

HB0406S01 compared with HB0406

~~text~~ shows text that was in HB0406 but was deleted in HB0406S01.

text shows text that was not in HB0406 but was inserted into HB0406S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Tim M. Cosgrove proposes the following substitute bill:

SCHOOL BUS TRAFFIC SAFETY AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tim M. Cosgrove

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by establishing provisions relating to motor vehicles passing a school bus.

Highlighted Provisions:

This bill:

- ▶ allows school districts to contract for technology, applied to the exterior of a school bus, that produces an image of any motor vehicle that passes a school bus in violation of state law;
- ▶ requires that the technology transmit to the local law enforcement agency having jurisdiction in the location where the violation occurred an image of the motor vehicle taken at the time of the violation;
- ▶ allows the local law enforcement agency, upon receipt of the image, to conduct, in

HB0406S01 compared with HB0406

its discretion, an investigation of the violation~~;~~

- ~~→ imposes certain requirements if a law enforcement agency exercises its discretion;~~
and to issue a citation ~~{based on the recorded image}~~or otherwise seek to initiate a prosecution; and
- ▶ requires ~~{that, not less than 30 days prior to commencing the use of this technology on one or more of its school buses, a school district shall send a notice}~~notification to all households within ~~{the}~~a school district's boundaries if a school district ~~{boundaries containing:~~
 - ~~• a description of the technology and its purpose; and~~
 - ~~• the date that the school district shall begin using}~~utilizes the technology.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

41-6a-1303.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6a-1303.5** is enacted to read:

41-6a-1303.5. Districts may contract for technology to identify motor vehicles illegally passing a school bus.

(1) A school district may contract in accordance with Title 63G, Chapter 6a, Utah Procurement Code, with a photographic technology provider for the delivery of a device capable of creating a recorded image of any motor vehicle passing a school bus in violation of Subsection 41-6a-1302(2)(b).

(2) The photographic technology described in Subsection (1) shall:

(a) be mounted on the outside of a school bus;

(b) produce a recorded image:

(i) of a motor vehicle that passes a school bus at the time that the school bus's red signal lights are activated; and

HB0406S01 compared with HB0406

(ii) that includes the following clearly visible information:

(A) the operator of the vehicle;

(~~A~~)B) the license plate, including the plate number and state of origin;

(~~B~~)C) the date and time that the recorded image was created; ~~and~~

(~~C~~)D) the location of the school bus at the time the recorded image was created; and

(E) evidence that the school bus's red signal lights were activated; and

(c) transmit a copy of a recorded image described in Subsection (1) to the law enforcement agency having jurisdiction at the location where the photographic technology records the image.

(3) A law enforcement agency that receives a recorded image in accordance with Subsections (2)(b) and (c) may, in its discretion, conduct an investigation.

(4) ~~A law enforcement agency may only~~ If, after such investigation, an officer has probable cause to believe a person has committed a violation of Section 41-6a-1302, or any other offense, the officer may issue a citation ~~for a violation based on the recorded image produced under Subsection (2) if:~~

~~— (a) the citation is accompanied by the recorded image produced by photographic technology; and~~

~~— (b) the law enforcement agency:~~

~~— (i) provides a clear and simple process for dismissing a citation issued under this section if either the recorded image or evidence provided by the owner of the vehicle clearly proves that the registered owner was not operating the vehicle at the time the citation was issued; and~~

~~— (ii) ensures, through written policy, the following:~~

~~— (A) a recipient of a citation is entitled to the same rights and obligations regarding appeal and dismissal of citations as otherwise provided for citations issued under this chapter including the right to challenge a citation; and~~

~~— (B) a citation issued under this section is issued according to the same guidelines that an officer would apply when determining whether or not to issue a citation for a violation under this chapter~~ as provided in Section 77-17-18, or otherwise seek to initiate a prosecution.

(5) A school bus equipped with the photographic technology described in this section shall have a sign posted on the outside of the bus indicating that the school bus is equipped

HB0406S01 compared with HB0406

with an automated red light signal compliance system.

(6) ~~Not~~(a) Except as provided in Subsection (6)(b), not less than 30 days prior to utilizing the technology described in Subsection (1) on one or more school buses, a school district shall send a notice to each household within the school district's boundaries containing:

- (~~a~~)i a description of the photographic technology and its purpose; and
- (~~b~~)ii the date that the school district will begin using the technology.

~~†~~

Legislative Review Note

~~— as of 2-25-14 8:17 AM~~

~~— Office of Legislative Research and General Counsel~~ (b) A school district that is utilizing photographic technology before May 13, 2014, shall send notices to each household within the school district's boundaries containing:

- (i) a description of the photographic technology and its purpose; and
- (ii) a statement that the district is utilizing the photographic technology.