

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 1926

By: Kerbs

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 11-705, which relates to meeting or overtaking a stopped school bus; requiring fine go to registered owner of vehicle; directing portion of fine go to certain revolving fund; allowing school districts to install cameras on school bus stop-arms; authorizing fines for violations to be paid to school districts; requiring certain length of time for violator to review evidence; defining term; creating certain revolving fund; providing for annual grants; stating purpose of grants; directing the promulgation of rules relating to grants; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-705, is amended to read as follows:

Section 11-705. A. The driver of a vehicle meeting or overtaking a school bus that is stopped to take on or discharge school children, and on which the red loading signals are in operation, is to stop the vehicle before it reaches the school bus and not proceed until the loading signals are deactivated and then proceed past such school bus at a speed which is reasonable and with

1 due caution for the safety of such school children and other
2 occupants. ~~Any person convicted of violating~~ The registered owner
3 of a vehicle whose vehicle is found to have been operated in
4 violation of the provisions of this subsection shall be punished by
5 a fine of not less than One Hundred Dollars (\$100.00). Seventy-five
6 percent (75%) of the fine shall be deposited to the credit of the
7 Cameras for School Bus Stops Revolving Fund established in Section 2
8 of this act.

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

13 C. The driver of a vehicle upon a highway with separate
14 roadways need not stop upon meeting or passing a school bus which is
15 on a different roadway or when upon a controlled-access highway and
16 the school bus is stopped in a loading zone which is a part of or
17 adjacent to such highway and where pedestrians are not permitted to
18 cross the roadway.

19 D. If the driver of a school bus witnesses a violation of the
20 provisions of subsection A of this section, within twenty-four (24)
21 hours of the alleged offense, the driver shall report the violation,
22 the vehicle color, license tag number, and the time and place such
23 violation occurred to the law enforcement authority of the
24 municipality where the violation occurred. The law enforcement

1 authority of a municipality shall issue a letter of warning on the
2 alleged violation to the person in whose name the vehicle is
3 registered. The Office of the Attorney General shall provide a form
4 letter to each municipal law enforcement agency in this state for
5 the issuance of the warning provided for in this subsection. Such
6 form letter shall be used by each such law enforcement agency in the
7 exact form provided for by the Office of the Attorney General. A
8 warning letter issued pursuant to this subsection shall not be
9 recorded on the driving record of the person to whom such letter was
10 issued. Issuance of a warning letter pursuant to this section shall
11 not preclude the imposition of other penalties as provided by law.

12 E. 1. A school district may install and operate a video-
13 monitoring system in or on the school buses or the bus stop-arms
14 operated by the district or contract with a private vendor to do so
15 on behalf of the school district for the purpose of recording
16 violations of subsection A of this section. If a citation is issued
17 for violation of this section the person who receives the citation
18 shall have at least thirty (30) business days from the date of the
19 issuance of the citation to inspect information collected by a
20 video-monitoring system in connection with the violation.

21 2. For the purposes of this subsection, "video-monitoring
22 system" means a system with one or more camera sensors and computers
23 installed and operated on a school bus that produces live digital
24 and recorded video of motor vehicles being operated in violation of

1 this section. The system shall, at a minimum, produce a recorded
2 image of the license plate of the vehicle and shall record the
3 activation status of at least one warning device as prescribed in
4 Section 12-228 of this title and the time, date and location of the
5 vehicle when the image is recorded.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 9-119 of Title 70, unless there
8 is created a duplication in numbering, reads as follows:

9 A. There is hereby created in the State Treasury a revolving
10 fund for the State Board of Education to be designated the "Cameras
11 for School Bus Stops Revolving Fund". The fund shall be a
12 continuing fund, not subject to fiscal year limitations, and shall
13 consist of all monies received by the State Board of Education from
14 fines collected from school bus stop violations in Section 11-705 in
15 Title 47 of the Oklahoma Statutes, any state-appropriated funds,
16 federal funds, donations, grants, contributions, and gifts from any
17 public or private source. All monies accruing to the credit of the
18 fund are hereby appropriated and may be budgeted and expended by the
19 State Board of Education for the purposes of providing grants to
20 public school districts as provided for in subsection B of this
21 section. Expenditures from the fund shall be made upon warrants
22 issued by the State Treasurer against claims filed as prescribed by
23 law with the Director of the Office of Management and Enterprise
24 Services for approval and payment.

1 B. Contingent upon the amount of funds available in the Cameras
2 for School Bus Stops Revolving Fund, the State Board of Education
3 shall award one or more grants annually to public school districts
4 in the state. The grants shall be used by the districts for
5 installation of camera equipment on buses to aid in identifying
6 drivers violating the provisions of Section 11-705 of Title 47 of
7 the Oklahoma Statutes. The Board shall determine the criteria for
8 and establish a process for the submission of grants applications.
9 The applications shall be considered on a statewide competitive
10 basis. The Board shall promulgate rules for the implementation of
11 the grants issued pursuant to this section.

12 SECTION 3. This act shall become effective November 1, 2019.

13

14 57-1-6887 JBH 01/11/19

15

16

17

18

19

20

21

22

23

24