

By: Rosenthal

H.B. No. 2656

A BILL TO BE ENTITLED

AN ACT

relating to 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.

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

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

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

4           (3) shows the vehicle violating Section 545.066.

5           (c) A school district is entitled to all of the proceeds of  
6 the civil penalties collected by the school district under this  
7 section.

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

11           Sec. 545.503. OPERATION OF SCHOOL BUS MONITORING SYSTEM.

12           (a) A school district that implements a school bus monitoring  
13 system under this subchapter may contract for the installation,  
14 operation, administration, or enforcement of the system.

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

22           SECTION 2. Section 547.701(b), Transportation Code, is  
23 amended to read as follows:

24           (b) A school bus may be equipped with:

25               (1) rooftop warning lamps:

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

1 Education Code; and

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

4 (2) movable stop arms:

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

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

9 (3) a monitoring system that:

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

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

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

17 SECTION 3. This Act takes effect September 1, 2019.