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House Bill 4928 (Substitute H-1 as passed by the House)  
House Bill 4929 (as passed by the House)  
House Bill 4930 (Substitute H-1 as passed by the House)  
Sponsor: Representative Nate Shannon (H.B. 4928)  
Representative Tyrone Carter (H.B. 4929 & 4930)  
House Committee: Regulatory Reform (discharged)  
Senate Committee: Transportation and Infrastructure

Date Completed: 4-9-24

## **CONTENT**

**House Bill 4928 (H-1) would amend the Michigan Vehicle Code to do the following:**

- Increase, from between \$100 and \$500 to between \$250 and \$500, the amount of a civil fine for unlawfully passing or failing to stop for a school bus, an act prohibited by Section 682 of the Code.
- Create a camera-based violation of Section 682, which would be a violation based on a photograph or video captured by a school bus's stop arm-camera system.
- Require a civil fine for a camera-based violation to be paid to the county treasurer, who would have to distribute the fines at least monthly to the school district that operated the school bus.
- Allow a law enforcement agency to initiate an action by mailing via first-class mail a citation to the operator of the vehicle involved in a violation of Section 682.

**House Bill 4929 would amend the Revised Judicature Act to require a civil fine ordered in a civil infraction action for a camera-based violation of Section 682 of the Code or of a substantially similar ordinance to be paid to the county treasurer and distributed as provided for in House Bill 4928 (H-1).**

**House Bill 4930 (H-1) would amend the Pupil Transportation Act to do the following:**

- Allow a school district to contract with one or more law enforcement agencies that established enforcement responsibilities for, and the reimbursement of any costs related to, a camera-based violation.
- Allow a school district to enter an agreement with a private vendor to fulfill its obligations under such an agreement.

The bills are tie-barred. House Bill 4928 (H-1) and House Bill 4930 (H-1) are described in further detail below.

### **House Bill 4928 (H-1)**

#### **Section 682 School Bus Violation**

Section 682 of the Code requires the operator of a vehicle overtaking or meeting a school bus that has stopped and is displaying two alternately flashing red lights to bring the vehicle to a

full stop at least 20 feet from the school bus. The operator may not proceed until the school bus resumes motion or the visual signals have stopped.

An operator of a vehicle who fails to comply with this requirement is responsible for a civil infraction. Generally, in a proceeding for a violation, the registered owner of the vehicle may be assumed to have been the operator of the vehicle at the time of the infraction; however, this presumption is rebuttable. Currently, an individual who violates Section 682 must be ordered to pay a civil fine between \$100 and \$500. Under the bill, the fine would be between \$250 and \$500.

Currently, the operator of a vehicle on a highway that has been divided into two roadways by an intervening space, a physical barrier, or clearly indicated dividing sections constructed to impede traffic, is not required to stop upon meeting a school bus that has stopped across the dividing space, barrier, or section. The bill would exempt from this provision two-road highways where a crosswalk or pedestrian walkway was present.

### Stop-Arm Camera-based Violations

The Pupil Transportation Act authorizes a school to install and operate a stop-arm camera system on a school bus or enter a contract with a private vendor to install and operate a stop-arm camera system on a school bus.<sup>1</sup>

"Stop-arm camera system" means a system of two or more cameras affixed to a school bus that does all the following:

- Is synchronized to automatically record video or one or more sequenced photographs of a vehicle failing to stop for a school bus or passing a school bus in violation of the Code.
- Is capable of capturing images of the vehicle, the registration plate on the rear of the vehicle, and a distance of at least 200 feet in front of the school bus.
- Records the date, time, and location on an image produced by the system.

Currently, a photograph or video recorded by a stop-arm camera system is admissible as evidence in a proceeding for a violation of Section 682 to the extent permitted by the rules of evidence of the State; however, it is not *required* for the prosecution of a violation. If requested by an investigating law enforcement agency, a school district that uses a stop-arm camera system must provide to that agency the requested video or photograph captured by a stop-arm camera system for use as evidence.

Under the bill, if the operator of a vehicle failed to stop for a school bus or unlawfully passed a school bus, and the school bus was equipped with a stop-arm camera system, the photograph captured or video recorded by the stop-arm camera system could be used as evidence in a proceeding for a *camera-based violation*. "Camera-based violation" would mean a violation of Section 682 based solely on a photograph captured or a video-recorded by a stop-arm camera system.

