

# Frequently Asked Questions - PA School Bus Side Stop Signal Arm Enforcement Systems Program

## **What are Automated School Bus Side Stop Signal Arm Enforcement Systems?**

Automated School Bus Side Stop Signal Arm Enforcement Systems are electronic hardware and software configurations that systematically-detect vehicles, via recorded imaging, who illegally-meet or overtake school buses with their red signal lights flashing and side stop signal arms activated.

## **What is the goal of the School Bus Safety Program?**

The goal of the School Bus Safety Program is to improve safety near stopped school buses, save pedestrian lives, complement law enforcement, and promote overall school bus safety.

## **When did the Automated School Bus Side Stop Signal Arm Enforcement program begin in Pennsylvania?**

The legislation enabling the Automated School Bus Side Stop Signal Arm Enforcement program in Pennsylvania was signed into law on October 24, 2018. Amending legislation was signed into law on July 1, 2020, and October 23, 2023.

## **How does Automated School Bus Side Stop Signal Arm Enforcement work?**

Automated School Bus Side Stop Signal Arm Enforcement Systems are electronic hardware and software configurations that systematically-detect motor vehicles, via recorded imaging, that illegally-overtake school buses with their red signal lights flashing and side stop signal arms activated. More specifically, when the violation is detected, the system electronically records images of the motor vehicle, license plate number, and license plate state-of-issuance, as well as the date, time, and place of the violation. These violation records are then transmitted to an office system where registered owner information is obtained. If the violation passes all necessary Quality Assurance and Quality Control checks and review by the local Police Department, a Notice of Violation is produced and mailed to the registered owner by either the School Entity or System Administrator on the School Entity's behalf. The vehicle owner then has the choice to pay the fine or contest the violation, in accordance with the written instructions on the Notice of Violation. Each violation of the Automated School Bus Side Stop Signal Arm Enforcement Systems carries a \$300 civil penalty in accordance with 75 PA C.S. §3345.1.

## **Are Automated School Bus Side Stop Signal Arm Enforcement Systems reviewed and approved for use?**

Yes. Automated School Bus Side Stop Signal Arm Enforcement Systems are required to be certified by PennDOT prior to use, in accordance with 67 PA Code §171b *Automated School Bus Side Stop Signal Arm Enforcement Systems, Temporary Regulations*.

## **How often are the individual Systems on each bus checked for accuracy?**

By regulation, the School Entity, System Administrator acting on the School Entity's behalf, or the contracted company that provides pupil transportation must routinely, and no less than every six months, inspect its system to ensure the system is operating in accordance with the manufacturer or vendor specifications.

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## **Where are the Automated School Bus Side Stop Signal Arm Enforcement Systems located and how are the buses selected?**

Any school bus operated in Pennsylvania can have an Automated School Bus Side Stop Signal Arm Enforcement System. School Entities, such as a school district, area career & technical school, intermediate unit, charter school, regional charter school or cyber charter school may choose to start a program. Those School Entities choose which buses to equip with a system, and they may choose to equip their entire or partial bus fleet.

## **How will I know if I am passing a bus with an Automated School Bus Side Stop Signal Arm Enforcement System?**

By law, the School Entity, or the System Administrator on the School Entity's behalf, shall provide notice through a publicly accessible internet website that provides guidance and information related to the system, including, but not limited to, the number of school buses equipped with a system, the violation contest process limited to the defenses, and contact information. The website shall remain publicly accessible throughout the period of use in a manner as determined by the School Entity.

## **If I drive past a bus with an Automated School Bus Side Stop Signal Arm Enforcement System, will I automatically get a ticket?**

No. Before the School Entity or System Administrator on their behalf issues you a Notice of Violation, Quality Assurance and Quality Control checks and review by a police officer are completed. If during those checks, it's discovered no violation occurred, a Notice of Violation will not be issued to the vehicle owner.

