

STATE OF NEW YORK

9322

IN ASSEMBLY

February 29, 2024

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to owner liability for failure of operator to stop for a school bus displaying a red visual signal and stop-arm; and to amend chapter 145 of the laws of 2019 amending the vehicle and traffic law relating to school bus photo violation monitoring systems and owner liability for failure of operator to stop for a school bus displaying a red visual signal, in relation to the effectiveness thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1174-a of the vehicle and traffic law, as added by
2 chapter 145 of the laws of 2019, is amended to read as follows:
3 § 1174-a. Owner liability for failure of operator to stop for a school
4 bus displaying a red visual signal and stop-arm. (a) 1. Notwithstanding
5 any other provision of law, a county, city, town or village located
6 within a school district ("district") is hereby authorized and empowered
7 to adopt and amend a local law or ordinance establishing a demonstration
8 program imposing monetary liability on the owner of a vehicle for fail-
9 ure of an operator thereof to comply with section eleven hundred seven-
10 ty-four of this [~~chapter~~ **article** when meeting a school bus marked and
11 equipped as provided in subdivisions twenty and twenty-one-c of section
12 three hundred seventy-five of this chapter and operated in such county,
13 city, town or village, in accordance with the provisions of this
14 section. Such demonstration program shall empower such county, city,
15 town or village to install and operate school bus photo violation moni-
16 toring systems which may be stationary or mobile, and which may be
17 installed, pursuant to an agreement with a school district within such
18 county, city, town or village, on school buses owned and operated by
19 such school district or privately owned and operated for compensation
20 under contract with such district. Provided, however, that (a) no
21 stationary school bus photo violation monitoring system shall be
22 installed or operated by a county, city, town or village except on road-
23 ways under the jurisdiction of such county, city, town or village, and
24 (b) no mobile school bus photo violation monitoring system shall be
25 installed or operated on any such school buses unless such county, city,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 town or village and such district enter into an agreement for such
2 installation and operation.

3 1-a. Any county, city, town or village, [~~located within a school~~
4 ~~district,~~] that has adopted a local law or ordinance pursuant to this
5 section establishing a demonstration program imposing liability on the
6 owner of a vehicle for failure of an operator thereof to comply with
7 section eleven hundred seventy-four of this [~~chapter~~] article when meet-
8 ing a school bus marked and equipped as provided in subdivisions twenty
9 and twenty-one-c of section three hundred seventy-five of this chapter
10 and operated in such county, city, town or village may enter into an
11 agreement with [~~the applicable~~] a school district that operates school
12 buses within the county, city, town or village for the installation,
13 maintenance and use of school bus photo violation monitoring systems on
14 school buses pursuant to this section and section twenty-two of [~~the~~]
15 chapter one hundred forty-five of the laws of two thousand nineteen
16 [~~which added this section~~], for the proper handling and custody of
17 photographs, microphotographs, videotapes, other recorded images and
18 data produced by such systems, and for the forwarding of such photo-
19 graphs, microphotographs, videotapes, other recorded images and data to
20 the applicable county, city, town or village. Any agreement entered into
21 hereunder shall be approved by each participating county, city, town or
22 village by a majority vote of the voting strength of its governing body
23 and by resolution of the district pursuant to section sixteen hundred
24 four, section seventeen hundred nine, section twenty-five hundred three,
25 section twenty-five hundred fifty-four or section twenty-five hundred
26 ninety-h of the education law, as applicable. Provided, however, that
27 where a district has entered an agreement as provided hereunder with a
28 county, no cities, towns or villages within the same county may enter
29 into, or be a party to, any agreement with such district pursuant to
30 this section. Provided further, however, that no county shall enter into
31 an agreement with any city school district [~~wholly contained within a~~
32 ~~city~~] in a city with a population over one million. Nothing in this
33 section shall be construed to prevent a county, city, town, village or
34 district at any time to withdraw from or terminate an agreement entered
35 pursuant to this section and section twenty-two of [~~the~~] chapter one
36 hundred forty-five of the laws of 2019 [~~which added this section~~].

