

**SENATE . . . . . No. 2600**

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**The Commonwealth of Massachusetts**

—  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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SENATE, March 7, 2024.

The committee on Transportation, to whom was referred the petitions (accompanied by bill, Senate, No. 2267) of Paul W. Mark for legislation relative to school bus safety, report the accompanying bill (Senate, No. 2600).

For the committee,  
Brendan P. Crighton

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act enhancing school bus safety.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. This act shall be known as “Summer’s Law”.

2 SECTION 2. Section 7B of chapter 90 of the General Laws, as appearing in the 2018  
3 Official Edition, is hereby amended by inserting at the end of the first paragraph, after the word  
4 “year”, in line 137, the following:-

5 “; (19) Each school bus shall be equipped with at least two sensors on or near school bus  
6 doors, which shall determine and notify the operator of a school bus that there are no persons  
7 located within a minimum area of twelve feet from school bus doors before and after the doors  
8 close when a school bus has stopped to pick up or drop off school pupils. Each school bus shall  
9 also be equipped on all sides of the bus with front, rear, and lateral sensors to determine and  
10 notify the operator that there are no persons located within a minimum area of twelve feet from  
11 all sides of the bus. The school bus operator shall not proceed any further after stopping to load  
12 or discharge school pupils until the operator is notified by the sensors that there are no persons  
13 located at not less than twelve feet from all sides, including doors, of the bus. All sensor systems

14 shall include, but not be limited to, radar, video, sound, or infrared technology that shall be  
15 capable of detecting the presence of persons within a minimum area of twelve feet from a  
16 sensor's placement on a bus, extending from all sides of a bus and the bus doors. Sensor systems  
17 shall also include an audible and visual alert signal placed within the interior of the bus, within  
18 the immediate presence of the operator, to alert the operator when a person is detected within a  
19 sensor's designated minimum area of twelve feet.

20 SECTION 3. Section 8A of said chapter 90 of the General Laws, as appearing in the 2016  
21 Official Edition, is hereby amended in the second paragraph, line 46, by inserting after the word  
22 "registrar" the following:-

23 "The pre-service school bus driver training program shall include a special unit pertaining  
24 to the pickup and drop off of school pupils and school bus danger zones, which shall consist of a  
25 minimum of 3 hours of behind-the-wheel training and a minimum of 3 hours of classroom  
26 training."

27 SECTION 4. Said second paragraph of said section 8A is hereby further amended, in line  
28 55, by inserting after the word "energy" the following:-

29 "The in-service school bus driver training program shall consist of not less than 10 hours  
30 of training annually, provided further that the program include a special unit pertaining to the  
31 pickup and drop off of school pupils and school bus danger zones. The special unit of training  
32 shall consist of a minimum of 2 hours of behind-the-wheel training and a minimum of 2 hours of  
33 classroom training."

34 SECTION 5. The commissioner of education in collaboration with the registrar shall  
35 promulgate necessary rules, regulations, or procedures for the administration of this act.

36 SECTION 6. Clause Twenty-sixth of section 7 of chapter 4 of the General Laws is hereby  
37 amended by adding the following subclause:-

38 (w) Photographs and other personal identifying information collected under chapter 90K.

39 SECTION 7. Chapter 89 of the General Laws is hereby amended by inserting after  
40 section 4D the following section:-

41 Section 4E. Standing or parking in a designated bus lane.

42 No motor vehicle shall be parked, stood, or caused to stand in a lane designated for the  
43 exclusive use of buses unless otherwise regulated or posted by an official traffic signal, sign, or  
44 marking, or at the direction of an authorized police officer. Violation of this section shall be  
45 punishable by a fine as established in section 2 of chapter 90K.

46 SECTION 8. The General Laws are hereby amended by inserting after chapter 90J the  
47 following chapter:-

48 CHAPTER 90K. "AUTOMATED ENFORCEMENT OF BUS STOPS AND BUS  
49 LANES

50 Section I: Definitions

51 Section I. As used in this chapter, the following words shall have the following meanings  
52 unless the context clearly requires otherwise:

53 "Bus mounted camera system", a motor vehicle sensor device installed on a bus owned or  
54 operated by the Massachusetts Bay Transportation Authority or by any regional transit authority  
55 created pursuant to chapter 161B that adopts this chapter, which device may be automated or

56 operated manually, and which produces digital photographs or video recordings of a motor  
57 vehicle that commits a camera enforceable violation.

