86R16357 AJZ-D

By:  Powell S.B. No. 2298

A BILL TO BE ENTITLED

AN ACT

relating to school safety measures, including the authority of a school district to implement a school bus monitoring system that records images of vehicles that pass a stopped school bus; authorizing a civil penalty; imposing a surcharge.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.924 to read as follows:

Sec. 29.924.  SCHOOL SAFETY GRANTS. (a) The commissioner shall establish a competitive grant program to assist school districts in implementing school safety measures.

(b)  Grant funds awarded under this section may be used by a grant recipient only to implement school safety measures.

(c)  The commissioner may adopt rules on the use of grant funds under this section, including rules determining eligibility, award amount, and any restrictions. The commissioner may authorize a grant recipient or a tax-exempt organization contracting with the grant recipient to use grant funds for installing school bus monitoring systems on school buses as authorized by Subchapter K, Chapter 545, Transportation Code.

(d)  In selecting grant recipients under this section, the commissioner must consider the availability of existing resources, including funds and equipment, to the school district.

(e)  The commissioner may make grants under this section using revenue from surcharges imposed under Section 545.502(b), Transportation Code, and gifts, grants, and donations accepted by the commissioner. A decision of the commissioner concerning the amount of funds available for a grant is final and may not be appealed.

SECTION 2.  Chapter 545, Transportation Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. SCHOOL BUS MONITORING SYSTEM

Sec. 545.501.  DEFINITIONS. In this subchapter:

(1)  "Owner of a motor vehicle" means the owner of a motor vehicle as shown on the motor vehicle registration records of the Texas Department of Motor Vehicles or the analogous department or agency of another state or country.

(2)  "School bus monitoring system" means a system authorized by Section 547.701(b)(3).

Sec. 545.502.  AUTHORITY TO PROVIDE FOR PENALTY. (a) The board of trustees of a school district by resolution may provide that the owner of a motor vehicle is liable to the school district for a civil penalty if the vehicle passes a school bus in violation of Section 545.066. The resolution must establish the amount of the civil penalty.

(b)  A school district may impose a civil penalty under this section on the owner of a motor vehicle based solely on a photographic image of the vehicle that:

(1)  was taken by a camera installed on the school bus for the purpose of detecting violations of Section 545.066;

(2)  includes the vehicle's license plate; and

(3)  shows the vehicle violating Section 545.066.

(c)  If a school district imposes a civil penalty under Subsection (b), the school district shall also impose a $25 surcharge on each civil penalty. A surcharge collected under this subsection shall be sent to the Texas Education Agency and may be used only for the competitive grant program established under Section 29.924, Education Code.

(d)  Except as provided by Subsection (c), a school district is entitled to all of the proceeds of the civil penalties collected by the school district under this section.

(e)  Civil penalties collected under this section may be used by a school district to cover the cost of installing, operating, and maintaining the school bus monitoring system.

Sec. 545.503.  OPERATION OF SCHOOL BUS MONITORING SYSTEM. (a) A school district that implements a school bus monitoring system under this subchapter may contract for the installation, operation, administration, or enforcement of the system.

(b)  All images and data produced from a school bus monitoring system under this subchapter shall be destroyed not later than the seventh day after the date of collection unless the image or data is evidence in a civil proceeding under this subchapter. Images or data used in a civil proceeding under this subchapter shall be destroyed not later than the first anniversary of the date of collection.

SECTION 3.  Section 547.701(b), Transportation Code, is amended to read as follows:

(b)  A school bus may be equipped with:

(1)  rooftop warning lamps:

(A)  that conform to and are placed on the bus in accordance with specifications adopted under Section 34.002, Education Code; and

(B)  that are operated under rules adopted by the school district; [~~and~~]

(2)  movable stop arms:

(A)  that conform to regulations adopted under Section 34.002, Education Code; and

(B)  that may be operated only when the bus is stopped to load or unload students; and

(3)  a monitoring system that:

(A)  is capable of taking photographic, electronic, video, or digital images of vehicles that pass the bus for the purpose of detecting violations of Section 545.066;

(B)  conforms to regulations adopted under Section 34.002, Education Code; and

(C)  may be operated only when the bus is stopped on a highway to load or unload students.

SECTION 4.  This Act takes effect September 1, 2019.