

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-844 of the Code of Virginia, relating to use of a video-monitoring*
3 *system to enforce passing stopped school bus violations.*

4 [H 1911]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-844 of the Code of Virginia is amended and reenacted as follows:**

8 § 46.2-844. Passing stopped school buses; penalty; prima facie evidence.

9 A. The driver of a motor vehicle approaching from any direction a clearly marked school bus which
10 is stopped on any highway, private road or school driveway for the purpose of taking on or discharging
11 children, the elderly, or mentally or physically handicapped persons, who, in violation of § 46.2-859,
12 fails to stop and remain stopped until all such persons are clear of the highway, private road or school
13 driveway, is subject to a civil penalty of \$250 and any prosecution shall be instituted and conducted in
14 the same manner as prosecutions for traffic infractions.

15 A prosecution or proceeding under § 46.2-859 is a bar to a prosecution or proceeding under this
16 section for the same act and a prosecution or proceeding under this section is a bar to a prosecution or
17 proceeding under § 46.2-859 for the same act.

18 In any prosecution for which a summons charging a violation of this section was issued within ten
19 days of the alleged violation, proof that the motor vehicle described in the summons was operated in
20 violation of this section, together with proof that the defendant was at the time of such violation the
21 registered owner of the vehicle, as required by Chapter 6 (§ 46.2-600 et seq.) of this title shall give rise
22 to a rebuttable presumption that the registered owner of the vehicle was the person who operated the
23 vehicle at the place where, and for the time during which, the violation occurred.

24 The testimony of the school bus driver, the supervisor of school buses or a law-enforcement officer
25 that the vehicle was yellow, conspicuously marked as a school bus, and equipped with warning devices
26 as prescribed in § 46.2-1090 is prima facie evidence that the vehicle is a school bus.

27 B. A locality may, by ordinance, authorize the school division of the locality to install and operate a
28 video-monitoring system in or on the school buses operated by the division or to contract with a private
29 vendor to do so on behalf of the school division for the purpose of recording violations of subsection A.
30 Such ordinance may direct that any civil penalty levied for a violation of subsection A shall be payable
31 to the local school division.

32 For purposes of this subsection, "video-monitoring system" means a system with one or more camera
33 sensors and computers installed and operated on a school bus that produces live digital and recorded
34 video of motor vehicles being operated in violation of § 46.2-859. All such systems installed shall, at a
35 minimum, produce a recorded image of the license plate and shall record the time, date, and location of
36 the vehicle when the image is recorded.

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