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## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Brown

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### SUMMARY

#### Penalty enhancements for failure to stop for a school bus

- Enhances the penalty for failing to stop for a stopped school bus by increasing the base fine from \$500 to \$1,000 and increasing the possible license suspension from a period of up to one year to a period of three months to two years.
- Establishes new penalties for failing to stop for a stopped school bus if the offender committed a prior violation within a five-year period by imposing either a \$2,000 fine, a suspension of six months to three years, or both.

#### School bus cameras

- Requires the Department of Public Safety, with the advice of the Superintendent of Public Instruction, to adopt rules for the construction and design of school bus camera equipment that provides an image or video of a motorist who violates the law that prohibits passing a stopped school bus.
- Clarifies that school districts may install these cameras on a school bus solely for the purpose of capturing an image or video of a motor vehicle operator who violates the law on passing a stopped school bus.
- Allows law enforcement to use this image or video (as long as it is sufficiently clear) to determine the identity of the offender.

#### Stopped-school-bus graphic

- Requires the Registrar of Motor Vehicles to create and issue a graphic on a printed card to each deputy registrar location – the graphic must instruct drivers to stop and yield to a stopped school bus that is either loading or unloading passengers.
- Requires each deputy registrar to display the card in a prominent place at all times.

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## DETAILED ANALYSIS

### Penalty enhancements for failure to stop for a school bus

#### Background

Under current law, a driver must stop for a school bus when both of the following apply:

1. The driver meets or overtakes the school bus, from either direction; and
2. The school bus is picking up or dropping off a school child, a child attending a Head Start program, or a person attending programs offered by a community board of mental health or a county board of developmental disabilities.

The driver must stop at least ten feet from the bus. And, the driver may not proceed until either the bus moves, or the bus driver signals the driver to proceed. If a highway is divided into four or more lanes, and a driver approaches a school bus from the opposite direction, the driver does not have to stop.<sup>1</sup>

When a bus driver believes that a motorist has committed this offense (by failing to properly stop), the driver must report the license plate number and a general description of the vehicle and motorist to a law enforcement agency. The law enforcement agency must then attempt to determine the motorist's identity.<sup>2</sup>

Currently, a driver who violates this requirement may be fined up to \$500, and the court may impose a class seven driver's license suspension (not to exceed one year). The court also must assess two points on the offender's license. In addition, both of the following apply to an offender:

1. A person who is issued a citation may not enter a guilty plea and waive the person's right to contest the citation in trial; instead, the person must appear in person before the court; and
2. If an offender's license is suspended, the offender must deliver the license to the proper court, and the court must forward the license to the Registrar of Motor Vehicles.<sup>3</sup>

#### Penalties under the bill

The bill increases the base penalty, from \$500 to \$1,000, for the offense of failing to stop for a school bus. It also increases the possible suspension to a class six driver's license suspension (a definite period of three months to two years). If the offender commits the

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<sup>1</sup> R.C. 4511.75(A) and (C).

<sup>2</sup> R.C. 4511.751.

<sup>3</sup> R.C. 4510.02, not in the bill; R.C. 4510.036 and 4511.75(F).

offense within five years of a prior violation, the court must assess four points on the offender's license<sup>4</sup> and either, or both, of the following:

1. A fine of up to \$2,000; and
2. A class five driver's license suspension (six months to three years).<sup>5</sup>

## **School bus cameras**

Current law neither specifically authorizes nor prohibits the use of cameras placed on a school bus to capture an image or video of a motorist who passes a stopped school bus that is loading or unloading passengers. But, there is a provision stating that certain traffic camera laws **do not** apply to traffic cameras placed on buses for this purpose. Thus, the Revised Code recognizes that school bus operators might use these cameras.<sup>6</sup>

The bill requires the Department of Public Safety, with the advice of the Superintendent of Public Instruction, to adopt rules relating to the construction and design of camera equipment that provides an image, images, or video solely for the purposes of capturing a motorist who passes a stopped school bus.<sup>7</sup>

Additionally, when a bus driver believes that a motorist has committed the offense of failing to stop and contacts law enforcement, the bill allows the bus driver to corroborate the bus driver's information with an image, images, or video provided by the camera. The law enforcement agency may use that camera's image, images, or video to determine the identity of the violating motorist, but only if the image, images, or video are sufficiently clear.<sup>8</sup>

## **Stopped-school-bus graphic**

The bill requires the Registrar of Motor Vehicles to create and issue 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. The Registrar must distribute the graphic to each deputy registrar location. Each deputy registrar must display the card at all times in a prominent place on the deputy's premises.<sup>9</sup>

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<sup>4</sup> R.C. 4510.036(C)(12).

<sup>5</sup> R.C. 4511.75(F).

<sup>6</sup> R.C. 4511.0913, not in the bill.

<sup>7</sup> R.C. 4511.76.

<sup>8</sup> R.C. 4511.751.

<sup>9</sup> R.C. 4503.03(D)(1)(o).

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## HISTORY

Action	Date
Introduced	02-09-21

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