

Introduced	<u>5/6/19</u>
Public Hearing	<u>5/20/19</u>
Council Action	<u>6/3/19</u>
Executive Action	<u>6/6/19</u>
Effective Date	<u>8/16/19</u>

**County Council of Howard County, Maryland**

2019 Legislative Session

Legislative Day No. 6

**Bill No. 18-2019**

Introduced by the Chairperson at the request of the County Executive and Christiana Mercer Rigby  
Co-Sponsored by Opel Jones, Deb Jung and Liz Walsh

AN ACT to authorize the use of school bus monitoring cameras on school buses in the County; to authorize certain enforcement and to provide that certain violations are a civil penalty; to provide for the use of fines; and generally relating to enforcement of traffic laws in Howard County.

Introduced and read first time May 6, 2019. Ordered posted and hearing scheduled.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on May 20, 2019.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

This Bill was read the third time on June 3, 2019 and Passed  Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5<sup>th</sup> day of June, 2019 at 3 ~~a.m.~~/p.m.

By order Jessica Feldmark  
Jessica Feldmark, Administrator

Approved/vetoed by the County Executive June 6, 2019

Calvin Ball  
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted by the County Council of Howard County, Maryland, that the Howard**  
2 **County Code is amended as follows:**

3 *By adding:*

4 *Title 21 - Traffic Control and Transportation.*

5 *Subtitle 7 – School Bus Monitoring Cameras.*

6

7 **Title 21 - Traffic Control and Transportation**

8 **SUBTITLE 7 – SCHOOL BUS MONITORING CAMERAS.**

9

10 **SECTION 21.700. SCHOOL BUS MONITORING CAMERAS.**

11 (A) *DEFINITIONS.* FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE  
12 THE MEANING INDICATED.

13 (1) *SCHOOL BUS MONITORING CAMERA* HAS THE MEANING STATED IN SECTION 21-706.1  
14 OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

15 (B) *IN GENERAL.* THE USE OF SCHOOL BUS MONITORING CAMERAS IS AUTHORIZED IN  
16 HOWARD COUNTY IN ACCORDANCE WITH SECTION 21-706.1 OF THE TRANSPORTATION  
17 ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

18 (C) *ENFORCEMENT.* THE HOWARD COUNTY DEPARTMENT OF POLICE MAY ISSUE CIVIL  
19 CITATIONS FOR VIOLATIONS OF THIS SECTION.

20 (D) *VIOLATIONS.*

21 A PERSON WHO COMMITS A VIOLATION OF § 21-706 OF THE TRANSPORTATION ARTICLE  
22 OF THE ANNOTATED CODE OF MARYLAND THAT IS RECORDED BY A SCHOOL BUS  
23 MONITORING CAMERA IS SUBJECT TO THE MAXIMUM CIVIL PENALTY ALLOWED UNDER  
24 SECTION 21-706.1 OF THE TRANSPORTATION ARTICLE OF THE ANNOTATED CODE OF  
25 MARYLAND.

26 (E) *USE OF FINES.* FINES COLLECTED UNDER THIS SECTION SHALL BE USED TO:

27 (1) RECOVER THE COSTS OF INSTALLING, OPERATING, AND MAINTAINING SCHOOL BUS  
28 MONITORING CAMERAS; AND

29 (2) FOR PUBLIC SAFETY PURPOSES, INCLUDING PEDESTRIAN SAFETY PROGRAMS.

30

31 **Section 2. And Be It Further Enacted by the County Council of Howard County,**  
32 **Maryland that this Act shall become effective 61 days after its enactment.**

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on June 11, 2019.

Jessica Feldmark  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council



## Sayers, Margery

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**From:** no-reply@howardcountymd.gov  
**Sent:** Saturday, June 1, 2019 8:02 PM  
**To:** evan.a.borodin@gmail.com  
**Subject:** Council Bill 18-2019

**First Name:** Evan

**Last Name:** Borodin

**Email:** [evan.a.borodin@gmail.com](mailto:evan.a.borodin@gmail.com)

**Street Address:** 20723 Rippling Branch Road

**City:** Laurel

**Subject:** Council Bill 18-2019

**Message:** Regarding Council Bill 18-2019, what is your position on it? In addition, how would this affect me as a student riding a bus every day to and from school?

## Sayers, Margery

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**From:** Leslie Toussaint <l2saint@gmail.com>  
**Sent:** Thursday, May 30, 2019 2:09 PM  
**To:** CouncilMail  
**Subject:** CB18-2019 (school bus cameras)

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members:

Thank you for introducing bill CB18-2019 to to authorize the use of school bus monitoring cameras on school buses in the County. It is sad that, in this time of budget tightening, we have to spend our resources enforcing a law as simple as stopping for buses that are discharging or picking up students. Unfortunately, I can assure you that motorists routinely (4-5x/week) ignore the flashing red lights and drive right past my son's bus on Folly Quarter Rd. at great speed. I've heard the same story from other parents on two-lane, undivided roads, of which there are many in our county.