37 1-b. A county, city, town or village that has adopted a local law or
38 ordinance pursuant to this section that has entered into an agreement
39 with a school district located within such county, city, town or
40 village, may enforce section eleven hundred seventy-four of this article
41 pursuant to this section within its boundaries without necessitating
42 additional agreements with overlapping jurisdictions.

43 1-c. The total cost to the district of the installation, maintenance
44 and use of school bus photo violation monitoring systems pursuant to
45 this section shall be borne entirely by the county, city, town or
46 village within the district which is a party to such agreement. On or
47 before September first of each year, the district shall determine and
48 certify to each county, city, town or village with which it has entered
49 into an agreement pursuant to this section the total cost to the
50 district for the school year ending the preceding June thirtieth of
51 installing, maintaining and using such systems within each such county,
52 city, town or village, respectively, for the proper handling and custody
53 of photographs, microphotographs, videotapes, other recorded images and
54 data produced by such systems, and for the forwarding of such photo-
55 graphs, microphotographs, videotapes, other recorded images and data to
56 the applicable county, city, town or village. On or before the following

1 December first of each year, each such county, city, town or village
2 shall pay to the district such cost so certified to it on or before the
3 preceding September first. Not later than twenty days after each such
4 payment is submitted or is due, whichever occurs first, the district
5 shall submit to the director of the budget and the chairpersons of the
6 fiscal committees of the legislature a report for each such county,
7 city, town and village showing the amount of costs so certified and the
8 amount of payments so received or due. If a county, city, town or
9 village fails to make the payment required to the district by the twen-
10 tieth day after the date such payment was due, (i) the district shall
11 notify the director of the budget and the chairpersons of the fiscal
12 committees of the legislature of such occurrence within twenty-four
13 hours of such day; and (ii) the demonstration program shall be suspended
14 within such county, city, town, or village until such time as such coun-
15 ty, city, town, or village makes the payment required to the district.
16 The district shall notify the director of the budget and the chair-
17 persons of the fiscal committees of the legislature of such payment
18 within seven business days of its receipt. Provided, however, that any
19 notice of liability issued prior to such date shall not be voided.

20 2. Any image or images captured by school bus photo violation monitor-
21 ing systems shall be inadmissible in any disciplinary proceeding
22 convened by any school district or any school bus contractor thereof,
23 and any proceeding initiated by the department involving licensure priv-
24 ileges of school bus operators. Any school bus photo violation monitor-
25 ing device mounted on a school bus shall be directed outwardly from such
26 school bus to capture images of vehicles operated in violation of
27 section eleven hundred seventy-four of this [~~chapter~~] article, and
28 images produced by such device shall not be used for any other purpose.

29 3. (i) Any participating school district shall be prohibited from
30 accessing any photographs, microphotographs, videotapes, other recorded
31 images or data from school bus photo violation monitoring systems but
32 shall provide, pursuant to an agreement with a county, city, town or
33 village as provided in this section, for the proper handling and custody
34 of such photographs, microphotographs, videotapes, other recorded images
35 and data produced by such systems, and for the forwarding of such photo-
36 graphs, microphotographs, videotapes, other recorded images and data to
37 the applicable county, city, town or village for the purpose of deter-
38 mining whether a motor vehicle was operated in violation of subdivision
39 (a) of section eleven hundred seventy-four of this [~~title~~] article and
40 imposing monetary liability on the owner of such motor vehicle therefor.

41 (ii) Photographs, microphotographs, videotapes, other recorded images
42 and data produced by school bus photo violation monitoring systems shall
43 be destroyed (A) ninety days after the date of the alleged imposition of
44 liability if a notice of liability is not issued for such alleged impo-
45 sition of liability pursuant to this section or (B) upon final disposi-
46 tion of a notice of liability issued pursuant to this section.

