

SCHOOL BUS STOP-ARM CAMERA SYSTEMS

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<http://www.house.mi.gov/hfa>

House Bill 5041 as introduced
Sponsor: Rep. Tyrone A. Carter

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5042 as introduced
Sponsor: Rep. Greg VanWoerkom

Committee: Military, Veterans and Homeland Security
Complete to 10-22-19

SUMMARY:

The bills would respectively amend the Michigan Vehicle Code and Pupil Transportation Act to allow a school bus to be equipped with a *stop-arm camera system* and to provide for use of the recorded video as evidence in certain traffic violation proceedings.

Stop-arm camera system would mean a system of two or more cameras affixed to a school bus that meets the following requirements:

- Is synchronized to automatically record video or one or more sequenced photographs of a vehicle failing to stop for a school bus or passing a school bus in violation of the section 628(1) of the Michigan Vehicle Code.
- Is capable of capturing images of the vehicle, the license plate on the rear of the vehicle, and a distance of at least 200 feet in front of the school bus.
- Records the date, time, and location on an image produced by the system.

House Bill 5042 would amend the Pupil Transportation Act to allow a school bus to be equipped with a stop-arm camera system. Under the bill, a school could either install and operate a stop-arm camera system on a school bus or enter into a contract with a private vendor to install and operate such a camera system on a school bus.

Proposed MCL 257.1820

House Bill 5041 would amend the Michigan Vehicle Code to allow a school bus to be equipped with a stop-arm camera system in accordance with the Pupil Transportation Act.

The bill would require a school bus that uses a stop-arm camera system to provide, if requested by an investigating law enforcement agency, a recorded video or photograph for use as evidence in a proceeding involving a vehicle failing to stop for a school bus or passing a school bus in violation of the section 628(1) of the code.

A photograph or video recorded by a stop-arm camera system would be admissible evidence in a proceeding to the extent permitted by the rules of evidence. However, a photograph or video recorded by a stop-arm camera system would not be required for prosecution of the violation.

Currently under the code, a vehicle operator who fails to stop as required for a school bus or who passes a school bus in violation of the code is responsible for a civil infraction and also may be ordered to perform up to 100 hours of community service at a school.

The bill would make violation a misdemeanor punishable by one or more of the following:

- Imprisonment for up to 93 days.
- A fine of up to \$500.
- Up to 100 hours of community service at a school.

MCL 257.682

Each bill would take effect 90 days after being enacted. The bills are tie-barred to one another, which means that neither could take effect unless both were enacted.

FISCAL IMPACT:

In changing the penalty for failing to stop for a school bus from a civil infraction to a misdemeanor, House Bill 5041 would have an indeterminate fiscal impact on the state and on local units of government. Local county jails would incur costs depending on the number of individuals who would be sentenced to jail under the bill. New misdemeanor convictions would increase costs related to county jails and/or local misdemeanor probation supervision. The costs of local incarceration in a county jail and local misdemeanor probation supervision, and how the costs are financed, vary by jurisdiction. Any fiscal impact on the judiciary and local court systems would depend on how provisions of the bill affect caseloads and related administrative costs. Any increase in penal fine revenue would increase funding for local libraries, which are the constitutionally designated recipients of those revenues. In turn, there would be a decrease in revenue collected from the payment of civil infraction penalties, which, for this section of the Motor Vehicle Code, are deposited into the state general fund.

House Bill 5042 would have no direct fiscal impact on state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.