58 "Bus stop camera system", a motor vehicle sensor device installed in proximity to a  
59 posted bus stop by an enforcing authority, which device produces digital photographs or video  
60 recordings of a motor vehicle that commits a camera enforceable violation.

61 "Camera enforceable violation", (i) parking in a posted bus stop; or (ii) parking, standing,  
62 or causing a motor vehicle to stand in a lane designated for the exclusive use of buses unless  
63 otherwise regulated or posted by an official traffic signal, sign or marking or at the direction of  
64 an authorized police officer in violation of section 4E of chapter 89.

65 "Enforcing authority", the Massachusetts Bay Transportation Authority or any regional  
66 transit authority created pursuant to chapter 161B that adopts this chapter. Any city or town  
67 within the service area of the Massachusetts Bay Transportation Authority or any such regional  
68 transit authority is an enforcing authority only with respect to the deployment of a bus stop  
69 camera system.

70 "Registrar", the registrar of motor vehicles.

## 71 Section 2: Camera Enforceable Violations

72 Section 2. (a) The Massachusetts Bay Transportation Authority and any regional transit  
73 authority created pursuant to chapter 161B that adopts this chapter may deploy bus mounted  
74 camera systems as a means of enforcing the priority of buses on roadways in lanes designated for  
75 the exclusive use of buses and as a means of enforcing bus stop violations under this chapter.

76 Any enforcing authority may deploy bus stop camera systems as a means of enforcing bus stop  
77 violations under this chapter. The maximum fines imposed under this chapter shall be as follows:

78 (1) For a camera enforceable violation involving parking, standing, or causing a motor  
79 vehicle to stand in a lane designated for the exclusive use of buses, a fine of not less than \$25 but  
80 not more than \$125 shall issue as established by regulations of the Massachusetts Bay  
81 Transportation Authority. In the absence of regulations established by the Authority, the fine for  
82 parking in a lane designated for the exclusive use of buses shall be \$25.

83 (2) For a camera enforceable violation involving parking a motor vehicle in a posted bus  
84 stop, the fine shall be \$100.

85 (b) Except as provided in section 3, the registered owner of a motor vehicle shall be  
86 liable for the fine; provided, however, that a registered owner of a motor vehicle shall not be  
87 liable for the fine imposed under this chapter for a camera enforceable violation if the operator of  
88 the motor vehicle was issued a citation for the violation in accordance with section 2 of chapter  
89 90C.

90 (c) An enforcing authority may send a written warning to the registered owner of a  
91 motor vehicle in lieu of enforcement through a fine.

92 (d) A certificate, or other written attestation, based upon inspection of photographs  
93 and data produced by a bus mounted or bus stop camera system and sworn to or affirmed by a  
94 representative of the enforcing authority shall be prima facie evidence of the facts contained  
95 therein.

96           (e)     A camera enforceable violation issued pursuant to this chapter shall not be: (1)  
97     made part of the driving record of the person upon whom such liability is imposed; or (2) a  
98     conviction of a moving violation of the motor vehicle laws for the purpose of determining a  
99     surcharge on a motor vehicle premium pursuant to section 113B of chapter 175.

100           (f)     An enforcing authority that deploys a camera system pursuant to this chapter may  
101     hire and designate personnel as necessary or contract for services to implement this chapter.  
102     Notwithstanding any general or special law to the contrary, personnel designated to review and  
103     issue citations pursuant to this chapter may be civilians and shall not be required to be a member  
104     of any police force.

105           (g)     (1) Subject to regulations promulgated by the Massachusetts Bay Transportation  
106     Authority, the enforcing authority shall provide a notice of violation to the registered owner of a  
107     motor vehicle that is identified in photographs or recordings produced by a bus mounted or bus  
108     stop camera system as evidence of a camera enforceable violation pursuant to this chapter. The  
109     notice shall include, but not be limited to:

110           (i)     a copy of the photographs produced by the camera system showing the vehicle in the  
111     process of a camera enforceable violation;

112           (ii)    the registration number and state of issuance of the vehicle;

113           (iii)   the date, time, and location of the alleged camera enforceable violation;

114           (iv)    the specific camera enforceable violation charged;

115           (v)     instructions for payment of the fine imposed pursuant to subsection (a);

116 (vi) instructions on how to appeal the camera enforceable violation in writing and to  
117 obtain a hearing; and

118 (vii) an affidavit form approved by the enforcing authority for the purposes of making  
119 a written appeal pursuant to subsection (j).