Please proceed with this initiative and, perhaps, there is a way for the revenue generated by ticketing to offset the costs of installing the cameras.

Thank you,

Leslie Toussaint  
12540 Folly Quarter Rd.  
Ellicott City, MD 21042

**Sayers, Margery**

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**From:** legislative@ptachc.org  
**Sent:** Monday, May 20, 2019 3:19 PM  
**To:** CouncilMail  
**Subject:** CB 18-2019

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear County Council Members,

The PTA Council of Howard County recently met for our May General Membership meeting and during that meeting we discussed several legislative items while watching the live video feed of the County Council's most recent Legislative Session. During our meeting, we gave an update on the bill that has recently been filed on school bus monitoring cameras. The following motion passed that we would like to share with you.

PTACHC would like to continue our support for School Bus Monitoring Cameras now filed under CB18-2019. We would like to see an amendment where the excess revenue of the fines, once the initial costs are paid, are to be directed to student transportation and student safety.

We understand that part of the excess revenue will be used for the salary of a police officer who will be working with this program and we are in full support of that. There are a number of student transportation and safety issues that could also use funding. We trust in the school system to know which areas are the most urgent and could use the top priorities. We hope that the cameras will help to make the roads safer for our students and look forward to watching all of our government agencies work cooperatively to make that happen.

Thank you for seeing the need for this legislation.

Sincerely,

Tonya Tiffany  
PTACHC Legislative Chair



## School Bus Monitoring Camera

Good Evening, my name is Brian Nevin and I am a Transportation Manager for the Howard County Public School System. I am here this evening on behalf of our school system to speak in support of Council Bill 18, permitting the use of a school bus monitoring camera system. This initiative is in alignment to our Strategic Call to Action by providing a safe and healthy environment for all students and staff.

The prevalence of motorists who do not stop for our school buses is staggering and jeopardizes the safety of our students each day. Howard County school bus drivers reported 290 drivers failing to stop for their school bus during a one-day survey conducted last spring. Nationally, almost 84,000 motorists were reported in the same survey as failing to stop.

Our school system values our partnership with the Howard County Police Department and it is our strong belief that this law enforcement strategy will dramatically assist in curtailing the number of motorists illegally passing school buses. The Police Department has extensive expertise and experience in automated enforcement programs and is recognized as the first agency to implement the red light safety program in Maryland.

Dr. Martirano and our Board of Education wholeheartedly supports this initiative and looks forward to our system's continued collaboration with the County Council, County Executive Ball and Chief Myers.

Thank you for your continued support of our students.





HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Brian Nevin, have been duly authorized by  
(name of individual)

Howard County Public School System to deliver testimony to the  
(name of nonprofit organization or government board, commission, or task force)

County Council regarding 18-2019 to express the organization's  
(bill or resolution number)

support for /  opposition to / request to amend this legislation.  
(Please circle one.)

Printed Name: Brian Nevin

Signature: Brian Nevin

Date: 5/20/19

Organization: Howard County Public School System

Organization Address: 10910 Clarksville Pike

Ellicott City, MD 21042

Number of Members: 56,000 students

Name of Chair/President: Mavis Ellis

**This form can be submitted electronically via email to [convention@howardcountymd.gov](mailto:convention@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.**



**HOWARD COUNTY COUNCIL  
AFFIDAVIT OF AUTHORIZATION  
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Tonya Tiffany, have been duly authorized by  
*(name of individual)*

PTA Council of Howard County to deliver testimony to the  
*(name of nonprofit organization or government board, commission, or task force)*

County Council regarding CB-18-2019 to express the organization's  
*(bill or resolution number)*

support for / opposition to / request to amend this legislation.  
*(Please circle one.)*

Printed Name: Tonya Tiffany

Signature: [Handwritten Signature]

Date: 5/20/19

Organization: PTACHC

Organization Address: 5451 Beaver Kill RD  
Columbia, MD 21044

Number of Members: \_\_\_\_\_

Name of Chair/President: Brewt Loveless

*This form can be submitted electronically via email to [councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov) no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.*

CALVIN BALL  
*County Executive*



LISA D. MYERS  
*Chief of Police*

**HOWARD COUNTY DEPARTMENT OF POLICE**  
3410 Court House Drive, Ellicott City, Maryland 21043

**DATE:** May 14, 2019

**TO:** Lonnie R. Robbins  
Chief Administrative Officer

**FROM:** Lisa D. Myers *APM*  
Chief of Police

**SUBJECT:** Testimony for Council Bill No. 18-2019 which would allow for the placement of school bus monitoring cameras on busses and the issuance of citations

As the Chief of the Howard County Police Department, I recognize there is no greater responsibility than to maximize the safety of the children within our community. According to the National Highway Traffic Safety Administration, between 2006 and 2015, there were 1,313 people killed in school transportation-related accidents. Approximately 102 of those victims were classified as school-age pedestrians.

