



*Gregory J. Swain, County Attorney*

## MEMORANDUM

**To:** Members, Anne Arundel County Council

**From:** Lori L. Blair Klasmeier, Deputy County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** January 6, 2020

**Subject:** Bill No. 1-20 – Public Safety – School Bus Monitoring Cameras

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### Legislative Summary

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 1-20, which authorizes the use of school bus monitoring cameras in the County.

**Purpose.** The purpose of Bill No. 1-20 is to authorize the use of school bus monitoring cameras in accordance with § 21-706.1 of the Transportation Article of the State Code.

**Background.** Section 21-706 requires that vehicles approaching a school vehicle that is stopped in the roadway and is operating alternating flashing red lights must stop at least 20 feet from the school vehicle and cannot proceed until the school vehicle resumes motion or deactivates the flashing lights. Section 21-706.1 of the Transportation Article of the State Code provides that school bus monitoring cameras may be used in a local jurisdiction to establish violations of § 21-706 only if the use is authorized by the governing body by enactment of local law after reasonable notice and a public hearing. “School bus monitoring cameras” are defined in § 21-706.1 as cameras placed on school buses that are designed to capture images of drivers of motor vehicles violating § 21-706.

In Anne Arundel County, a power or duty imposed on the “local governing body” is interpreted as an action by the County Executive and referred to the County Council for confirmation. (See Charter Section 1014). The County Executive has approved the use of school bus monitoring cameras as permitted by and in accordance with § 21-706.1 and is requesting that the Council confirm that approval by passage of Bill No. 1-20.

Section 21-706.1 includes requirements for recorded images; required elements of and procedure for issuance of citations based on images from school bus monitoring cameras; the civil penalty applicable to citations based on images from school bus monitoring cameras; the applicable defenses to a citation based on images from school bus monitoring cameras; a provision that failure to pay the penalty or contest the violation may result in the suspension or nonrenewal of the motor vehicle's registration; and that a violation is not a moving violation and cannot be considered in provision of motor vehicle insurance coverage.

**Summary. Section 1** of the Bill adds § 12-3-108, which authorizes the use of school bus monitoring cameras in accordance with § 21-706.1 of the Transportation Article of the State Code.

**Section 2** provides that the Bill will become effective 45 days from the date that it becomes law.

Please let me know if there are any questions.

Cc: Steuart Pittman, County Executive  
Jennifer Purcell, Chief of Staff  
Benjamin J. Birge, Chief Administrative Officer  
Peter Baron, Legislative Liaison  
Tim Altomare, Police Chief  
Jim Beauchamp, Budget Officer