

SENATE BILL 853

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 10;  
Title 39; Title 40; Title 49 and Title 55, Chapter 8,  
relative to school buses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The act shall be known and may be cited as the "STOP Act."

SECTION 2. Tennessee Code Annotated, Section 55-8-151(a)(5)(B), is amended by deleting the subdivision and substituting instead the following:

(B) It is a Class A misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000) or imprisonment of not greater than eleven (11) months, twenty-nine (29) days, or both, for any person to fail to comply with the provision of this subsection (a) requiring a motor vehicle to stop upon approaching a school bus.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 6, Part 21, is amended by adding the following as a new section:

(a)

(1) An LEA may install and operate, or contract with a private vendor for the installation and operation of, an external video system on the LEA's school buses.

(2) If an LEA contracts for transportation services, the LEA may authorize the transportation contractor to install and operate, or contract with a private vendor for the installation and operation of, an external video system.

(b)

(1) An external video system installed pursuant to subsection (a) may be used to detect and prosecute violations of § 55-8-151(a).

(2) Any photograph or video recorded by an external video system is admissible as evidence in any proceeding alleging a violation of § 55-8-151(a), if the photograph or video meets the standards of admissibility set forth in the Tennessee Rules of Evidence.

(3) An LEA, or the private vendor with which an LEA or transportation contractor has a contract, shall only submit photographs or video recorded by an external video system to local law enforcement officers if a bus driver reports an observed violation of § 55-8-151(a) to the LEA.

(4) Only POST-certified or state-commissioned law enforcement officers are authorized to review evidence from a camera and make a determination as to whether a violation of subdivision § 55-8-151(a) has occurred. Review of camera evidence is limited to footage of the alleged violation occurring at the date and time provided by a bus driver in the report submitted pursuant to subdivision (b)(3).

(c) An external video system installed pursuant to subsection (a) must be synchronized to automatically record photographs or video either any time the bus's stop control arm is extended or any time the system detects a vehicle being operated in violation of § 55-8-151(a).

(d) The department of education shall pay for sixty-five percent (65%) of the cost of installing external video systems to any LEA that installs, or authorizes the installation of, an external video system. The LEA shall pay the remaining thirty-five percent (35%) of the cost. Funds paid to an LEA under this subsection (d) are in addition to any BEP funding and does not affect BEP funding in any way. An LEA receiving funds pursuant to this subsection (d) shall use the funds for the installation of the external video systems and for no other purposes.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.