47 4. A county, city, town or village establishing a demonstration
48 program pursuant to this section shall adopt and enforce measures to
49 protect the privacy of drivers, passengers, pedestrians and cyclists
50 whose identity and identifying information may be captured by a school
51 bus photo violation monitoring device. Provided, however, that no notice
52 of liability issued pursuant to this section shall be dismissed solely
53 because a photograph or photographs allow for the identification of the
54 contents of a vehicle, provided that such county, city, town or village
55 has made a reasonable effort to comply with the provisions of this para-
56 graph. Such measures shall include:

1 (i) utilization of necessary technologies to ensure, to the extent
2 practicable, that photographs produced by such school bus photo
3 violation monitoring systems shall not include images that identify the
4 driver, the passengers, the contents of the vehicle, pedestrians and
5 cyclists[~~. Provided, however, that no notice of liability issued pursu-~~
6 ~~ant to this section shall be dismissed solely because a photograph or~~
7 ~~photographs allow for the identification of the contents of a vehicle,~~
8 ~~provided that such county, city, town or village has made a reasonable~~
9 ~~effort to comply with the provisions of this paragraph];~~

10 (ii) a prohibition on the use or dissemination of vehicles' license
11 plate information and other information and images captured by school
12 bus photo violation monitoring systems except: (A) as required to estab-
13 lish liability under this section or collect payment of penalties; (B)
14 as required by court order; or (C) as otherwise required by law; and

15 (iii) [~~the installation of signage in conformance with standards~~
16 ~~established in the MUTCD at each roadway entrance of the jurisdictional~~
17 ~~boundaries of such county, city, town or village giving notice that~~
18 ~~school bus photo violation monitoring systems are used to enforce~~
19 ~~restrictions on vehicles violating section eleven hundred seventy-four~~
20 ~~of this chapter. For the purposes of this paragraph, the term "roadway"~~
21 ~~shall not include state expressway routes or state interstate routes but~~
22 ~~shall include controlled-access highway exit ramps that enter the juris-~~
23 ~~ditional boundaries of a county, city, town or village; and~~

24 ~~(iv)]~~ oversight procedures to ensure compliance with the aforemen-
25 tioned privacy protection measures.

26 5. A county, city, town or village establishing a demonstration
27 program pursuant to this section shall install signage in conformance
28 with standards established in the MUTCD at each roadway entrance of the
29 jurisdictional boundaries of such county, city, town or village giving
30 notice that school bus photo violation monitoring systems are used to
31 enforce restrictions on vehicles violating section eleven hundred seven-
32 ty-four of this article. For the purposes of this paragraph, the term
33 "roadway" shall not include state expressway routes or state interstate
34 routes but shall include controlled-access highway exit ramps that enter
35 the jurisdictional boundaries of a county, city, town or village.
36 Provided, however, that no notice of liability issued pursuant to this
37 section shall be dismissed if such county, city, town or village has
38 made a reasonable effort to comply with the provisions of this para-
39 graph.

40 (b) In any such county, city, town or village which has adopted a
41 local law or ordinance pursuant to subdivision (a) of this section, the
42 owner of a vehicle shall be liable for a penalty imposed pursuant to
43 this section if such vehicle was used or operated with the permission of
44 the owner, express or implied, in violation of subdivision (a) of
45 section eleven hundred seventy-four of this article, and such violation
46 is evidenced by information obtained from a school bus photo violation
47 monitoring system; provided however that no owner of a vehicle shall be
48 liable for a penalty imposed pursuant to this section where the operator
49 of such vehicle has been convicted of the underlying violation of subdivi-
50 sion (a) of section eleven hundred seventy-four of this article.

