

STATE OF NEW YORK

3605

2025-2026 Regular Sessions

IN SENATE

January 28, 2025

Introduced by Sen. WEBER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the education law, in relation to allowing boards of cooperative educational services to install school bus stop sign cameras

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

1 Section 1. Paragraphs 1, 1-a, 1-b, 2 and 3 of subdivision (a) of
2 section 1174-a of the vehicle and traffic law, paragraphs 1, 1-a and 2
3 as amended by section 1 of part AA of chapter 56 of the laws of 2024,
4 and paragraphs 1-b and 3 as added by chapter 145 of the laws of 2019,
5 are amended to read as follows:

6 1. Notwithstanding any other provision of law, a county, city, town or
7 village located within a school district ("district") or a board of
8 cooperative educational services ("BOCES") is hereby authorized and
9 empowered to adopt and amend a local law or ordinance establishing a
10 demonstration program imposing monetary liability on the owner of a
11 vehicle for failure of an operator thereof to comply with subdivision
12 (a) of section eleven hundred seventy-four of this article when meeting
13 a school bus marked and equipped as provided in subdivisions twenty and
14 twenty-one-c of section three hundred seventy-five of this chapter and
15 operated in such county, city, town or village, in accordance with the
16 provisions of this section. Such demonstration program shall empower
17 such county, city, town or village to install and operate school bus
18 photo violation monitoring systems which may be stationary or mobile,
19 and which may be installed, pursuant to an agreement with a school
20 district or BOCES within such county, city, town or village, on school
21 buses owned and operated by such school district or BOCES or privately
22 owned and operated for compensation under contract with such district or
23 BOCES. Provided, however, that (a) no stationary school bus photo
24 violation monitoring system shall be installed or operated by a county,

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

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city, town or village except on roadways under the jurisdiction of such county, city, town or village, and (b) no mobile school bus photo violation monitoring system shall be installed or operated on any such school buses unless such county, city, town or village and such district or BOCES enter into an agreement for such installation and operation.

1-a. Any county, city, town or village, located within a school district or BOCES, that has adopted a local law or ordinance pursuant to this section establishing a demonstration program imposing liability on the owner of a vehicle for failure of an operator thereof to comply with subdivision (a) of section eleven hundred seventy-four of this article when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter and operated in such county, city, town or village may enter into an agreement with the applicable school district or BOCES for the installation, maintenance and use of school bus photo violation monitoring systems on school buses pursuant to this section and section twenty-two of ~~[the]~~ chapter one hundred forty-five of the laws of two thousand nineteen ~~[which added this section]~~, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the applicable county, city, town or village. Any agreement entered into hereunder shall be approved by each participating county, city, town or village by a majority vote of the voting strength of its governing body and by resolution of the district or BOCES pursuant to section sixteen hundred four, section seventeen hundred nine, section twenty-five hundred three, section twenty-five hundred fifty-four or section twenty-five hundred ninety-h of the education law, as applicable. Provided, however, that where a district or BOCES has entered an agreement as provided hereunder with a county, no cities, towns or villages within the same county may enter into, or be a party to, any agreement with such district or BOCES pursuant to this section. Provided further, however, that no county shall enter an agreement with any city school district or BOCES wholly contained within a city. Nothing in this section shall be construed to prevent a county, city, town, village or district or BOCES at any time to withdraw from or terminate an agreement entered pursuant to this section and section twenty-two of chapter one hundred forty-five of the laws of two thousand nineteen ~~[which added this section]~~.

1-b. The total cost to the district or BOCES of the installation, maintenance and use of school bus photo violation monitoring systems pursuant to this section shall be borne entirely by the county, city, town or village within the district or BOCES which is a party to such agreement. On or before September first of each year, the district or BOCES shall determine and certify to each county, city, town or village with which it has entered into an agreement pursuant to this section the total cost to the district or BOCES for the school year ending the preceding June thirtieth of installing, maintaining and using such systems within each such county, city, town or village, respectively, for the proper handling and custody of photographs, microphotographs, videotapes, other recorded images and data produced by such systems, and for the forwarding of such photographs, microphotographs, videotapes, other recorded images and data to the applicable county, city, town or village. On or before the following December first of each year, each such county, city, town or village shall pay to the district or BOCES such cost so certified to it on or before the preceding September first.

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

18 2. Any image or images captured by school bus photo violation monitor-
19 ing systems shall be inadmissible in any disciplinary proceeding
20 convened by any school district or BOCES or any school bus contractor
21 thereof, and any proceeding initiated by the department involving licen-
22 sure privileges of school bus operators. Any school bus photo violation
23 monitoring device mounted on a school bus shall be directed outwardly
24 from such school bus to capture images of vehicles operated in violation
25 of subdivision (a) of section eleven hundred seventy-four of this arti-
26 cle, and images produced by such device shall not be used for any other
27 purpose.

28 3. (i) Any participating school district or BOCES shall be prohibited
29 from accessing any photographs, microphotographs, videotapes, other
30 recorded images or data from school bus photo violation monitoring
31 systems but shall provide, pursuant to an agreement with a county, city,
32 town or village as provided in this section, for the proper handling and
33 custody of such photographs, microphotographs, videotapes, other
34 recorded images and data produced by such systems, and for the forward-
35 ing of such photographs, microphotographs, videotapes, other recorded
36 images and data to the applicable county, city, town or village for the
37 purpose of determining whether a motor vehicle was operated in violation
38 of subdivision (a) of section eleven hundred seventy-four of this title
39 and imposing monetary liability on the owner of such motor vehicle
40 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 im-
45 position of liability pursuant to this section or (B) upon final disposi-
46 tion of a notice of liability issued pursuant to this section.

47 § 2. Section 1950 of the education law is amended by adding a new
48 subdivision 20 to read as follows:

49 20. To pass a resolution, in the discretion of the board of such board
50 of cooperative educational services, authorizing the entering of an
51 agreement with a county, city, village or town within such district, for
52 the installation and use of school bus photo violation monitoring
53 systems pursuant to section eleven hundred seventy-four-a of the vehicle
54 and traffic law, provided that the purchase, lease, installation, opera-
55 tion and maintenance, or any other costs associated with such cameras

1 shall not be considered an aidable expense pursuant to section thirty-
2 six hundred twenty-three-a of this chapter.

3 § 3. This act shall take effect immediately provided, however that the
4 amendments to section 1174-a of the vehicle and traffic law as made by
5 section one of this act shall not affect the repeal of such section and
6 shall expire and be deemed repealed therewith.