**SB 371 school bus safety Passed:**

**Senate Transportation Committee – 8-3**

**Senate Education Committee – 6-0**

**Senate Judiciary Committee – 9-0**

May 1, 2019

To: Senate Judiciary Committee Members

From: Catherine Barankin and Steve Barrow, CA Coalition for Children’s Safety and Health

Re: SB 371(Caballero) School Bus Stop Law Enforcement Sponsor’s Bill Background Information

**SB 371 provides school districts an option – not a requirement – but an option to reinforce California’s 20+ year old school bus stop law using school bus stop law video technology.**

This bill builds into California’s Vehicle Code school bus stop law statute (Vehicle Code Section 22454) the best practice framework from 16 states already using school bus stop law video technology.

**Why SB 371 is necessary**:

* The bottom line is there are far too many school bus stop law violations putting California’s children at risk when they go to and from their school bus each day.
* SB 371 is a top ten bill sponsored by the CA Coalition for Children’s Safety and Health (CCCSH) as part of the CA Unintentional Injury Prevention Strategic Plan Project’s efforts to end unintentional injury from being the leading cause of death and hospitalization of California’s children and youth through age 19 years old. The Project addresses issues involving traffic, drowning, poisoning, burns, falls, suffocation, non-traffic vehicle, and sports related causes of unintentional injury. SB 371 addresses a serious child pedestrian safety issue.
* There are 600,000 California children riding school buses to and from school each day in California.
* The 20+ year old school bus stop law, and the highly visible flashing lights, stop arm and signage on the school buses, tells drivers to stop when you come upon a school bus stopped. The reason for the stop law is that when a school bus is stopped on a roadway, there is typically no other traffic safety mechanisms in place to protect children being pedestrians going to it or leaving the bus, and are vulnerable to traffic at that moment on that roadway.
* California school bus traffic surveys conducted by the National Association of State Directors of Pupil TransportationServices report that our state now has 21,000 school bus stop law violations occurring each school day resulting in 3.7 million school bus stop law violations each school year.
* Since 2006 California’s CHP collision data system (SWITRS) reports 125 incidents where California children suffering fatal or severe injury during collisions while going to or away from a school bus.
* The CHP reported that only around 800 school bus stop law violation tickets are currently written each year.
* SB 371 is responding to not only the children who are hit by errant drivers, but the large number of school children who have to witness such bad and dangerous driver behavior, disregarding the rights of these children to safely go to and from their school bu without having to dodge cars violating the long standing school bus stop law. SB 371 supports school children’s rights to be safe using a school bus, and when they are pedestrians going to and from the school bus.

**Here is what SB 371 does:**

* The bill takes best practices from the 16 states that have already allowed for the use of external school bus stop law video technology.
* The bill allows the school district to use school bus stop law video captured citation fines to pay for all aspects of such a safety system. There are a number of video technology businesses available to school districts, and they all have business models that allow the vendor to pay for installation, set up, maintenance, technical assistance and law enforcement support, so school districts and law enforcement do not have to put out any funding to cover the cost of deploying such a safety system.
* Restricts the school bus stop law video information to be used for school bus stop law violation enforcement only, and prohibits the school district or vendor from storing, sharing or using the stop law video information for anything other than providing law enforcement video captured information, to use in determining if a stop law violation occurred, and generating a stop law citation.
* Holds the school bus stop law video captured citation fine to $250, no court fees and no points. This is different than if a law enforcement officer pulls a stop law violator over and gives them a ticket. The traffic officer pull-over generated ticket comes with not only a fine, but also points added to the driver’s record, and court fees are automatically added to the ticket.
* The bill does not change the current statutory distribution of the stop law fines, other than allowing agreements for using stop law video captured citation fines to pay for the cost incurred through the utilization of stop law video technology.
* The bill also prohibits any incentives being built into any agreement to use a school bus stop law technology system.

**SB 371 further requires:**

* A three month education period before any warning letters or citation can be generated off of a stop law video system. This three month education period is followed by a six month period of warning letters only. After the initial nine months of education and warning letters, stop law citations can be sent out.
* If after third video captured citation the driver does not change behavior and continues to violate the school bus stop law, subsequent stop law video system captured violations then reverts to the level of fines, court fees, points and other penalties already in California’s school bus stop law.

Questions about other details in the bill, individual privacy rights, school bus driver protections built into the bill or other issues can be sent to Steve Barrow, Program Director CCCSCH at scbarrow88@gmail.com.