51 (c) For purposes of this section, the following terms shall have the
52 following meanings: "county" shall have the meaning provided in section
53 three of the county law, except that such term shall not include any
54 county wholly contained within a city; "manual on uniform traffic
55 control devices" or "MUTCD" shall mean the manual and specifications for
56 a uniform system of traffic control devices maintained by the commis-

1 sioner of transportation pursuant to section sixteen hundred eighty of
2 this chapter; "owner" shall have the meaning provided in article two-B
3 of this chapter; and "school bus photo violation monitoring system"
4 shall mean a device that is capable of operating independently of an
5 enforcement officer which is installed to work in conjunction with a
6 school bus stop-arm and which automatically produces two or more photo-
7 graphs, two or more microphotographs, a videotape or other recorded
8 images of a vehicle at the time it is used or operated in violation of
9 subdivision (a) of section eleven hundred seventy-four of this article.

10 (d) 1. A certificate, sworn to or affirmed by a technician employed by
11 the county, city, town or village in which the charged violation
12 occurred, or a facsimile thereof, based upon inspection of photographs,
13 microphotographs, videotape or other recorded images produced by a
14 school bus photo violation monitoring system, shall be prima facie
15 evidence of the facts contained therein. Any photographs, microphoto-
16 graphs, videotape or other recorded images evidencing such a violation
17 shall be available for inspection in any proceeding to adjudicate the
18 liability for such violation pursuant to a local law or ordinance
19 adopted pursuant to this section.

20 2. There shall be a rebuttable presumption that (i) any bus that is
21 the color known as national school bus chrome and equipped with a school
22 bus photo violation monitoring system is a school bus marked and
23 equipped as provided in subdivisions twenty and twenty-one-c of section
24 three hundred seventy-five of this chapter; (ii) when the bus is stopped
25 and the stop-arm is activated, it is for the purpose of receiving or
26 discharging passengers; and (iii) the school bus' red signal lights are
27 flashing and operational when a recorded image from the school bus photo
28 violation monitoring system includes an electronic indicator signifying
29 activation of red signal lights.

30 3. Such rebuttable presumption shall not be overcome unless a defend-
31 ant shows by clear and convincing evidence that (i) the bus is not a
32 school bus marked and equipped as provided in subdivisions twenty and
33 twenty-one-c of section three hundred seventy-five of this chapter; (ii)
34 the school bus was not stopped for the purpose of receiving passengers;
35 and (iii) the school bus' red signal lights were not flashing and opera-
36 tional at the time of the violation.

37 (e) An owner liable for a violation of subdivision (a) of section
38 eleven hundred seventy-four of this article pursuant to a local law or
39 ordinance adopted pursuant to this section shall be liable for monetary
40 penalties in accordance with a schedule of fines and penalties to be set
41 forth in such local law or ordinance, except that if a city by local law
42 has authorized the adjudication of such owner liability by a parking
43 violations bureau, such schedule shall be promulgated by such bureau.
44 The liability of the owner pursuant to this section shall be two hundred
45 fifty dollars for a first violation, two hundred seventy-five dollars
46 for a second violation both of which were committed within a period of
47 eighteen months, and three hundred dollars for a third or subsequent
48 violation all of which were committed within a period of eighteen
49 months; provided, however, that such local law or ordinance may provide
50 for an additional penalty not in excess of twenty-five dollars for each
51 violation for the failure to respond to a notice of liability within the
52 prescribed time period.

53 (f) An imposition of liability under a local law or ordinance adopted
54 pursuant to this section shall not be deemed a conviction as an operator
55 and shall not be made part of the operating record of the person upon

1 whom such liability is imposed nor shall it be used for insurance
2 purposes in the provision of motor vehicle insurance coverage.

3 (g) 1. A notice of liability shall be sent by first class mail to each
4 person alleged to be liable as an owner for a violation of subdivision
5 (a) of section eleven hundred seventy-four of this article pursuant to
6 this section. Personal delivery on the owner shall not be required. A
7 manual or automatic record of mailing prepared in the ordinary course of
8 business shall be prima facie evidence of the facts contained therein.

