

House Bill 2530

Sponsored by Representatives NERON, WRIGHT (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes to school bus stop arm camera law. (Flesch Readability Score: 87.9).

Modifies school bus stop arm camera law.

A BILL FOR AN ACT

1
2 Relating to school buses; amending section 2, chapter 43, Oregon Laws 2024.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** Section 2, chapter 43, Oregon Laws 2024, is amended to read:

5 **Sec. 2.** (1) As used in this section:

6 (a) "Education provider" means:

7 (A) A school district as defined in ORS 332.002;

8 (B) An entity that is a provider under the Oregon Prenatal to Kindergarten Program or other
9 public early learning and preschool programs established under ORS 329.172 to 329.200;

10 (C) The Oregon School for the Deaf;

11 (D) An education service district;

12 (E) An educational program under the Youth Corrections Education Program or the Juvenile
13 Detention Education Program, as those terms are defined in ORS 326.695; or

14 (F) A program that receives moneys pursuant to ORS 343.243.

15 (b) "Stop arm camera" means a video recording device that is installed on a school bus for the
16 purpose of recording drivers who fail to stop for bus safety lights in violation of ORS 811.155 and
17 that is capable of recording the date, time, registration plate number and location of the offense.

18 (2) Consistent with public contracting law and applicable collective bargaining agreements, an
19 education provider, **in consultation with a law enforcement agency**, may enter into a contract
20 **with a private entity** for the installation, operation and maintenance of stop arm cameras on school
21 buses to photograph, by automated means, drivers who violate ORS 811.155. A camera installed,
22 operated or maintained as provided by this subsection may not photograph the driver of a school
23 bus while the driver is on the school bus or the students of a school bus while the students are on
24 the school bus.

25 (3) When a stop arm camera is installed on a school bus:

26 (a) The education provider must inform, or cause to be informed, persons who will drive, main-
27 tain or otherwise interact with the school bus, as determined by the education provider, that a stop
28 arm camera is installed on the bus.

29 (b) Except as provided by agreement, an education provider may not require or expect an em-
30 ployee to perform any job duties related to the installation, operation or maintenance of the stop

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 arm camera.

2 (c) An education provider may not require, as a condition of employment, that an employee
 3 participate in the issuance of a citation for violation of ORS 811.155, unless participation is required
 4 by law enforcement or for a judicial proceeding. Nothing in this paragraph prohibits a driver of a
 5 school bus from reporting a violation as allowed under ORS 811.157.

6 (d) A warning sign must be posted on the school bus indicating the use of the stop arm camera.

7 (4) Notwithstanding any other provision of law, a law enforcement agency that has entered into
 8 an agreement with an education provider related to stop arm cameras on school buses may issue a
 9 citation for violation of ORS 811.155 on the basis of photographs or video from a camera and other
 10 technology, including sensors that measure movement of a motor vehicle while a stop arm is de-
 11 ployed without the presence of a police officer, if the following conditions are met:

12 (a) A police officer has reviewed the evidence and signs the citation.

13 (b) The citation is mailed to the registered owner of the vehicle within 10 business days of the
 14 alleged violation.

15 (c) The registered owner is given 30 days from the date the citation is mailed to respond to the
 16 citation.

17 (d) A rebuttable presumption exists that the registered owner of the vehicle was the driver of
 18 the vehicle when the citation is issued and delivered as provided in this section.

19 (e) A driver issued a citation under this subsection may respond to the citation by submitting
 20 a certificate of innocence or a certificate of nonliability under subsection (6) of this section or may
 21 make any other response allowed by law.

22 (5) A citation may be delivered by mail or otherwise to the registered owner of the vehicle or
 23 to the driver. The citation may be prepared on a digital medium, and the signature may be electronic
 24 in accordance with the provisions of ORS 84.001 to 84.061.

25 (6)(a) A registered owner of a vehicle may respond by mail to a citation issued under subsection
 26 (4) of this section by submitting, within 30 days after the mailing of the citation, a certificate of
 27 innocence swearing or affirming that the owner was not the driver of the vehicle and by providing
 28 a photocopy of the owner's driver license. A jurisdiction that receives a certificate of innocence
 29 under this paragraph shall dismiss the citation without requiring a court appearance by the regis-
 30 tered owner or any other information from the registered owner other than the certificate of inno-
 31 cence and the photocopy. The citation may be reissued only once, only to the registered owner and
 32 only if the jurisdiction verifies that the registered owner appears to have been the driver at the time
 33 of the violation. A registered owner may not submit a certificate of innocence in response to a re-
 34 issued citation.

35 (b) If a business or public agency responds to a citation issued under subsection (4) of this sec-
 36 tion by submitting, within 30 days after the mailing of the citation, a certificate of nonliability
 37 stating that at the time of the alleged violation the vehicle was in the custody and control of an
 38 employee, or was in the custody and control of a renter or lessee under the terms of a rental
 39 agreement or lease, and if the business or public agency provides the driver license number, name
 40 and address of the employee, renter or lessee, the citation shall be dismissed with respect to the
 41 business or public agency. The citation may then be issued and delivered by mail or otherwise to
 42 the employee, renter or lessee identified in the certificate of nonliability.

43 (7) If the person named as the registered owner of a vehicle in the current records of the De-
 44 partment of Transportation fails to respond to a citation issued under subsection (4) of this section,
 45 a default judgment under ORS 153.102 may be entered for failure to appear after notice has been

1 given that the judgment will be entered.

2 (8) The penalties for and all consequences of violating ORS 811.155 initiated by the submission
3 of a report under this section are the same as the penalties for and all consequences of violating
4 ORS 811.155 initiated by any other means.

5 (9) A registered owner, employee, renter or lessee against whom a judgment for failure to appear
6 is entered may move the court to relieve the owner, employee, renter or lessee from the judgment
7 as provided in ORS 153.105 if the failure to appear was due to mistake, inadvertence, surprise or
8 excusable neglect.

9 (10) An image or video recording produced by a stop arm camera may not be used for any pur-
10 pose other than the investigation of a violation or a crime.

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