

SENATE FILE NO. SF0080

Passing stopped school bus-recorded images.

Sponsored by: Senator(s) Ellis, Coe and Wasserburger and
Representative(s) Brown and Northrup

A BILL

for

1 AN ACT relating to motor vehicles; providing for enforcement
2 of violations related to passing a stopped school bus;
3 clarifying access to and the use of recordings from video
4 systems installed on a school bus; providing a fine for
5 vehicles passing a stopped school bus; providing defenses;
6 and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 21-3-131(b)(x) and 31-5-507 by creating
11 new subsection (e) are amended to read:

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13 **21-3-131. School bus standards; operators; vehicle**
14 **operation; liability limited.**

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1 (b) Each district shall establish and maintain minimum
2 standards for the operation of school buses, including:

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4 (x) Effective school year 2016-2017, and each
5 school year thereafter, all school buses transporting
6 students to and from school and to and from student
7 activities, as defined under W.S. 21-13-320(b)(i) and (ii),
8 shall be equipped with an external video system and may be
9 equipped with an internal video system. Equipment
10 specifications shall be prescribed by rule and regulation of
11 the department. Recordings or images from a video system
12 installed under this paragraph shall not be a public record
13 under the Wyoming Public Records Act, W.S. 16-4-201 through
14 16-4-205. Recordings or images may be entered into evidence
15 for a violation of W.S. 31-5-507(a) as provided in W.S.
16 31-5-507(e) and may be discoverable for other criminal
17 actions. Recordings or images made from a video system under
18 this paragraph shall be destroyed within one (1) year of the
19 date the recording was made.

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21 **31-5-507. Meeting or passing stopped school bus;**
22 **markings and visual signals.**

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1 (e) A recording of images produced by a system equipped
2 on a school bus under W.S. 21-3-131(b)(x) shall be prima facie
3 evidence of the facts contained in it. A recorded image
4 evidencing a violation of subsection (a) of this section shall
5 be admissible in a judicial or administrative proceeding to
6 adjudicate liability for the violation. If the identity of
7 the driver of a vehicle that violates subsection (a) of this
8 section is unknown, the registered owner of the vehicle
9 recorded by an external video system as provided in this
10 subsection shall be fined one hundred ninety-five dollars
11 (\$195.00) provided that:

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13 (i) A fine issued to a registered owner of a
14 vehicle under this subsection shall not be considered a moving
15 violation for the purpose of suspending a driver's license
16 under W.S. 31-7-129 and shall not be considered a conviction
17 under W.S. 31-5-1201 or as a prior conviction for any other
18 purpose; and

19
20 (ii) It shall be a defense to a enforcement of a
21 fine issued under this subsection that the registered owner
22 of the vehicle:

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1 (A) Did not provide express or implied
2 consent to the person who was operating the vehicle at the
3 time of the violation; or

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5 (B) Transferred ownership of the vehicle to
6 a new owner prior to the observed violation.

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8 **Section 2.** This act is effective July 1, 2019.

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(END)