9 2. A notice of liability shall contain the name and address of the
10 person alleged to be liable as an owner for a violation of subdivision
11 (a) of section eleven hundred seventy-four of this article pursuant to
12 this section, the registration number of the vehicle involved in such
13 violation, the location where such violation took place, the date and
14 time of such violation and the identification number of the camera which
15 recorded the violation or other document locator number.

16 3. The notice of liability shall contain information advising the
17 person charged of the manner and the time in which [~~he or she~~] **they** may
18 contest the liability alleged in the notice. Such notice of liability
19 shall also contain a warning to advise the persons charged that failure
20 to contest in the manner and time provided shall be deemed an admission
21 of liability and that a default judgment may be entered thereon.

22 4. The notice of liability shall be prepared and mailed by the county,
23 city, town or village in which the violation occurred, or by any other
24 entity authorized by such county, city, town or village to prepare and
25 mail such notification of violation.

26 (h) [~~Adjudication~~] 1. A county, city, town or village is hereby
27 authorized to adopt a local law or ordinance to institute an administra-
28 tive adjudication hearing process for impartial administration and
29 conduct of adjudicatory proceedings for disputed notices of violations
30 under this section. A county, city, town, village or any entity author-
31 ized by such county, city, town or village may administer the hearing.
32 The rules of evidence do not apply, and the decision of the proceeding
33 shall be made based on the substantial evidence standard. The decision
34 shall be prepared and sent by first class mail by the county, city,
35 town, village or another entity authorized by such county, city, town or
36 village within fourteen business days after the hearing. The decision
37 shall also provide instructions for how the owner may, within thirty
38 days of the decision mailing date, request adjudication of the notice of
39 violation by a court of competent jurisdiction. A manual or automatic
40 record of mailing prepared in the ordinary course of business shall be
41 prima facie evidence of the facts contained therein.

42 2. Upon request by an owner, if a county, city, town or village has
43 not instituted an administrative adjudication hearing process to hear
44 disputed notices of violation under this section, or upon thirty days of
45 the issuance of a decision of an administrative adjudication hearing,
46 adjudication of the liability imposed upon owners by this section shall
47 be by a traffic violations bureau established pursuant to section three
48 hundred seventy of the general municipal law where the violation
49 occurred or, if there be none, by the court having jurisdiction over
50 traffic infractions where the violation occurred, except that if a city
51 has established an administrative tribunal to hear and determine
52 complaints of traffic infractions constituting parking, standing or
53 stopping violations such city may, by local law, authorize such adjudi-
54 cation by such tribunal.

55 (i) If an owner receives a notice of liability pursuant to this
56 section for any time period during which the vehicle was reported to the

1 police as having been stolen, it shall be a valid defense to an allega-
2 tion of liability for a violation of subdivision (a) of section eleven
3 hundred seventy-four of this article pursuant to this section that the
4 vehicle had been reported to the police as stolen prior to the time the
5 violation occurred and had not been recovered by such time. For purposes
6 of asserting the defense provided by this subdivision it shall be suffi-
7 cient that a certified copy of the police report on the stolen vehicle
8 be sent by first class mail to the traffic violations bureau, court
9 having jurisdiction or parking violations bureau.

10 (j) 1. In such county, city, town or village where the adjudication of
11 liability imposed upon owners pursuant to this section is by a traffic
12 violations bureau or a court having jurisdiction, an owner who is a
13 lessor of a vehicle to which a notice of liability was issued pursuant
14 to subdivision (g) of this section shall not be liable for the violation
15 of subdivision (a) of section eleven hundred seventy-four of this arti-
16 cle, provided that he or she sends to the traffic violations bureau or
17 court having jurisdiction a copy of the rental, lease or other such
18 contract document covering such vehicle on the date of the violation,
19 with the name and address of the lessee clearly legible, within thirty-
20 seven days after receiving notice from the bureau or court of the date
21 and time of such violation, together with the other information
22 contained in the original notice of liability. Failure to send such
23 information within such thirty-seven day time period shall render the
24 owner liable for the penalty prescribed by this section. Where the
25 lessor complies with the provisions of this paragraph, the lessee of
26 such vehicle on the date of such violation shall be deemed to be the
27 owner of such vehicle for purposes of this section, shall be subject to
28 liability for the violation of subdivision (a) of section eleven hundred
29 seventy-four of this article pursuant to this section and shall be sent
30 a notice of liability pursuant to subdivision (g) of this section.