## **How long does it take to get a violation notice in the mail?**

By law, the following durations apply:

- 1) In the case of a violation involving a vehicle registered under PA laws of this Commonwealth, the Notice of Violation must be mailed within 30 days after the commission of the violation or within 30 days after the discovery of the identity of the registered owner, whichever is later, and not thereafter to the address of the registered owner as listed in PennDOT records.
- 2) In the case of vehicles registered in jurisdictions other than PA, the notice of violation must be mailed within 30 days after the discovery of the identity of the registered owner and not thereafter to the address of the registered owner as listed in the records of the official in the jurisdiction having charge of the registration of the vehicle.
- 3) A notice of violation under this section must be provided to an owner within 90 days of the commission of the offense.

## **What is the fine? Are points assessed against my driver's license?**

Each violation carries a \$300 fine. These penalties are civil in nature, with no criminal implications. Points will not be assessed against your driver's license for any violations issued as part of the Automated School Bus Side Stop Signal Arm Enforcement System program. Additionally, by law, the violation:

- 1) is not deemed a criminal conviction

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- 2) will not be made part of the operating record of the vehicle owner
- 3) will not be used to determine a merit rating for insurance purposes and
- 4) does not authorize the imposition of surcharge points in the provision of motor vehicle insurance coverage

## **How do I pay the fine?**

Payment instructions are included with your Notice of Violation. Payments are made to the School Entity or the System Administrator on the School Entity's behalf.

## **What if I don't pay the fine?**

If payment is not received within 90 days of mailing of the notice of violation, the school entity, or a system administrator on the school entity's behalf, may request an applicable credit collection agency to resolve the payment amount owed.

## **Are the Notices of Violation reviewed before they are mailed out?**

Yes. Before the School Entity or System Administrator on their behalf issues you a Notice of Violation, Quality Assurance and Quality Control checks are completed, including comprehensive review and certification by the primary police department. If during those checks, it's discovered no violation occurred, a Notice of Violation will not be issued to the vehicle owner. Also, all violations are reviewed and affirmed by the primary police department.

## **How is revenue from the fines used?**

By law, each \$300 fine shall be distributed as follows:

- 1) \$250 to the School Entity where the violation occurred, and which authorized the use of a side stop signal arm enforcement system. These funds shall be utilized for the installation, administration or maintenance of side stop signal arm enforcement systems, including through a System Administrator under an agreement with the School Entity, on school buses.
- 2) \$25 to the primary police department that reviewed the submitted evidence.
- 3) \$25 to the School Bus Safety Grant Program Account. See below for details.

## **What are the School Bus Safety Grant Program and Account?**

The School Bus Safety Grant Program Account is established as a restricted account in the Commonwealth General Fund. Money in the account is appropriated on a continuing basis to PennDOT for grants related to this program. The surcharge established under 75 PA C.S. § 3345(j), the portion of the fine established under subsection 75 PA C.S. §3345.1(c)(1)(iii), and any other revenue as provided for under 75 PA C.S. §§3345-33445.1 shall be deposited into the account and shall be used by PennDOT to implement the Grant Program. PennDOT may pay any actual administrative costs for the Automated School Bus Side Stop Signal Arm Enforcement System Program out of the fines deposited into to the account.

Once sufficient account funding is available to administer a fair and equitable Grant Program, PennDOT will publish a uniform application process in the PA Bulletin for grants in an amount not to exceed \$100,000 on a competitive basis for the following purposes:

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- 1) To promote and increase school bus safety, education, and training throughout PA
- 2) To reimburse or pay for, in whole or in part, education, training and other associated costs related to the issuance of a commercial learner's permit, commercial driver's license or school bus endorsement by the department to an individual for the purpose of driving a school bus in this Commonwealth

The following are eligible to apply for grants under this subsection:

- 1) Independent school bus contractors
- 2) School entities
- 3) Municipalities

### **How is the Automated School Bus Side Stop Signal Arm Enforcement System Administrator compensated?**

The System Administrator is the company that typically installs, maintains, and manages the electronic system, such as camera equipment on the school buses. In several ways described in the law, the System Administrator may act on behalf of the School Entity. System Administrators may enter into legal agreements with the School Entities for their respective roles. School Entities may pay System Administrators for their Automated School Bus Side Stop Signal Arm Enforcement System Program work with the School Entity's \$250 portion of the \$300 civil penalty per violation.

