OF A TIME PERIOD DURING WHICH THE VEHICLE WAS  
7 REPORTED TO A POLICE DEPARTMENT OF ANY STATE OR MUNICIPALITY  
8 AS HAVING BEEN STOLEN, IT SHALL BE A DEFENSE TO A VIOLATION  
9 UNDER THIS SECTION THAT THE VEHICLE HAS BEEN REPORTED TO A  
10 POLICE DEPARTMENT AS STOLEN PRIOR TO THE TIME THE VIOLATION  
11 OCCURRED AND HAD NOT BEEN RECOVERED PRIOR TO THAT TIME.

12 (5) IT SHALL BE A DEFENSE TO A VIOLATION UNDER THIS  
13 SECTION THAT THE PERSON RECEIVING THE NOTICE OF VIOLATION WAS  
14 NOT THE OWNER OF THE VEHICLE AT THE TIME OF THE OFFENSE.

15 \* \* \*

16 (H) DUTY OF MANUFACTURER OR VENDOR.--A MANUFACTURER OR  
17 VENDOR OF SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEMS SHALL SUBMIT  
18 THE FOLLOWING INFORMATION TO THE [SCHOOL ENTITY] POLICE OR  
19 POLICE DEPARTMENT:

20 \* \* \*

21 (H.1) DUTY OF SCHOOL DISTRICT.--A SCHOOL DISTRICT MAY ENTER <--  
22 INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE PRIMARY POLICE  
23 DEPARTMENT WITH AUTHORITY TO ISSUE VIOLATIONS USING AN AUTOMATED  
24 SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEM. THE PRIMARY POLICE  
25 DEPARTMENT IS THE POLICE DEPARTMENT IN ANY MUNICIPALITY IN WHICH  
26 THE SCHOOL DISTRICT IS LOCATED. IF A MUNICIPALITY IN WHICH THE  
27 SCHOOL DISTRICT WHERE THE VIOLATION OCCURRED IS LOCATED DOES NOT  
28 HAVE ITS OWN POLICE DEPARTMENT, THE SCHOOL DISTRICT MAY PETITION  
29 THE STATE POLICE FOR REVIEW OF THE EVIDENCE PACKAGE FROM THE  
30 AUTOMATED SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEM.

1 (H.2) DUTY OF POLICE AND POLICE DEPARTMENT.--POLICE OFFICERS  
2 AND POLICE DEPARTMENTS ENFORCING VIOLATIONS OF SECTION 3345 AND  
3 USING AUTOMATED SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEMS SHALL:

4 (1) REVIEW SUBMITTED EVIDENCE FROM THE MANUFACTURER OR  
5 VENDOR OF A SYSTEM TO DETERMINE IF THERE IS SUFFICIENT  
6 EVIDENCE THAT A VIOLATION UNDER SECTION 3345 OCCURRED AND  
7 ELECTRONICALLY CERTIFY THE NOTICE OF VIOLATION.

8 (2) PROVIDE INFORMATION TO A SCHOOL DISTRICT RELATED TO  
9 THE POLICE OR POLICE DEPARTMENT'S CAPACITY TO VIEW AND  
10 AUTHORIZE THE NOTICE OF VIOLATION.

11 (I) [COMPENSATION TO MANUFACTURER OR VENDOR.--THE  
12 COMPENSATION PAID TO THE MANUFACTURER OR VENDOR OF THE SIDE STOP  
13 SIGNAL ARM ENFORCEMENT SYSTEM MAY NOT BE BASED ON THE NUMBER OF  
14 CITATIONS ISSUED. THE COMPENSATION PAID TO THE MANUFACTURER OR  
15 VENDOR OF THE EQUIPMENT SHALL BE BASED UPON THE VALUE OF THE  
16 EQUIPMENT AND SERVICES PROVIDED OR RENDERED IN SUPPORT OF THE  
17 SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEM.] (RESERVED).

18 (I.1) NOTICE OF VIOLATION, FINES AND CONTEST.--THE FOLLOWING <--  
19 SHALL APPLY:

20 ~~(1) THE FOLLOWING SHALL APPLY TO NOTICE OF VIOLATION: <--~~

21 ~~(I) THE PRIMARY POLICE DEPARTMENT FOR THE SCHOOL~~  
22 ~~ENTITY IN WHICH THE VIOLATION OCCURRED SHALL MAIL OR~~  
23 ~~ELECTRONICALLY TRANSFER A NOTICE OF THE CITATION TO THE~~  
24 ~~PERSON IDENTIFIED AS HAVING THE CARE, CUSTODY OR CONTROL~~  
25 ~~OF THE VEHICLE AT THE TIME OF THE VIOLATION. THE PROOF~~  
26 ~~REQUIRED UNDER THIS SECTION CREATES A REBUTTABLE~~  
27 ~~PRESUMPTION THAT THE PERSON HAVING THE CARE, CUSTODY OR~~  
28 ~~CONTROL OF THE VEHICLE AT THE TIME OF THE VIOLATION WAS~~  
29 ~~THE DRIVER OF THE VEHICLE AT THE TIME OF THE VIOLATION.~~