Naturally, I am eager to partner with Howard County Public Schools to promote school bus safety. Council Bill No. 18-2019 allows for the placement of school bus monitoring cameras on buses and the issuance of citations. The use of school bus monitoring cameras as an enforcement tool is authorized by the Maryland Transportation Article of the Annotated Code of Maryland, Section 21-706.1. The placement of cameras on busses to capture motorist violations is a proven approach to raising awareness, deterring violations, and issuing fines when children are placed at risk.

The use of similar automated enforcement technology has been successful in Howard County for capturing red light violations and speed violations in school zones.

Partnering with our school system, this program would place cameras on HCPS-contracted school busses to capture images of vehicles which violate Section 21-706 of the Transportation Article of the Annotated Code of Maryland that requires drivers to stop within a certain distance from a school vehicle when the school vehicle is operating its alternately flashing red lights. The technology has been successfully used elsewhere in Maryland.

(410) 313-2203  
(410) 313-2272 FAX  
WWW.HCPD.ORG  
HCPD@HOWARDCOUNTYMD.GOV

*Nationally Accredited Since 1990*



Our neighbors in Montgomery County have been successfully using similar technology since 2016. Washington and St. Mary's Counties also have on-going programs that are much more limited (only 7 equipped buses in Washington County and 5 equipped in St. Mary's.) It is important to recognize that Frederick County tried a similar program at the beginning of the 2012/2013 school year but discontinued the program in early 2017 when the volume was too low to sustain the ongoing effort.

A program here in Howard County would begin when an authorized vendor installs the necessary equipment in contracted school buses as managed by our School System. The equipment would automatically begin video recording when a school bus stop-arm is extended. Encrypted video would likely be transmitted to our Regional Automated Enforcement Center, where human processors would manually review the events to see if a vehicle approached and overtook the school bus while the stop equipment was activated. If a violation is identified, still shots are obtained, including a license plate image. The vehicle's registered owner is then identified using the National Law Enforcement Telecommunications Service (NLETS) and the Police Department's Originating Agency Identifier (ORI). The images, video, owner information and vehicle information would then be reviewed by Howard County Police personnel to accept or reject as a civil violation. Approved violations would then be printed and mailed. A full-time Police Administrator would manage the process, including quality control review requirements similar to our red light and speed enforcement processes.

Registered owners receiving a citation would be afforded the standard appeal process and the HCPD's Administrator would appear in court for those cases. Research reveals that less than 0.5% of issued citations result in a hearing request (this is on par with our experience for red light camera violations)<sup>i</sup>. Other research indicates that hearing requests are at approximately 0.1% in Maryland<sup>ii</sup>. Montgomery County reports dockets of 75 cases per month from their approximately 500-600+ equipped buses as of October 2018.

The amount of the actual fine will be set by the Courts, but we anticipate each violation will be \$250. If a police officer witnessed the same violation, the driver would face a citation for \$570 dollars and 3 points.

The intent of the program is to modify driver behaviors to use more caution around school buses. A robust public awareness campaign would accompany this project to help raise awareness.

It is difficult to project how many violations might be captured in Howard County. However, based on the data known to us from Montgomery County along with a two-month Howard County study<sup>iii</sup>, violations could range from 7,000-50,000 or more per year, if all 468 Howard County buses were equipped with cameras.

The police department is prepared to work swiftly to develop a Memorandum of Understanding with the School System to launch this project. We know that the initial launch may be just 50 of the 468 Howard County busses and expand over time, similar to program

implementation in other jurisdictions. The police department has requested the needed new position of Program Administrator in our FY2020 operating budget. The cost of the program Administrator is approximately \$86,812 annually. The position is the only cost associated with this program. We are aware that the contracted vendor may keep up to 100% of citation revenue until such time as they have recovered the cost of equipment and program implementation, after that time, some type of revenue sharing will likely be developed by the County and School Board.

Any actual revenue generated from school bus monitoring cameras is restricted similar to speed camera program revenue.<sup>iv</sup>

Even though we can not project the full volume of violations at this time, the need to enhance student safety warrants the implementation of this program. Even if no revenues reach the County, reducing the likelihood of a student being struck is invaluable. The goal of this program would be to modify negative driving behaviors that put our children at risk, not generate fine revenue.

I welcome the opportunity to provide further information or answer questions that would support this initiative.

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<sup>i</sup> This data was provided by Bus Patrol, an established industry vendor.

<sup>ii</sup> Source of data is Verra Mobility, an established industry vendor.

<sup>iii</sup> In 2014, Howard County operated a pilot program from April 30, 2014, to June 20, 2014, on two school buses. Thirty-three (33) potential violations were recorded over thirty-six (36) school days (averaging 0.46 potential violations per bus, per school day). We have also researched the violation rate in Montgomery County, which ranges from 0.18 citations per bus, per day to 0.358 citations per bus, per day based on the location of the bus route and other factors.

<sup>iv</sup> According to Senate Bill 679 (Ch. 273, Acts 2011) and Courts and Judicial Proceedings Article § 7-302 (e)(4)(i)(1-2) it may be used to, "...recover the costs of implementing and administering [the program]...", and "...may spend any remaining balance solely for public safety purposes, including pedestrian safety programs."

