

HB 225 School Zone Speeding Amendments Talking Points

- 1) Currently state laws says if you speed in a school zone
 - a) “The court shall order the person to perform compensatory service observing a crossing guard if the conviction is for a... first offense with a vehicle speed of 30 miles per hour or more...”
- 2) This means that even if a motorist is 10 MPH over the speed limit, they must observe a crossing guard, if the court orders it.
- 3) Every police officer has discretion as to what speed over the posted limit they will stop a vehicle. Some officers will stop a vehicle more than 10 MPH over the speed limit and some under 10 MPH. It varies from officer to officer, but an average would be about 10 MPH over the speed limit.
- 4) Based on current law and the average stopping speed, most motorists will have to monitor a school zone on a first offense.
- 5) If a motorist is ordered to monitor a school zone, the court requires that a form be signed by the crossing guard or police officer, saying they were there and watched.
- 6) Crossing guards are extremely nervous about this practice. Their concerns are as follows:
 - a) Crossing guards do not want to take their focus away from safely crossing children to answer questions or ensure that the violator is there watching the crossing.
 - b) Crossing guards fear for their safety if they have to supervise a motorist with an angry demeanor.
 - c) Crossing guards do not feel comfortable signing a document that verifies that a motorist was there to observe, when they do not know the full arrangement. They are concerned about being forced to sign a document if the motorist was not there the full arranged amount of time.
 - d) Monitoring motorists who receive a citation and signing their court document is not a part of their job description. First and foremost, they are there to safely cross the children across the street.
- 7) At the Unified Police Department (UPD), when a motorist has been ordered to perform compensatory service or monitor a crossing, an officer must sit with them at the crossing. This becomes difficult for a couple of reasons:
 - a) They are taking an officer off the street to be with a motorist for a 30-40 minute crossing. Sometimes the motorist has been assigned to monitor two crossings, so the police officer must be there for both crossings.
 - b) The officer could be out doing enforcement in other school crossings or could be out on another call for service.
 - c) Due to different staffing concerns, this can be a burden on departments.
- 8) There is a lot of work that goes into performing compensatory service or monitoring a school zone by a law enforcement agency.