30 ~~(II) THE NOTICE REQUIRED UNDER THIS PARAGRAPH SHALL~~



1           ~~CONTAIN THE FOLLOWING:~~

2                   ~~(A) THE INFORMATION DESCRIBED IN THE ORIGINAL~~  
3           ~~NOTICE OF VIOLATION.~~

4                   ~~(B) A STATEMENT THAT THE PERSON RECEIVING THE~~  
5           ~~NOTICE WAS IDENTIFIED BY THE OWNER OF THE VEHICLE AS~~  
6           ~~THE PERSON HAVING THE CARE, CUSTODY OR CONTROL OF THE~~  
7           ~~VEHICLE AT THE TIME OF THE VIOLATION.~~

8                   ~~(C) A STATEMENT THAT THE PERSON MAY OFFER A~~  
9           ~~DEFENSE AS DESCRIBED IN SUBSECTION (F). IF A PERSON~~  
10           ~~IDENTIFIED BY THE OWNER AS HAVING CARE, CUSTODY OR~~  
11           ~~CONTROL OF THE VEHICLE AT THE TIME OF THE VIOLATION~~  
12           ~~DECLINES RESPONSIBILITY, THE RESPONSIBILITY SHALL~~  
13           ~~REVERT TO THE OWNER OF THE VEHICLE.~~

14           ~~(III) THE OWNER MAY NOT ATTEMPT TO TRANSFER~~  
15           ~~RESPONSIBILITY MORE THAN ONE TIME USING THIS PROCEDURE.~~

16           ~~(IV) IF A PERSON OTHER THAN THE OWNER DENIES THE~~  
17           ~~PERSON WAS THE DRIVER AND DECLINES RESPONSIBILITY, A NEW~~  
18           ~~NOTICE SHALL BE ISSUED TO THE OWNER WHICH SHALL INCLUDE~~  
19           ~~THE FOLLOWING:~~

20                   ~~(A) A STATEMENT THAT THE OTHER PERSON DECLINED~~  
21           ~~RESPONSIBILITY; AND~~

22                   ~~(B) A PROVISION ALLOWING FOR THE OPTION OF~~  
23           ~~PAYING THE CIVIL FINE OR CONTESTING THE VIOLATION BY~~  
24           ~~A STATED DATE THAT SHALL NOT BE LESS THAN 20 DAYS~~  
25           ~~FROM THE MAILING OF THE NEW NOTICE.~~

26           ~~(V) THE PERSON RECEIVING THE NOTICE SHALL BE~~  
27           ~~RESPONSIBLE FOR PAYMENT OF THE CIVIL FINE UNLESS THE~~  
28           ~~PERSON EITHER:~~

29                   ~~(A) RETURNS A SIGNED STATEMENT ON A FORM~~  
30           ~~PROVIDED WITH THE NOTICE OF VIOLATION THAT THE PERSON~~

1 ~~WAS NOT THE DRIVER AND DECLINING RESPONSIBILITY, IN~~  
2 ~~WHICH CASE RESPONSIBILITY FOR THE VIOLATION SHALL~~  
3 ~~REVERT TO THE OWNER; OR~~

4 ~~(B) ADMITS TO BEING THE DRIVER BUT DENIES~~  
5 ~~COMMITTING THE VIOLATION, IN WHICH CASE THE PERSON~~  
6 ~~MAY CONTEST THE NOTICE OF VIOLATION IN THE SAME~~  
7 ~~MANNER AS THE OWNER MAY CONTEST THE VIOLATION.~~

8 ~~(2) THE FOLLOWING SHALL APPLY TO PAYMENT OF FINE:~~

9 ~~(I) AN OWNER MAY ADMIT RESPONSIBILITY FOR THE~~  
10 ~~VIOLATION AND PAY THE FINE AS INDICATED ON THE NOTICE OF~~  
11 ~~VIOLATION.~~