For a camera-based violation, the operator of a vehicle would be responsible for a civil infraction and ordered to pay a civil fine of between \$250 and \$500. A civil fine for a camera-based violation would have to be paid to the county treasurer or the treasurer's designee, who would have to distribute the paid civil fines at least monthly to the school district that operated the school bus. The bill would allow a county treasurer to enter a contract with and designate a private vendor to process a civil fine. The private vendor could be a private vendor

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<sup>1</sup> MCL 257.1820

contracted by a school district to install, operate, and provide support to a stop-arm camera system on a school bus.

Within 30 days after receiving stop-arm camera system information, a law enforcement agency could review that information to determine if there were sufficient evidence that a violation of Section 682 had occurred and, if there were sufficient evidence, could issue a citation.

If a law enforcement agency determined that it had sufficient evidence that a violation of Section 682 had occurred, the law enforcement agency could initiate an action by mailing via first-class mail a citation to the operator of the vehicle involved in the violation. The mailing would have to include all the following information:

- A copy of the captured photograph or selected images from a recorded video showing the vehicle involved in the violation.
- If the violation were based on a recorded video, a method to review the recorded video on a website.
- The date, time, and location of the alleged violation.
- A statement of the facts inferred from the captured photograph or recorded video.

### **House Bill 4930 (H-1)**

Among other things, the Pupil Transportation Act allows a school district to enter agreements with private vendors for certain purposes, such as to install and operate a stop-arm camera system on a school bus. Under the bill, a private vendor also could *provide support* to a stop-arm camera system.

Under the bill, a school district could enter into an agreement with one or more law enforcement agencies that established enforcement responsibilities for, and the reimbursement of any costs related to, a camera-based violation, in accordance with House Bill 4928 (H-1). A school could contract with a private vendor to perform the school district's obligations under such an agreement on behalf of the school district.

If required by an agreement entered with one or more law enforcement agencies, a private vendor operating a stop-arm camera system would have to provide all of the following information to a law enforcement agency authorized to enforce Section 682 of the Michigan Vehicle Code, if the stop-arm camera system captured a photograph or recorded video showing an alleged violation of Section 682:

- A copy of the photograph captured or video recorded showing the motor vehicle.
- The registration plate number and state of issuance of the registration plate.
- The date, time, and place of the alleged violation.

MCL 257.682 et al. (H.B. 4928)  
600.8379 & 600.8396 (H.B. 4929)  
257.1805 & 257.1820 (H.B. 4930)

### **PREVIOUS LEGISLATION**

*(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)*

House Bills 4928 and 4930 are similar to House Bills 5509 and 5501 of the 2021-2022 Legislative Session, respectively. House Bill 4929 is a reintroduction of House Bill 5508 of the 2021-2022 Legislative Session.

## **BACKGROUND**

Twenty-five states allow for the use of school bus stop-arm camera systems, including Michigan. Of these, eight states require a bus to display a warning if a school bus possesses a stop-arm camera system. For example, New York requires each county, city, town, or village that possesses a school district using stop-arm camera technology to install signage at each roadway entrance to the county, city, town, or village, giving notice that school bus photo violation monitoring systems are used to enforce restrictions on vehicles illegally passing a school bus. Florida requires each school bus in which a stop-arm camera system is installed to possess high-visibility reflective signage on its rear indicating the use of such a system.<sup>2</sup> Michigan does not require such a notification.

Legislative Analyst: Abby Schneider

## **FISCAL IMPACT**

The bills would have an indeterminate fiscal impact on local units of government and no fiscal impact on the State. The bills would allow cameras to record traffic violations near schools. The revenue from these violations would go to the schools rather than to local libraries. It is plausible that an increase in tickets written from these cameras could mean an increase in funding for the schools; however, if the camera tickets replace hand-written tickets, money normally committed for local and county law libraries would instead go to the schools. It is also possible that the bills could increase overall revenue to the local unit of government and that with the increase in minimum fines and recording cameras people would be more conscientious about driving near schools and could better follow the rules, or avoid driving near the schools, which could lead to overall decreases in revenue. The bills would reduce revenue for local libraries as currently civil fine revenue goes to support local libraries.

Fiscal Analyst: Bobby Canell  
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<sup>2</sup> For a detailed breakdown of stop-arm camera system laws by state, see <https://www.ncsl.org>.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.