120 (2) In the case of a violation involving a motor vehicle registered in the commonwealth,  
121 the notice of violation shall be mailed to the address of the registered owner of the motor vehicle  
122 as listed in the records of the registrar. If a motor vehicle is registered under the laws of another  
123 state or county, the notice of violation shall be mailed to the address of the registered owner as  
124 listed in the records of the official in the state or county that has charge of the registration of the  
125 motor vehicle. If the address is unavailable, it shall be sufficient for the enforcing authority to  
126 mail a notice of violation to the official in the state or county that has charge of the registration  
127 of the motor vehicle.

128 (h) A registered owner of a motor vehicle shall not be liable for a camera enforceable  
129 violation under this chapter if the:

130 (1) violation was necessary to allow the passage of an emergency vehicle;

131 (2) violation was incurred while participating in a funeral procession;

132 (3) violation was incurred during a period of time in which the motor vehicle was  
133 reported to the police department of any state, city or town as having been stolen and had not  
134 been recovered before the time the violation occurred;



135 (4) operator of the motor vehicle was operating the motor vehicle under a rental or  
136 lease agreement and the registered owner of the motor vehicle is a rental or leasing company and  
137 has complied with section 3;

138 (5) operator of the motor vehicle was issued a citation for the violation in accordance  
139 with section 2 of chapter 90C; or

140 (6) violation was necessary to comply with any other law or regulation governing the  
141 operation of a motor vehicle.

142 (i) A registered owner of a motor vehicle to whom a notice of violation has been  
143 issued pursuant to this chapter, shall pay the fine provided therein. Payment of the established  
144 fine shall operate as the final disposition of a camera enforceable violation; provided, however,  
145 that payment by a registered owner of a motor vehicle shall operate as the final disposition of the  
146 violation as to any other registered owner of the same motor vehicle for the same violation.

147 (j) A registered owner of a motor vehicle may contest responsibility for the violation  
148 in writing by mail or online or may request a hearing in accordance with the regulations  
149 established by the Massachusetts Bay Transportation Authority.

150 (k) When a registered owner of a motor vehicle accrues three or more unresolved  
151 violation notices from any single enforcing authority under this chapter, that enforcing authority  
152 shall notify the registrar who shall not issue or renew the registered owner's motor vehicle  
153 registration until after notification from the enforcing authority from whom the registrar received  
154 notification that all fines owed pursuant to this chapter have been paid.

155 Section 3: Leased or Rented Motor Vehicles

156 Section 3. (a) Notwithstanding section 2, if the registered owner of a motor vehicle is a  
157 person or entity engaged in the business of leasing or renting motor vehicles and the motor  
158 vehicle was operated under a rental or lease agreement at the time of the camera enforceable  
159 violation, this section shall be applicable and the registered owner shall not be liable for any  
160 unpaid fines, except as provided in this section and if the registered owner has complied with the  
161 requirements of this section.

162 (b) The enforcing authority shall provide notice in writing of each camera  
163 enforceable violation to the registered owner of a motor vehicle if a motor vehicle owned by the  
164 registered owner is involved in a camera enforceable violation.

165 (c) Not more than 45 days after the violation, the registered owner shall furnish to the  
166 enforcing authority, in writing, the name and address of the lessee or rentee of the motor  
167 vehicle at the time of the camera enforceable violation, the lessee's or rentee's driver's  
168 license number, the state that issued the driver's license and the lessee's or rentee's date of birth.

169 (d) Upon receipt of the information required under subsection (c), the enforcing  
170 authority shall issue a notice of a camera enforceable violation to the lessee or rentee in the form  
171 prescribed by section 2 and the lessee or rentee shall be liable for the violation

172 (e) An enforcing authority shall notify the registrar if a lessee or rentee has accrued  
173 five or more unresolved violation notices with that enforcing authority under this chapter. Upon  
174 receipt by the registrar of such notice under this section, the registrar shall: (1) suspend and not  
175 renew the license of the lessee or rentee to operate a motor vehicle in the commonwealth; or (2)  
176 suspend the right to operate of a lessee or rentee not licensed in the commonwealth until the

177 registrar receives notification from each applicable enforcing authority that all fines owed by the  
178 lessee or rentee pursuant to this chapter have been paid.

179           Section 4: Notice of Camera Enforceable Violations

180           Section 4. (a) Each enforcing authority shall post on any vehicle equipped with a bus  
181 mounted camera system and in the location of any bus stop camera system an unobstructed sign  
182 notifying the public that such camera system is in use.