12 ~~(II) PAYMENT OF THE FINE SHALL OPERATE AS A FINAL~~  
13 ~~DISPOSITION OF THE CIVIL PENALTY.~~

14 ~~(III) IF PAYMENT IS NOT RECEIVED OR THE OWNER HAS NOT~~  
15 ~~CONTESTED LIABILITY WITHIN 30 DAYS OF ORIGINAL NOTICE,~~  
16 ~~THE POLICE DEPARTMENT MAY TURN THE MATTER OVER TO THE~~  
17 ~~MAGISTERIAL DISTRICT JUDGE WHERE THE VIOLATION OCCURRED.~~  
18 ~~THE MAGISTERIAL DISTRICT JUDGE MAY ASSESS LIABILITY UPON~~  
19 ~~THE OWNER FOR FAILURE TO PAY THE FINE OR CONTEST~~  
20 ~~LIABILITY.~~

21 ~~(3) THE FOLLOWING SHALL APPLY TO CONTESTING LIABILITY OR~~  
22 ~~NOTICE:~~

23 ~~(1) AN OWNER MAY, WITHIN 30 DAYS OF THE MAILING OF~~  
24 ~~THE NOTICE, CONTEST LIABILITY IN PERSON OR BY MAILING A~~  
25 ~~REQUEST IN WRITING ON THE PRESCRIBED FORM, RAISING A~~  
26 ~~DEFENSE LISTED UNDER SUBSECTION (F).~~

27 ~~(II) IF AN OWNER CONTESTS THE NOTICE OF VIOLATION~~  
28 ~~AND COMPLETES PAYMENT OF APPLICABLE CIVIL FILING FEES,~~  
29 ~~THE PRIMARY POLICE DEPARTMENT SHALL FILE THE NOTICE OF~~  
30 ~~VIOLATION AND SUPPORTING DOCUMENTS WITH THE MAGISTERIAL~~

~~DISTRICT JUDGE WHERE THE VIOLATION OCCURRED, AND THE  
COURT SHALL HEAR AND DECIDE THE MATTER.~~

(1) THE FOLLOWING SHALL APPLY TO NOTICE OF VIOLATION: <--

(I) IN THE CASE OF A VIOLATION INVOLVING A VEHICLE  
REGISTERED UNDER THE LAWS OF THIS COMMONWEALTH, THE  
NOTICE OF VIOLATION MUST BE MAILED WITHIN 30 DAYS AFTER  
THE COMMISSION OF THE VIOLATION OR WITHIN 30 DAYS AFTER  
THE DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER,  
WHICHEVER IS LATER, AND NOT THEREAFTER TO THE ADDRESS OF  
THE REGISTERED OWNER AS LISTED IN THE RECORDS OF THE  
DEPARTMENT.

(II) IN THE CASE OF VEHICLES REGISTERED IN  
JURISDICTIONS OTHER THAN THIS COMMONWEALTH, THE NOTICE OF  
VIOLATION MUST BE MAILED WITHIN 30 DAYS AFTER THE  
DISCOVERY OF THE IDENTITY OF THE REGISTERED OWNER AND NOT  
THEREAFTER TO THE ADDRESS OF THE REGISTERED OWNER AS  
LISTED IN THE RECORDS OF THE OFFICIAL IN THE JURISDICTION  
HAVING CHARGE OF THE REGISTRATION OF THE VEHICLE.

(III) A NOTICE OF VIOLATION UNDER THIS SECTION MUST  
BE PROVIDED TO AN OWNER WITHIN 90 DAYS OF THE COMMISSION  
OF THE OFFENSE.

(IV) THE NOTICE OF VIOLATION SHALL HAVE ATTACHED TO  
IT A COPY OF THE RECORDED IMAGE SHOWING THE VEHICLE; THE  
REGISTRATION NUMBER AND STATE OF ISSUANCE OF THE VEHICLE  
REGISTRATION; THE DATE, TIME AND PLACE OF THE ALLEGED  
VIOLATION; THAT THE VIOLATION CHARGED IS UNDER SECTION  
3345 AND INSTRUCTIONS FOR RETURN OF THE NOTICE OF  
VIOLATION; AND FOR HOW TO REQUEST A HEARING WITH THE  
MAGISTERIAL DISTRICT JUDGE FOR THE PURPOSE OF CONTESTING  
LIABILITY OR NOTICE.

1           (2) THE FOLLOWING SHALL APPLY TO PAYMENT OF FINE:

2           (I) AN OWNER MAY ADMIT RESPONSIBILITY FOR THE  
3 VIOLATION AND PAY THE FINE AS INDICATED ON THE NOTICE OF  
4 VIOLATION.

5           (II) PAYMENT OF THE FINE SHALL OPERATE AS A FINAL  
6 DISPOSITION OF THE CIVIL PENALTY.

