

## HB 3036 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Prepared By:** Lucy Ohlsen, LPRO Analyst

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 3/2

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#### WHAT THE MEASURE DOES:

Provides that education providers may install and operate stop arm cameras on school buses. Requires warning sign to be posted when stop arm camera in use. Directs education providers using stop arm cameras to prepare a maintenance plan for the cameras. Provides procedure by which education provider may submit report to law enforcement agency based on camera recording of a person violating ORS 811.115 and outlines requirements for report. Provides requirements for citation to be issued based on camera recording of person violating ORS 811.115. Provides procedure by which a vehicle owner, business, or public agency may respond to citation with proof of innocence or nonliability. Provides that failure to respond to citation will result in default judgment from which relief may only be granted in certain circumstances. Provides that penalties for violating ORS 811.155 remain as they are under existing law. Provides that fine imposed for violation of ORS 811.115 will be split between School Bus Stop Arm Camera Fund and state, county, or city in which judgment of conviction was entered. Establishes School Bus Stop Arm Camera Fund in State Treasury. Directs State Board of Education to adopt and enforce standards for school bus stop arm camera warning signs. Defines relevant terms.

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

No amendment.

##### BACKGROUND:

A driver commits the offense of failure to stop for bus safety lights if the driver meets or overtakes from either direction any vehicle that is stopped on a roadway and that is operating red bus safety lights, and the driver does not stop before reaching the vehicle and remain standing until the bus safety lights are no longer operating. Failure to stop for bus safety lights is a Class A traffic violation. School buses may be equipped with an octagonal shaped mechanical stop arm equipped with two alternately flashing red bus safety lights, to indicate when the bus is stopped. The State Board of Education is responsible for adopting and enforcing standards for school bus stop arms.

House Bill 3036 allows education providers to install and operate cameras on school bus stop arms for the sole purpose of recording persons who fail to stop for bus safety lights in violation of ORS 811.155 and directs the State Board of Education to adopt and enforce standards for school bus stop arm camera warning signs. HB 3036 outlines requirements for the use of a stop arm camera, provides a process by which an education provider may submit a report based on camera records to law enforcement, and details the requirements for issuance of a citation based on camera records. The measure also provides processes by which a person, business, or public agency may respond to or contest a citation and provides that the failure to respond to a citation will result in a default judgment. HB 3036 establishes the School Bus Stop Arm Camera Fund in the State Treasury for the purpose of helping education providers acquire stop arm cameras. Finally, HB 3036 provides that one half of any amount collected under a judgment of conviction for violation of ORS 811.155 be deposited into the fund, with the remaining half going to either the state, county, or city depending on where the conviction is entered.