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Office

H.B. 83
(1_133_0250-2)
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 83's Bill Analysis](#)

Version: In House Criminal Justice

Primary Sponsor: Rep. Brown

Local Impact Statement Procedure Required: No

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Highlights

- The bill appropriates \$1 million in FY 2020 from the General Revenue Fund (GRF) for the Department of Public Safety (DPS) to award grants to school districts and community schools to purchase and install cameras on school buses.
- The bill's penalty change will not discernibly affect the caseloads and related annual operating costs of local courts with jurisdiction over state traffic law violations, but may generate additional fine revenue credited to a county's treasury and used for the maintenance and repair of the highways within that county.
- DPS expects to be able to adopt rules relating to the construction and design of school bus cameras, comply with the bill's graphic display requirement, and administer the bill's school bus camera grant program utilizing existing staff and resources.

Detailed Analysis

The bill appropriates \$1 million from the GRF in FY 2020 for the Department of Public Safety (DPS) to award grants to school districts and community schools to purchase and install school bus cameras. It also requires DPS to adopt rules regarding the camera equipment to be used on school buses, increases the penalties for passing a stopped school bus, and requires the Registrar of Motor Vehicles to create printed cards for distribution to deputy registrar locations statewide instructing drivers to stop and yield for stopped school buses.

Department of Public Safety

School Bus Camera Grants

The bill creates new GRF line item 768433, School Bus Camera Grants, with an appropriation of \$1 million in FY 2020, to be distributed by DPS as grants to city, local, and exempted village school districts, and community schools that are responsible for providing

transportation to students enrolled in the school to purchase and install bus cameras. The cameras to be installed are intended to record images of the license plates on cars that drive by the bus while it is stopped and loading or unloading passengers.

Presumably, DPS will incur some, likely minimal, one-time costs to develop the school bus camera grants program, receive applications, and make grant awards. The Department expects to be able to administer the grant program utilizing existing staff and resources.

The cost to purchase and install cameras on school buses to capture images or video of drivers illegally passing a bus varies depending on the type and quality of camera and the method of procurement. It is common practice to have one camera per bus, usually located near the stop-arm on the driver's side, though some vendors offer options for additional cameras in the rear. The per-camera cost ranges from \$500 to \$1,400 based on the experience of Ohio school districts that have already purchased and installed such cameras.

Rule adoption on camera construction and design

The bill requires the Director of Public Safety, with the advice of the Superintendent of Public Instruction, to adopt rules relating to the construction and design of cameras to be placed on a school bus to capture an image or video of a motorist who passes a school bus that is stopped to load or unload passengers. The one-time operating costs to perform the necessary rule adoption activities are likely to be minimal at most, and absorbed by both the departments of Public Safety and Education by utilizing existing staff and resources.

Deputy registrar graphic display

The bill requires the Registrar of Motor Vehicles to create a graphic on a printed card that instructs drivers to stop and yield to a stopped school bus that is either loading or unloading passengers, and requires each deputy registrar location to display the graphic in a prominent location. DPS will incur minimal one-time costs for the Registrar to develop and distribute the graphic to each of the approximately 200 deputy registrar locations statewide. Those costs are expected to be absorbed utilizing existing staff and resources.

Penalty for failing to stop for a stopped school bus

The bill enhances the penalty for failing to stop for a school bus that is stopped to pick up or drop off passengers. Under existing law, unchanged by the bill, failure to stop for a stopped school bus is an unclassified misdemeanor.¹ The following table shows the penalties for failure to stop for a stopped school bus under existing law, as well under the bill. Failure to stop for a stopped school bus is not subject to a jail term under existing law or the bill. In calendar year 2017, there were 1,383 convictions for failing to stop for a stopped school bus statewide.² The number of those convictions that involved repeat offenders is uncertain.

¹ An unclassified misdemeanor is a misdemeanor that is not otherwise categorized as being first, second, third, or fourth degree, or as a minor misdemeanor.

² These statistics were obtained from the 2017 Ohio Traffic Crash Facts Book, which is the most recent version of the publication.

Failure to Stop for a Stopped School Bus for Certain Repeat Offenders			
Type of Penalty	Existing Law (All Violations)	H.B. 83 (First Offense)	H.B. 83 (Subsequent Offense)*
Number of Points Assessed	2	2	4
Fine Amount	Up to \$500	Up to \$1,000	Up to \$2,000
Length of License Suspension	Up to one year	3 months to 2 years	6 months to 3 years

*Applies to a subsequent offense when the offender had a violation within a five-year period.

The bill's penalty enhancement will not generate additional cases for municipal, county, or mayor's courts to dispose of, and is therefore not expected to have a discernible effect on the caseloads and related operating costs on any given court. As seen in the above table, courts may collect an additional \$500 to \$1,500 in fine revenue from certain offenders convicted under the bill. Currently, and unchanged by the bill, the fines, if charged as a state traffic law violation, generally are paid into the county treasury of the county where the violation occurred and credited to the fund that is used for the maintenance and repair of the highways within that county.

The impact on the Bureau of Motor Vehicles (BMV) to extend the length of certain license suspensions is likely to be negligible and will be at least partially offset by a \$40 fee that is imposed for the reinstatement of court-ordered license suspensions that are 90 days or longer. All license suspensions imposed under the bill will be subject to that fee. Since suspensions imposed under existing law may already exceed 90 days, it is possible that the BMV is already collecting this fee for at least some suspensions, the number of which is not readily available. The net effect on the BMV is likely to be a no more than minimal annual increase in license reinstatement fee revenue, which is deposited into the state treasury to the credit of the Public Safety – Highway Purposes Fund (Fund 5TMO) and used in part to support the BMV's operations.

School bus camera use

The bill permits the use of images captured by a camera installed on a school bus to be used as corroborating evidence for the offense of failing to stop for a school bus. While existing law does not prohibit the installation of cameras on school buses, it does not explicitly permit images obtained from such cameras to be used as evidence. By explicitly allowing such images to be used as evidence of failing to stop for a stopped school bus, there may be some increase in the number of convictions for those violations within the geographical areas covered by those school districts that have installed cameras on school buses.