

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3602

By: Kerbs of the House

5 and

6 **Sharp** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to motor vehicles; amending 47 O.S.
11 2011, Section 11-705, as amended by Section 1,
12 Chapter 145, O.S.L. 2019 (47 O.S. Supp. 2019, Section
13 11-705), which relates to meeting or overtaking a
14 stopped school bus; prohibiting meeting or overtaking
15 a school bus on school property and school parking
16 lots; and providing an effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-705, as
18 amended by Section 1, Chapter 145, O.S.L. 2019 (47 O.S. Supp. 2019,
19 Section 11-705), is amended to read as follows:

20 Section 11-705. A. The driver of a vehicle meeting or
21 overtaking a school bus that is stopped to take on or discharge
22 school children, and on which the red loading signals are in
23 operation, is to stop the vehicle before it reaches the school bus
24 and not proceed until the loading signals are deactivated and then

1 proceed past such school bus at a speed which is reasonable and with
2 due caution for the safety of such school children and other
3 occupants. This subsection shall apply, but not be limited to,
4 drivers of vehicles on property owned by a school district and
5 school parking lots. Any person convicted of violating the
6 provisions of this subsection shall be punished by a fine of not
7 less than One Hundred Dollars (\$100.00). In addition to the fine, a
8 special assessment of One Hundred Dollars (\$100.00) shall be
9 assessed, of which seventy-five percent (75%) shall be deposited to
10 the credit of the Cameras for School Bus Stops Revolving Fund
11 established in Section ~~2~~ 9-119 of ~~this act~~ Title 70 of the Oklahoma
12 Statutes. The remaining twenty-five percent (25%) of the special
13 assessment shall be deposited to the credit of the reviewing law
14 enforcement agency referred to in subsection E of this section.

15 B. Visual signals, meeting the requirements of Section 12-228
16 of this title, shall be actuated by the driver of said school bus
17 whenever, but only whenever, such vehicle is stopped on the highway
18 for the purpose of receiving or discharging school children.

19 C. The driver of a vehicle upon a highway with separate
20 roadways need not stop upon meeting or passing a school bus which is
21 on a different roadway or when upon a controlled-access highway and
22 the school bus is stopped in a loading zone which is a part of or
23 adjacent to such highway and where pedestrians are not permitted to
24 cross the roadway.

1 D. If the driver of a school bus witnesses a violation of the
2 provisions of subsection A of this section, within twenty-four (24)
3 hours of the alleged offense, the driver shall report the violation,
4 the vehicle color, license tag number, and the time and place such
5 violation occurred to the law enforcement authority of the
6 municipality where the violation occurred. The law enforcement
7 authority of a municipality shall issue a letter of warning on the
8 alleged violation to the person in whose name the vehicle is
9 registered. The Office of the Attorney General shall provide a form
10 letter to each municipal law enforcement agency in this state for
11 the issuance of the warning provided for in this subsection. Such
12 form letter shall be used by each such law enforcement agency in the
13 exact form provided for by the Office of the Attorney General. A
14 warning letter issued pursuant to this subsection shall not be
15 recorded on the driving record of the person to whom such letter was
16 issued. Issuance of a warning letter pursuant to this section shall
17 not preclude the imposition of other penalties as provided by law.

18 E. 1. A school district may install and operate a video-
19 monitoring system in or on the school buses or the bus stop-arms
20 operated by the district or contract with a private vendor to do so
21 on behalf of the school district for the purpose of recording
22 violations of subsection A of this section. In the event the video-
23 monitoring system captures a recording of a violation of subsection
24 A of this section, appropriate personnel at the school district

1 shall extract data related to the violation from the recording. The
2 extracted data shall include a recorded image or video containing
3 the requirements listed in paragraph 2 of this subsection. The
4 school district shall submit the extracted data for review to the
5 law enforcement agency with jurisdiction in which the violation
6 occurred. If the reviewing law enforcement agency determines there
7 is sufficient evidence to identify the vehicle and the driver, such
8 evidence shall be submitted to the district attorney's office for
9 prosecution.

10 2. For the purposes of this subsection, "video-monitoring
11 system" means a system with one or more camera sensors and computers
12 installed and operated on a school bus that produces live digital
13 and recorded video of motor vehicles being operated in violation of
14 subsection A of this section. The system shall, at a minimum,
15 produce a recorded image of the license plate of the vehicle, an
16 identifiable picture of the driver's face, the activation status of
17 at least one warning device as prescribed in Section 12-228 of this
18 title and the time, date and location of the vehicle when the image
19 was recorded.

20 SECTION 2. This act shall become effective November 1, 2020.
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22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/27/2020 -
23 DO PASS, As Coauthored.
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