

HB 4147 A STAFF MEASURE SUMMARY**Carrier:** Rep. Neron**House Committee On Education****Action Date:** 02/14/24**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 7-0-0-0**Yeas:** 7 - Cramer, Hudson, McIntire, Neron, Nguyen H, Valderrama, Wright**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Maia Powloski, LPRO Analyst**Meeting Dates:** 2/12, 2/14**WHAT THE MEASURE DOES:**

The measure authorizes education providers to use stop arm cameras to record drivers who fail to stop for bus safety lights. It allows law enforcement to issue citations on the basis of recordings and allows alleged violators to respond to citations. If the owner of the vehicle is a businesses or government entity, the measure permits them to identify the employee, renter, or lessee of the vehicle and permits the citation to be reissued to that individual. Effective January 1, 2025.

Detailed Summary:

Authorizes the use of stop arm cameras for the enforcement of bus safety light laws.

- Applies to education providers including school districts, education service districts, and early learning programs. Defines stop arm cameras as school bus video devices that record drivers and vehicles that violate school bus safety light laws.
- Forbids stop-arm cameras from photographing school bus drivers or students while the driver or students are on the school bus.
- Permits education providers to contract for the installation, operation, and maintenance of stop arm cameras.
- Requires education providers who do so to inform school bus drivers and post warning signs on the bus informing the public of the stop arm cameras.
- Directs education providers to inform maintenance workers about the stop arm cameras, as well as to inform drivers and others who interact with the school bus.
- Prohibits education providers from requiring or expecting employees to perform job duties relating to stop arm cameras, except as provided by agreement; and from requiring, as a condition of employment, that an employee participate in issuing citations to drivers, unless required by law enforcement or a court proceeding.
- Allows law enforcement contracting with the education provider to cite drivers who violate the law, providing that police:
 - review evidence and sign the citation,
 - mail the citation to the vehicle owner within 10 business days of the alleged violation,
 - give 30 days from the citation mailing for the registered owner to respond,
 - rebuttably presume that the registered owner was the driver when police issued the citation, and
 - allow drivers to respond to citations by submitting a certificate of innocence or nonliability or another lawful response.
- Directs a jurisdiction that receives a driver's certificate of innocence to dismiss the citation without a court appearance by the registered owner, and permits citations to be reissued only once, and only if the jurisdiction verifies that the registered owner appears to have been the driver at the time of the citation.
- Specifies process for businesses or public entities, if cited as violators, to respond with a certificate of nonliability, and for citations then to be delivered to employee, renter, or lessee drivers.

HB 4147 A STAFF MEASURE SUMMARY

- Provides that, if the registered owner fails to respond to the citation, a court may enter a default judgement for failure to appear. States that penalties for those cited under this measure would be the same as violating [ORS 811.155](#) by other means.
- Directs the State Board of Education (SBE) to adopt and enforce standards for stop arm camera warning signs.
- Amends ORS [468A.796](#), giving school buses operated in Oregon until 2026, instead of until 2025, to meet new standards for diesel engine technology.

Effective January 1, 2025.

ISSUES DISCUSSED:

- Prevalence of driver violations of stop arm laws
- Similar stop arm camera laws in other states
- Shifting responsibility from school bus drivers to law enforcement for reporting violations
- Voluntary nature of bill, allowing for agreements between school districts and local police
- Provisions of amendment
- Financing of the measure

EFFECT OF AMENDMENT:

The amendment prohibits stop arm cameras from taking video inside school buses. It prohibits employers from requiring employees to do work relating to stop arm cameras. The amendment expands permitted police uses of stop arm camera video to include the investigation of a violation or a crime. It amends Oregon air quality statutes to allow education providers an additional year to comply with new diesel emissions standards.

BACKGROUND:

Oregon school buses may be equipped with mechanical stop arms that extend and flash to indicate when the bus is loading or unloading students ([ORS 820.105](#)). Some school buses come additionally equipped with cameras on the stop arms, which could allow education providers to partner with law enforcement to cite drivers who commit a Class A traffic violation by failing to stop when school bus safety lights flash ([ORS 811.155](#)).

According to the [National Highway Transportation Safety Administration](#), a division of the United States Department of Transportation, the school bus is one of the safest vehicles on the road for passengers, but students can be at risk when approaching and leaving the bus. In response to a fatal 2018 crash involving a driver who failed to stop for a school bus stop arm and warning lights and struck children, the [National Transportation Safety Board](#) issued recommendations directed at states, including Oregon, whose laws do not address the use of stop-arm cameras.

In Oregon, the State Board of Education (SBE) is responsible for adopting and enforcing standards for school bus stop arms. Current rules, however, do not permit or prohibit the use of school bus stop arm cameras, and do not permit or prohibit law enforcement to use video from stop arm cameras as evidence to cite traffic violations or to investigate crimes.

This measure is similar to [House Bill 3036 \(2023\)](#), which was passed out of the House Committee on Judiciary and remained in the Joint Committee on Ways and Means at adjournment.