

HB 1425 -- CROSSING CONTROL-ARM ENFORCEMENT SYSTEMS ON BUSES

SPONSOR: Hicks

This bill authorizes school districts to enter into intergovernmental agreements with the primary law enforcement agency in the district to issue violations under Section 304.050, RSMo using an automated crossing control arm enforcement system.

Law enforcement officers and law enforcement agencies enforcing violations of Section 304.050 through the use of automated crossing control-arm enforcement systems must review evidence submitted by the manufacturer or vendor of a system to determine if there is sufficient evidence that a violation under Section 304.050 occurred and electronically certify the notice of violation; and provide information to a school district related to the law enforcement officer's or law enforcement agency's capacity to view and authorize the notice of violation.

The compensation paid to the manufacturer or vendor of the crossing control arm enforcement system must not be based on the number of citations issued. The compensation paid to the manufacturer or vendor of the equipment must be based upon the value of the equipment and services provided or rendered in support of the crossing control arm enforcement system.

In districts utilizing a crossing control arm enforcement system, certain provisions applying to notices of violation, certain provisions applying to payments of fines, and certain provisions relating to contesting liability or notice are detailed in the bill.

The civil penalty for a violation detected by a crossing control arm enforcement system is a civil fine of \$300, which will be distributed to the school district.

For each violation detected by a crossing control arm enforcement system, the owner of the vehicle will be liable for the fine imposed under this Section unless the owner is convicted of the same violation under subsection 7 of Section 304.050 or has a defense under this Section.

A violation under this Section will not:

- (1) Be deemed a criminal conviction;
- (2) Be made part of the operating record of the individual upon whom the penalty is imposed under Section 302.302;

- (3) Be the subject of merit rating for insurance purposes; or
- (4) Authorize imposition of surcharge points in the provision of motor vehicle insurance coverage.

To the extent practicable, an automated crossing control arm enforcement system must use necessary technologies to ensure that photographs or recorded video images produced by the system will not identify the driver, the passengers, or the contents of the vehicle. No notice of liability issued under this Section will be dismissed solely because a photograph or recorded video image allows for the identification of the driver, passengers, or contents of the vehicle as long as a reasonable effort has been made to comply with these provisions.

Defenses to violations under this Section are specified in the bill.