7           (III) IF PAYMENT IS NOT RECEIVED OR THE OWNER HAS NOT  
8 CONTESTED LIABILITY WITHIN 30 DAYS OF ORIGINAL NOTICE,  
9 THE POLICE DEPARTMENT MAY TURN THE MATTER OVER TO THE  
10 MAGISTERIAL DISTRICT JUDGE WHERE THE VIOLATION OCCURRED.  
11 THE MAGISTERIAL DISTRICT JUDGE MAY ASSESS LIABILITY UPON  
12 THE OWNER FOR FAILURE TO PAY THE FINE OR CONTEST  
13 LIABILITY.

14           (3) THE FOLLOWING SHALL APPLY TO CONTESTING LIABILITY OR  
15 NOTICE:

16           (I) AN OWNER TO WHOM A NOTICE OF VIOLATION HAS BEEN  
17 ISSUED MAY, WITHIN 30 DAYS OF THE MAILING OF THE NOTICE,  
18 CONTEST THE LIABILITY ALLEGED IN THE NOTICE OF VIOLATION  
19 BY REQUESTING A HEARING WITH THE MAGISTERIAL DISTRICT  
20 JUDGE WHERE THE VIOLATION OCCURRED AND COMPLETING THE  
21 PAYMENT OF APPLICABLE CIVIL FILING FEES.

22           (II) THE PRIMARY POLICE DEPARTMENT SHALL FILE THE  
23 NOTICE OF VIOLATION AND SUPPORTING DOCUMENTS WITH THE  
24 MAGISTERIAL DISTRICT JUDGE WHERE THE VIOLATION OCCURRED  
25 AND THE COURT SHALL HEAR AND DECIDE THE MATTER.

26           \* \* \*

27           (M) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
28 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
29 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

30           "LOCAL BOARD OF SCHOOL DIRECTORS." A BOARD OF DIRECTORS OR

1 OTHER GOVERNING AUTHORITY OF A SCHOOL ENTITY.

2 "MANUFACTURER" OR "VENDOR." A COMPANY THAT CREATES, OWNS OR  
3 HAS A LICENSE OR PERMISSION TO SELL, LEASE OR DISTRIBUTE A SIDE  
4 STOP SIGNAL ARM ENFORCEMENT SYSTEM.

5 "PUPIL TRANSPORTATION." THE TRANSPORT OF RESIDENT PUPILS OF  
6 A SCHOOL DISTRICT TO AND FROM PREPRIMARY, PRIMARY OR SECONDARY  
7 SCHOOLS AND STUDENTS TO OR FROM PUBLIC, PRIVATE OR PAROCHIAL  
8 SCHOOLS. THE TERM DOES NOT INCLUDE TRANSPORTATION FOR FIELD  
9 TRIPS.

10 "SCHOOL ENTITY." A SCHOOL DISTRICT, AREA [VOCATIONAL-  
11 TECHNICAL] CAREER AND TECHNICAL SCHOOL, INTERMEDIATE UNIT,  
12 CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

13 "SIDE STOP SIGNAL ARM ENFORCEMENT SYSTEM" OR "SYSTEM." A  
14 CAMERA SYSTEM WITH TWO OR MORE CAMERA SENSORS AND COMPUTERS THAT  
15 PRODUCE RECORDED VIDEO AND TWO OR MORE FILM OR DIGITAL  
16 PHOTOGRAPHIC STILL IMAGES OF A [MOTOR] VEHICLE BEING USED OR <--  
17 OPERATED IN A MANNER THAT VIOLATES SECTION 3345.

18 "SIDE STOP SIGNAL ARMS." AS DESCRIBED IN SECTION 4552(B.1)  
19 (RELATING TO GENERAL REQUIREMENTS FOR SCHOOL BUSES).

20 SECTION 2. SECTION 4572 OF TITLE 75 IS AMENDED BY ADDING A  
21 SUBSECTION TO READ:

22 § 4572. Visual signals on authorized vehicles.

23 \* \* \*

24 (b.1) Yellow flashing or revolving lights on school  
25 vehicles.--School vehicles may be equipped with a permanently  
26 affixed or removable yellow flashing or revolving light, as  
27 determined by regulation of the department. The light shall only  
28 be activated when the vehicle is preparing to stop or is stopped  
29 to load and unload students. NOTHING UNDER THIS SUBSECTION SHALL <--  
30 BE CONSTRUED TO PERMIT AN ACTIVITY BY A DRIVER OF A SCHOOL

1 VEHICLE PROHIBITED UNDER SECTION 3351 (RELATING TO STOPPING,  
2 STANDING AND PARKING OUTSIDE BUSINESS AND RESIDENCE DISTRICTS)  
3 OR 3353 (RELATING TO PROHIBITIONS IN SPECIFIED PLACES).

4 \* \* \*

5 Section 2 3. This act shall take effect in 60 days.

<--