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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 140
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 140's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Rep. Brown

Local Impact Statement Procedure Required: No

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Highlights

- The Department of Public Safety will incur minimal costs to draft and adopt rules relating to the construction and design of school bus camera equipment and to comply with the bill's graphic display requirement for deputy registrar locations.
- The bill is not expected to have a discernible effect on the caseloads and related annual operating costs of local criminal justice systems with jurisdiction over 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.

Detailed Analysis

The bill (1) enhances penalties for failing to stop for a stopped school bus, (2) permits school districts to install cameras on school buses solely for the purpose of capturing an image or video of a person who illegally passes a stopped school bus, and (3) requires the Registrar of Motor Vehicles to create and issue a graphic (i.e., a card or poster) for display at each deputy registrar location in the state instructing drivers to stop and yield to a stopped school bus that is loading or unloading passengers.

Ohio Department of Public Safety

The bill may result in additional one-time costs for the Ohio Department of Public Safety (ODPS) and to a lesser extent the Department of Education and Workforce (who serves in a consultative role only), to adopt rules related to the construction and design of school bus camera equipment used to capture violations of illegally passing a stopped school bus. ODPS will also incur one-time costs to develop a graphic that instructs drivers to stop and yield to a stopped school bus and distribute those graphic cards to each of the approximately 200 deputy registrar

locations statewide. Those costs are expected to be one-time and minimal, being absorbed utilizing existing staff and resources.

Local criminal justice systems

By clarifying that school districts may install school bus cameras solely to capture images of those illegally passing a stopped school bus and generally allowing law enforcement to use those images to determine an offender's identity, the bill could generate additional cases for municipal, county, and mayor's courts to adjudicate and sanction or make some existing cases easier to prosecute. Unlike certain other traffic offenses that can be settled without a court appearance, continuing law specifies that a person cited for failing to stop for a stopped school bus must appear in court to answer the charge.¹ If the bill generates additional cases due to the availability of evidence provided by cameras, local courts with jurisdiction over state traffic law violations would have to expend additional time and resources to dispose of those cases. However, there is not expected to be a discernable effect on any given court's caseload or related annual operating costs and these costs would be offset, potentially in full, by the penalty enhancements described below.

Failing to stop for a stopped school bus

The bill increases the base penalties for failing to stop for a stopped school bus and establishes new penalties for certain repeat offenders. The following table compares those penalties. Under continuing law, failing to stop for a stopped school bus is an unclassified misdemeanor and the offender is not subject to a jail term. In calendar year 2022, there were 1,706 total convictions for this activity statewide: 12 commercial and 1,694 noncommercial.² The number of those convictions that involved repeat offenders is uncertain.

Failing to Stop for a Stopped School Bus			
Type of Penalty	Existing Law	H.B. 140 Penalties	
		First Offense	Subsequent Offense*
Points Assessed	2	2	4
Fine	Up to \$500	Up to \$1,000	Up to \$2,000
License Suspension	Class 7 (Up to one year)	Class 6 (3 months to 2 years)	Class 5 (6 months to 3 years)

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

By explicitly allowing images captured by school bus cameras to be used as evidence in these cases, it is possible that geographical areas covered by those school districts that have installed or, as a result of the bill, choose to install cameras on school buses may experience an

¹ R.C. 4511.75(F)(1).

² Source: Bureau of Motor Vehicles, 2022 Ohio Driver License Statistics.

indeterminate increase in convictions for stopped school bus violations. Thus, those geographical areas may also experience a related increase in fine revenue and the number of license suspensions imposed.

Fine revenue

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. Continuing law requires traffic fines for violations of state law to be paid into the county treasury where the violation occurred and used for the maintenance and repair of highways within that county.³ The additional amount of fine revenue collected by any given court will depend on the number of failing to stop for a stopped school bus convictions and whether or not the offender had a prior conviction.

License reinstatement fee revenue

Under continuing law, a court-ordered license suspension that is 90 days or longer is subject to a \$40 reinstatement fee. As seen in the table, all failing to stop for a stopped school bus license suspensions imposed under the bill will be subject to the \$40 fee when it may not have applied under existing law. As a result, the Department of Public Safety may experience a no more than minimal gain in annual license reinstatement fee revenue. Reinstatement fee revenue is credited to the Public Safety – Highway Purposes Fund (Fund 5TMO) and used in part to support the Bureau of Motor Vehicles' (BMV) operations.

³ R.C. 4513.35.