183           (b) The enforcing authority shall make a public announcement and conduct a public  
184 awareness campaign of its use of bus mounted and bus stop camera systems beginning not less  
185 than 60 days before the enforcing authority issues a citation for any camera enforceable violation  
186 pursuant to this chapter.

187           Section 5: Privacy and Data Protection

188           Section 5. (a) A photograph or other recorded evidence taken pursuant to this chapter  
189 shall not be discoverable in any judicial or administrative proceeding, other than a proceeding  
190 held pursuant to this chapter, without a court order. A photograph or other recorded evidence  
191 taken pursuant to this chapter shall not be admissible in any judicial or administrative  
192 proceeding, other than in a proceeding to adjudicate liability for a violation of this chapter,  
193 without a court order. A court shall not order a release of a photograph or other recorded  
194 evidence taken pursuant to this chapter unless the photograph or other recorded evidence  
195 establishes or undermines a finding of a camera enforceable violation and the camera  
196 enforceable violation is material as to a finding of civil or criminal liability.

197 (b) Photographs and other recorded data collected by an enforcing authority pursuant  
198 to this chapter shall not be a public record under Clause Twenty-Sixth of section 7 of chapter 4  
199 or chapter 66.

200 (c) Photographs produced by a bus mounted or bus stop camera system shall not be  
201 used by an enforcing authority to identify the vehicle operator, the passengers or the contents of  
202 the vehicle. If a photograph taken pursuant to this chapter captures the vehicle operator, the  
203 passengers or the contents of the vehicle, the enforcing entity shall redact the photograph to  
204 remove or obscure said vehicle operator, passengers or contents of the vehicle before issuing a  
205 notice of violation under this chapter. An un-redacted photograph that includes the vehicle  
206 operator, passengers or contents of a motor vehicle committing a camera enforceable violation  
207 taken by a bus mounted or bus stop camera system shall not be discoverable or admissible in any  
208 judicial or administrative proceeding except by the registered owner of the vehicle and shall not  
209 be used as the basis for a camera enforceable violation under this chapter.

210 (d) An enforcing authority or a manufacturer, servicer or vendor of a bus mounted or  
211 bus stop camera system shall maintain the confidentiality of and may not use, disclose, sell or  
212 permit access to data collected by such camera system except as such use, disclosure or access  
213 may be necessary to process camera enforceable violations in accordance with this chapter.

#### 214 Section 6: Revenue and Costs

215 Section 6. An enforcing authority may only recover costs reasonably related to the  
216 implementation and operation of any bus mounted or bus stop camera system including, but not  
217 limited to, costs associated with: (1) installing, maintaining and operating the bus mounted safety  
218 camera system; (2) issuing notices of camera enforceable violations; (3) holding hearings for

219 appeals of camera enforceable violations; (4) notifying the registrar of a failure to pay a fine  
220 under this chapter; and (5) collecting a fine; provided, however, that net revenues collected by an  
221 enforcing authority pursuant to this chapter shall be deposited in the Massachusetts Bay  
222 Transportation Authority's Operating Account.

223           Section 7: Emergency Vehicles

224           Section 7. The operation of emergency vehicles shall be subject to this chapter except  
225 that a driver of fire apparatus while going to a fire or responding to an alarm, or the driver of a  
226 vehicle of a police or recognized protective department or the driver of an ambulance, in an  
227 emergency and while in performance of a public duty or while transporting a sick or injured  
228 person to a hospital or other destination where professional medical services are available, shall  
229 not be liable for a camera enforceable violation pursuant to this chapter.

230           Section 8: Reporting

231           Section 8. Each enforcing authority shall publish a report annually and shall submit such  
232 report to the clerks of the senate and house of representatives, the senate and house committees  
233 on ways and means and the joint committee on transportation. The report shall include, but not  
234 be limited to, data on the number and location of fines issued for camera enforceable violations  
235 pursuant to this chapter. Such report shall also include consideration of the social and racial  
236 equity impacts of the implementation of this chapter over the preceding year.

237           SECTION 8A. The Massachusetts Bay Transportation Authority shall promulgate  
238 regulations to implement chapter 90K of the General Laws. The regulations shall include, but not  
239 be limited to: (i) establishing standardized forms for notices of violations and written warnings;

240 (ii) establishing the notice, and hearing requirements for camera enforceable violations  
241 (iii) developing uniform signage requirements for the purpose of complying with subsection (a)  
242 of section 4 of said chapter 90K; and (iv) developing standards for issuing an annual report in  
243 compliance with section 9 of said chapter 90K.