### **I passed a school bus, but I think I passed it legally, and still received a Notice of Violation. What should I do?**

You should read and follow the instructions on the Notice of Violation, as it includes important information and references about the violation. 75 PA C.S. §3345 *Meeting or Overtaking School Bus* describes the duty of an approaching driver when amber and red signals are flashing. You may have passed the bus illegally without knowing it. Especially on multilane highways, and where motorists are proceeding in the opposite direction of the bus, motorists often pass buses illegally, and unsafely, because they are unfamiliar with the law.

75 PA C.S §3345 (g) offers an exception from stopping requirements: The driver of a vehicle upon a highway or trafficway with separate roadways need not stop upon meeting or passing a school bus with actuated red signal lights which is on a different roadway. This means, for example, if there's a physical barrier such as guide rail or median barrier between traffic in opposite directions, then the vehicle traveling in the opposite direction as the bus doesn't need to stop when the red signals are flashing and the side stop signal arms are activated.

### **Can I contest an Automated School Bus Side Stop Signal Arm Enforcement System violation notice?**

Yes. Instructions for contesting the violation appear on the Notice of Violation. Requests for contest by the vehicle owner are made to the School Entity or the System Administrator if acting on the School Entity's behalf. Only the owner of a vehicle may contest the violation. Also, the lessee of a leased vehicle shall be considered the owner of a motor vehicle.

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## **Do I need to schedule a hearing for my Automated School Bus Side Stop Signal Arm Enforcement System violation?**

Hearings are only required if you contest your violation. Hearings are not required if you pay your fine or if you are not contesting your violation. If contested, the School Entity or System Administrator acting on the School Entity's behalf is responsible to schedule the hearing with the PennDOT Hearing Officer and vehicle owner.

## **Is Automated School Bus Side Stop Signal Arm Enforcement an invasion of privacy?**

No. Images collected as part of this program are used only for the execution of this program. Per 75 PA C.S. § 3345.1, images are to be destroyed within one year after a final disposition has been recorded for the subject violation, except in specific cases of court order.

## **What happens if my violation notice has been forwarded to a collection agency?**

The collection agency will contact you to arrange payment of the fine.

## **Do other states have Automated School Bus Side Stop Signal Arm Enforcement programs?**

Yes, several states currently have programs. Most have information on their state Department of Transportation websites.

## **Will I lose my driver's license for an Automated School Bus Side Stop Signal Arm Enforcement violation?**

No. Violations under the Automated School Bus Side Stop Signal Arm Enforcement program are civil violations and do not affect your driving record.

However, there is an important distinction: The Automated School Bus Side Stop Signal Arm Enforcement program only applies to civil violations with associated \$300 civil penalties under 75 PA C.S. §3345.1. Violations that are considered criminal penalties and involve police citations are not handled through this program or hearing process. Please refer to the Notice of Violation on the governing statutes, penalties, hearing procedures and timeframes related to a particular violation.

## **I drive a leased, fleet, or company vehicle. Can I contest a Notice of Violation?**

Per 75 PA C.S. §3345.1., the registered owner of the vehicle is liable for the penalty, and the lessee of a leased vehicle shall be considered the owner of a motor vehicle. Only the owner of the vehicle may contest. For other situations, like use of fleet and company vehicles, please seek legal advice from a licensed attorney.

## **Is it possible to get multiple violations within a single day?**

Yes. It's possible to incur multiple violations in a single day.

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### **Can you receive a violation while driving on a state or federal holiday?**

Yes. Violations may occur whenever a motor vehicle illegally meets or overtakes a school bus stopped on a highway or trafficway when the red signal lights on the school the school bus are flashing, and the side stop signal arms are activated. Buses may operate on state or federal holidays.

### **I requested and received a hearing, and I received a determination of liability letter from the PennDOT Hearing Officer, as transmitted to me by the School Entity or System Administer on the School Entity's behalf. Can I appeal this outcome?**

Yes. If, within 45 days of issuance of the PennDOT Hearing Officer's decision, the vehicle owner requests in writing an appeal of the decision of the PennDOT Hearing Officer, the vehicle owner shall file the notice of violation and supporting documents with the office of the magisterial district judge for the magisterial district where the violation occurred. A magisterial district judge shall hear and decide the matter de novo (starting from the beginning).