31 2. (i) In a city which, by local law, has authorized the adjudication
32 of liability imposed upon owners by this section by a parking violations
33 bureau, an owner who is a lessor of a vehicle to which a notice of
34 liability was issued pursuant to subdivision (g) of this section shall
35 not be liable for the violation of subdivision (a) of section eleven
36 hundred seventy-four of this article, provided that:

37 (A) prior to the violation, the lessor has filed with the bureau in
38 accordance with the provisions of section two hundred thirty-nine of
39 this chapter; and

40 (B) within thirty-seven days after receiving notice from the bureau of
41 the date and time of a liability, together with the other information
42 contained in the original notice of liability, the lessor submits to the
43 bureau the correct name and address of the lessee of the vehicle identi-
44 fied in the notice of liability at the time of such violation, together
45 with such other additional information contained in the rental, lease or
46 other contract document, as may be reasonably required by the bureau
47 pursuant to regulations that may be promulgated for such purpose.

48 (ii) Failure to comply with clause (B) of subparagraph (i) of this
49 paragraph shall render the owner liable for the penalty prescribed in
50 this section.

51 (iii) Where the lessor complies with the provisions of this paragraph,
52 the lessee of such vehicle on the date of such violation shall be deemed
53 to be the owner of such vehicle for purposes of this section, shall be
54 subject to liability for such violation pursuant to this section and
55 shall be sent a notice of liability pursuant to subdivision (g) of this
56 section.

1 (k) 1. If the owner liable for a violation of subdivision (a) of
2 section eleven hundred seventy-four of this article pursuant to this
3 section was not the operator of the vehicle at the time of the
4 violation, the owner may maintain an action for indemnification against
5 the operator.

6 2. Notwithstanding any other provision of this section, no owner of a
7 vehicle shall be subject to a monetary fine imposed pursuant to this
8 section if the operator of such vehicle was operating such vehicle with-
9 out the consent of the owner at the time such operator failed to comply
10 with section eleven hundred seventy-four of this [~~chapter~~] article. For
11 purposes of this subdivision there shall be a presumption that the oper-
12 ator of such vehicle was operating such vehicle with the consent of the
13 owner at the time such operator failed to comply with section eleven
14 hundred seventy-four of this [~~chapter~~] article.

15 (l) It shall be a defense to any prosecution for a violation of subdivi-
16 vision (a) of section eleven hundred seventy-four of this article pursu-
17 ant to a local law or ordinance adopted pursuant to this section that
18 such school bus stop-arms were malfunctioning at the time of the alleged
19 violation.

20 (m) Nothing in this section shall be construed to limit the liability
21 of an operator of a vehicle for any violation of subdivision (a) of
22 section eleven hundred seventy-four of this article.

23 [~~(m)~~] (n) In any such county, city, town or village which adopts a
24 demonstration program pursuant to subdivision (a) of this section, such
25 county, city, town or village shall submit an annual report on the
26 results of the use of a school bus photo violation monitoring system to
27 the governor, the temporary president of the senate and the speaker of
28 the assembly on or before June first, two thousand nineteen and on the
29 same date in each succeeding year in which the demonstration program is
30 operable. Such report shall include, but not be limited to:

31 1. the number of buses and a description of the routes where station-
32 ary and mobile school bus photo violation monitoring systems were used;

33 2. the aggregate number, type and severity of accidents reported at
34 locations where a school bus photo violation monitoring system is used
35 for the year preceding the installation of such system, to the extent
36 the information is maintained by the department of motor vehicles of
37 this state;

