

## **Bus Stop Sign Presentation**

### **Purpose of Bill:**

The purpose of proposed bill HB 2470 is to enable better enforcement of the Kansas Bus Stop sign law (K.S.A. 8-1730 and its attachments.)

### **Present Status of enforcement:**

A national 2015 survey monitoring school bus stop arm passing incidents in 26 states found nearly 78,518 vehicles illegally passed 100,371 school buses in just one day! That represents more than 13 million illegal passes nationally in a typical 180-day school year.

About 58% of violators pass the bus from the front and 42% pass from the rear. 98% of violators pass on the driver's left side and 2% pass on the right. These passage direction statistics have been fairly constant for years.

During the April 2015 Kansas school bus stop arm survey 2,228 bus drivers experienced 1,091 violations. That represents 196,380 violations in a 180-day school year in Kansas.

On Sept. 24, 2015, during that same survey, Wichita school bus drivers counted 330 bus stop violations in one day! KSN television video-taped some of those violations. This can be seen at <http://ksn.com/2015/09/24/ksn-investigates-school-bus-safety/>. However, the reporter's statement about the amount of the fine is not accurate. It is currently \$315, not \$100.

Later in the school year, KSN continued its investigation and filed this report from Garden City. Note how many officers it takes to run this program for just one bus. This is an issue since the Kansas State Police agency is about 100 officers short of full compliment. <http://ksn.com/2015/11/23/khp-tries-new-school-bus-safety-method/>.

In our Riley County School district last year, we had a child that nearly got hit when a driver passed a bus stopped on a country road on the right side of the bus while children were boarding. The car nearly hit a small student. The bus driver identified the car license number and description, as well as identifying the driver of the car. However, no ticket could be issued due to current legal limitations.

I became interested in this issue 6 years ago when I had a middle school student nearly hit by a car that ran my stop sign while she was getting off my bus. That is when I found out that there was nothing a bus driver could do about these violations.

Under present law in Kansas, if a vehicle passes a school bus with its red 8-ways flashing and its stop sign extended out, the driver can fill out a report which can be turned in to law enforcement. However, unless law enforcement actually sees the incident and then immediately acts on it, there is nothing the driver can do. I have observed law

enforcement actually observing violations and pulling the offender over on occasion. However, there are not enough officers available for this purpose, especially since most police departments are in the middle of a shift change when schools dismiss. This present enforcement situation can be dangerous for Kansas children getting on and off the bus.

I have received strong support, both verbal and written, from a number to Kansas school district transportation directors. I have also received support from several local and state law enforcement officers. All are in agreement that the enforcement of the current bus stop sign law needs to be strengthened. All have expressed support for a law like this proposed bill.

### **Summary of Proposed Bill:**

This proposed bill has several parts. First, school districts have the option to enter into a cooperative agreement with a bus camera company to install a bus stop sign camera system on the buses of the districts' choice. There are three companies that offer these systems. Normally they do not charge for the systems up front, or for the installation and maintenance of the systems. This agreement is done at the same time that the second part below is done.

Second, school districts can enter into a cooperative agreement with law enforcement agencies for the disposition of the fines collected. Typically, part of the fine goes to the court and law enforcement, part of the fine goes to the camera company and part goes to the school district. Each part is designed to help cover the costs of operating these camera systems, as well as the court and enforcement costs. This proposal would be 100% paid for by bus stop sign violators.

Third, the camera system is designed to come on when the stop sign is triggered to extend. The 8-way red lights come on at the same time. The camera turns off when the stop sign is fully retracted and the red lights go off.

Fourth, the camera system is self contained and separate from any other cameras that may be on the bus. It has its own DVR, SD card and a pair of high resolution IP cameras. It is dependent only on an operational bus stop sign system and that electric power runs directly to the bus stop sign camera. The images can be stop-framed for identification purposes.

Fifth, the recorded violation is then forwarded to law enforcement by a school district transportation official who reviews it to make sure that a violation has actually occurred. If a violation has occurred, law enforcement then delivers or mails a ticket for this misdemeanor violation to the owner of the vehicle at the last known address. The owner is determined by the license plate information taken from the video.

Sixth, the proposed bill does contain some exceptions.

1. Videos recorded by this system are exempt from the open records act to protect privacy.
2. If the owner was not driving the car at the time, the owner has the option to present proof of who was actually driving so that the ticket can be redirected to the actual offender.
3. Tickets cannot be issued to car rental agency vehicles or dealership loaner vehicles.

Last of all, this bill incorporates these violations within the existing Kansas traffic violation law. The already existing initial fine and court cost are not changed, nor are any changes made in the already existing methods that a violator has to respond to a traffic ticket. These same options are available with this issued ticket.

This proposed bill does spell out the time table for determining when another violation is considered a second or a subsequent violation, as well as the applicable fines for these subsequent violations in detail. Page 13 of the bill under sub-section (f) lists repeated offences as follows:

- Second offence within 2 years – 1 ½ times the initial fine.
- Third offense within 2 years of last conviction – 2 times the initial fine.
- Fourth and subsequent offense within 2 years of last conviction – 2 ½ times the initial fine.

This provision is necessary since many offenders are repeat offenders who violate the stop signs of school buses which travel the same road(s) every school day.

There are presently 15 states which have a bus stop sign camera law as of 3/31/15. They are:

Arkansas, Connecticut, Georgia, Illinois, Maryland, Mississippi, North Carolina, Rhode Island, South Carolina, Texas, Virginia, Washington, West Virginia and Wyoming. A law of this type is also being considered in Indiana, Florida, New Jersey and Pennsylvania.

I am asking that this committee approve this bill to be submitted to the full house for the protection of all Kansas school children.

Thank you for your consideration of this child safety bill.

Frank Clark  
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