

1 **SCHOOL BUS TRAFFIC SAFETY AMENDMENTS**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Tim M. Cosgrove**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Traffic Code by establishing provisions relating to motor vehicles
10 passing a school bus.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ allows school districts to contract for technology, applied to the exterior of a school
14 bus, that produces an image of any motor vehicle that passes a school bus in
15 violation of state law;

16 ▶ requires that the technology transmit to the local law enforcement agency having
17 jurisdiction in the location where the violation occurred an image of the motor
18 vehicle taken at the time of the violation;

19 ▶ allows the local law enforcement agency, upon receipt of the image, to conduct, in
20 its discretion, an investigation of the violation;

21 ▶ imposes certain requirements if a law enforcement agency exercises its discretion to
22 issue a citation based on the recorded image; and

23 ▶ requires that, not less than 30 days prior to commencing the use of this technology
24 on one or more of its school buses, a school district shall send a notice to all
25 households within the school district boundaries containing:

- 26 • a description of the technology and its purpose; and
- 27 • the date that the school district shall begin using the technology.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 ENACTS:

34 **41-6a-1303.5**, Utah Code Annotated 1953



36 *Be it enacted by the Legislature of the state of Utah:*

37 Section 1. Section **41-6a-1303.5** is enacted to read:

38 **41-6a-1303.5. Districts may contract for technology to identify motor vehicles**
39 **illegally passing a school bus.**

40 (1) A school district may contract in accordance with Title 63G, Chapter 6a, Utah
41 Procurement Code, with a photographic technology provider for the delivery of a device
42 capable of creating a recorded image of any motor vehicle passing a school bus in violation of
43 Subsection **41-6a-1302(2)(b)**.

44 (2) The photographic technology described in Subsection (1) shall:

45 (a) be mounted on the outside of a school bus;

46 (b) produce a recorded image:

47 (i) of a motor vehicle that passes a school bus at the time that the school bus's red
48 signal lights are activated; and

49 (ii) that includes the following clearly visible information:

50 (A) the license plate, including the plate number and state of origin;

51 (B) the date and time that the recorded image was created; and

52 (C) the location of the school bus at the time the recorded image was created; and

53 (c) transmit a copy of a recorded image described in Subsection (1) to the law
54 enforcement agency having jurisdiction at the location where the photographic technology
55 records the image.

56 (3) A law enforcement agency that receives a recorded image in accordance with
57 Subsections (2)(b) and (c) may, in its discretion, conduct an investigation.

58 (4) A law enforcement agency may only issue a citation for a violation based on the

59 recorded image produced under Subsection (2) if:
60 (a) the citation is accompanied by the recorded image produced by photographic
61 technology; and
62 (b) the law enforcement agency:
63 (i) provides a clear and simple process for dismissing a citation issued under this
64 section if either the recorded image or evidence provided by the owner of the vehicle clearly
65 proves that the registered owner was not operating the vehicle at the time the citation was
66 issued; and
67 (ii) ensures, through written policy, the following:
68 (A) a recipient of a citation is entitled to the same rights and obligations regarding
69 appeal and dismissal of citations as otherwise provided for citations issued under this chapter
70 including the right to challenge a citation; and
71 (B) a citation issued under this section is issued according to the same guidelines that
72 an officer would apply when determining whether or not to issue a citation for a violation
73 under this chapter.
74 (5) A school bus equipped with the photographic technology described in this section
75 shall have a sign posted on the outside of the bus indicating that the school bus is equipped
76 with an automated red light signal compliance system.
77 (6) Not less than 30 days prior to utilizing the technology described in Subsection (1)
78 on one or more school buses, a school district shall send a notice to each household within the
79 school district's boundaries containing:
80 (a) a description of the photographic technology and its purpose; and
81 (b) the date that the school district will begin using the technology.

Legislative Review Note
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Office of Legislative Research and General Counsel