38 3. the aggregate number, type and severity of accidents reported at
39 locations where a school bus photo violation monitoring system is used,
40 to the extent the information is maintained by the department of motor
41 vehicles of this state;

42 4. the number of violations recorded at each location where a school
43 bus photo violation monitoring system is used and in the aggregate on a
44 daily, weekly and monthly basis;

45 4-a. the number of convictions for violations of subdivision (a) of
46 section eleven hundred seventy-four of this article recorded at each
47 location where a school bus photo violation monitoring system is used on
48 an annual basis, to the extent the information is maintained by the
49 department of motor vehicles of this state;

50 5. the total number of notices of liability issued for violations
51 recorded by such systems;

52 6. the number of fines and total amount of fines paid after the first
53 notice of liability issued for violations recorded by such systems;

54 7. the number of violations adjudicated and results of such adjudi-
55 cations including breakdowns of dispositions made for violations
56 recorded by such systems which shall be provided at least annually to

1 such county, city, town or village by the respective courts, bureaus and
2 agencies conducting such adjudications;

3 8. the total amount of revenue realized by such city, town or village
4 from such adjudications;

5 9. the expenses incurred by such city, town or village in connection
6 with the program;

7 10. the quality of the adjudication process and its results including
8 the total number of hearings scheduled, re-scheduled, and held; the
9 total number of persons scheduled for such hearings; the total number of
10 cases where fines were paid on or before the hearing date; and the total
11 number of default judgments entered. Such information shall be provided
12 at least annually to such county, city, town or village by the respec-
13 tive courts, bureaus and agencies conducting such adjudications; and

14 11. a description of public education activities conducted to warn
15 motorists of the dangers of overtaking and passing stopped school buses.

16 [~~(n) It shall be a defense to any prosecution for a violation of~~
17 ~~subdivision (a) of section eleven hundred seventy four of this article~~
18 ~~pursuant to a local law or ordinance adopted pursuant to this section~~
19 ~~that such school bus stop arms were malfunctioning at the time of the~~
20 ~~alleged violation.~~]

21 § 2. Subdivisions f and h of section 19-610 of the administrative code
22 of the city of New York, as added by local law number 10 of the city of
23 New York for the year 2022, is amended to read as follows:

24 f. Payment to school district required. If the city does not make the
25 payment to the school district required by paragraph [~~1-b~~] **1-c** of subdi-
26 vision (a) of section 1174-a of the vehicle and traffic law, no liabil-
27 ity may be imposed under this section until the city makes such required
28 payment to the district.

29 h. Annual report. The implementing agency shall submit an annual
30 report on the results of the use of a school bus photo violation moni-
31 toring system to the mayor and the speaker of the council. Such report
32 shall be submitted by June 1 of each year in which such system is opera-
33 ble. Such report shall include, but need not be limited to, the informa-
34 tion described in subdivision [~~(m)~~] **(n)** of section 1174-a of the vehicle
35 and traffic law.

36 § 3. The opening paragraph of section 25 of chapter 145 of the laws of
37 2019 amending the vehicle and traffic law relating to school bus photo
38 violation monitoring systems and owner liability for failure of operator
39 to stop for a school bus displaying a red visual signal, is amended to
40 read as follows:

41 This act shall take effect on the thirtieth day after it shall have
42 become a law and shall expire December 1, [~~2024~~] **2029** when upon such
43 date the provisions of this act shall be deemed repealed; provided that
44 any such local law as may be enacted pursuant to this act shall remain
45 in full force and effect only until December 1, [~~2024~~] **2029** and
46 provided, further, that:

47 § 4. This act shall take effect immediately; provided, however, that
48 sections one and two of this act shall take effect on the ninetieth day
49 after it shall have become a law; provided, further, that the amendments
50 to section 1174-a of the vehicle and traffic law and section 19-610 of
51 the administrative code of the city of New York made by sections one and
52 two of this act shall not affect the expiration and repeal of such
53 sections and shall be deemed repealed therewith.