

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3602

By: Kerbs

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 11-705, as amended by Section 1, Chapter 145, O.S.L. 2019 (47 O.S. Supp. 2019, Section 11-705), which relates to meeting or overtaking a stopped school bus; prohibiting meeting or overtaking a school bus on school property and school parking lots; 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, as amended by Section 1, Chapter 145, O.S.L. 2019 (47 O.S. Supp. 2019, 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 due caution for the safety of such school children and other occupants. This subsection shall apply, but not be limited to,

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

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

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

22 D. If the driver of a school bus witnesses a violation of the
23 provisions of subsection A of this section, within twenty-four (24)
24 hours of the alleged offense, the driver shall report the violation,

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

15 E. 1. A school district may install and operate a video-
16 monitoring system in or on the school buses or the bus stop-arms
17 operated by the district or contract with a private vendor to do so
18 on behalf of the school district for the purpose of recording
19 violations of subsection A of this section. In the event the video-
20 monitoring system captures a recording of a violation of subsection
21 A of this section, appropriate personnel at the school district
22 shall extract data related to the violation from the recording. The
23 extracted data shall include a recorded image or video containing
24 the requirements listed in paragraph 2 of this subsection. The

1 school district shall submit the extracted data for review to the
2 law enforcement agency with jurisdiction in which the violation
3 occurred. If the reviewing law enforcement agency determines there
4 is sufficient evidence to identify the vehicle and the driver, such
5 evidence shall be submitted to the district attorney's office for
6 prosecution.

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

17 SECTION 2. This act shall become effective November 1, 2020.

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