

By: Powell

S.B. No. 2298

A BILL TO BE ENTITLED

AN ACT

1
2 relating to school safety measures, including the authority of a
3 school district to implement a school bus monitoring system that
4 records images of vehicles that pass a stopped school bus;
5 authorizing a civil penalty; imposing a surcharge.

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

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

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

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

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

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

24 (e) The commissioner may make grants under this section

1 using revenue from surcharges imposed under Section 545.502(b),
2 Transportation Code, and gifts, grants, and donations accepted by
3 the commissioner. A decision of the commissioner concerning the
4 amount of funds available for a grant is final and may not be
5 appealed.

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

8 SUBCHAPTER K. SCHOOL BUS MONITORING SYSTEM

9 Sec. 545.501. DEFINITIONS. In this subchapter:

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

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

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

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

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

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

1 (3) shows the vehicle violating Section 545.066.

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

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

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

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

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

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

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

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

1 (1) rooftop warning lamps:

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

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

7 (2) movable stop arms:

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

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

12 (3) a monitoring system that:

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

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

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

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