

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 83**

**Representatives Brown, Schaffer**

**Cosponsors: Representatives Kent, Becker, Smith, K., Patterson, Weinstein,  
Lepore-Hagan, Upchurch, O'Brien, Miranda, Jones**

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**A BILL**

To amend sections 4511.751 and 4511.76 of the 1  
Revised Code to allow images captured by a 2  
camera installed on a school bus to be used as 3  
corroborating evidence for the offense of 4  
failing to stop for a school bus. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4511.751 and 4511.76 of the 6  
Revised Code be amended to read as follows: 7

**Sec. 4511.751.** As used in this section, "license plate" 8  
includes, but is not limited to, any temporary license placard 9  
issued under section 4503.182 of the Revised Code or similar law 10  
of another jurisdiction. 11

When the operator of a school bus believes that a motorist 12  
has violated division (A) of section 4511.75 of the Revised 13  
Code, the operator shall report the license plate number and a 14  
general description of the vehicle and of the operator of the 15  
vehicle to the law enforcement agency exercising jurisdiction 16  
over the area where the alleged violation occurred. The 17

information contained in the report relating to the license 18  
plate number and to the general description of the vehicle and 19  
the operator of the vehicle at the time of the alleged violation 20  
may be supplied by any person with first-hand knowledge of the 21  
information. Information of which the operator of the school bus 22  
has first-hand knowledge also may be corroborated by any other 23  
person, or an image, images, or video provided by a camera 24  
installed pursuant to section 4511.76 of the Revised Code. 25

Upon receipt of the report of the alleged violation of 26  
division (A) of section 4511.75 of the Revised Code, the law 27  
enforcement agency shall conduct an investigation to attempt to 28  
determine or confirm the identity of the operator of the vehicle 29  
at the time of the alleged violation. The law enforcement agency 30  
may use an image, images, or video provided by a camera 31  
installed pursuant to section 4511.76 of the Revised Code to 32  
determine the identity of the operator of the vehicle at the 33  
time of the alleged violation only if the image, images, or 34  
video are sufficiently clear. If the identity of the operator at 35  
the time of the alleged violation is established, the reporting 36  
of the license plate number of the vehicle shall establish 37  
probable cause for the law enforcement agency to issue a 38  
citation for the violation of division (A) of section 4511.75 of 39  
the Revised Code. However, if the identity of the operator of 40  
the vehicle at the time of the alleged violation cannot be 41  
established, the law enforcement agency shall issue a warning to 42  
the owner of the vehicle at the time of the alleged violation, 43  
except in the case of a leased or rented vehicle when the 44  
warning shall be issued to the lessee at the time of the alleged 45  
violation. 46

The registrar of motor vehicles and deputy registrars 47  
shall, at the time of issuing license plates to any person, 48

include with the license plate a summary of the requirements of 49  
division (A) of section 4511.75 of the Revised Code and the 50  
procedures of, and penalty in, division (F) of section 4511.75 51  
of the Revised Code. 52

**Sec. 4511.76.** (A) The department of public safety, by and 53  
with the advice of the superintendent of public instruction, 54  
shall adopt and enforce rules relating to the construction, 55  
design, and equipment of all school buses both publicly and 56  
privately owned and operated in this state, including ~~lighting~~ 57  
rules governing both of the following: 58

(1) Lighting equipment required by section 4511.771 of the 59  
Revised Code, ~~of all school buses both publicly and privately~~ 60  
~~owned and operated in this state;~~ 61

(2) Camera equipment that provides an image, images, or 62  
video solely for purposes of capturing a violation of section 63  
4511.75 of the Revised Code. 64

(B) The department of education, by and with the advice of 65  
the director of public safety, shall adopt and enforce rules 66  
relating to the operation of all vehicles used for pupil 67  
transportation. 68

(C) No person shall operate a vehicle used for pupil 69  
transportation within this state in violation of the rules of 70  
the department of education or the department of public safety. 71  
No person, being the owner thereof or having the supervisory 72  
responsibility therefor, shall permit the operation of a vehicle 73  
used for pupil transportation within this state in violation of 74  
the rules of the department of education or the department of 75  
public safety. 76

(D) The department of public safety shall adopt and 77

enforce rules relating to the issuance of a license under 78  
section 4511.763 of the Revised Code. The rules may relate to 79  
the moral character of the applicant; the condition of the 80  
equipment to be operated; the liability and property damage 81  
insurance carried by the applicant; the posting of satisfactory 82  
and sufficient bond; and such other rules as the director of 83  
public safety determines reasonably necessary for the safety of 84  
the pupils to be transported. 85

(E) As used in this section, "vehicle used for pupil 86  
transportation" means any vehicle that is identified as such by 87  
the department of education by rule and that is subject to 88  
Chapter 3301-83 of the Administrative Code. 89

(F) Except as otherwise provided in this division, whoever 90  
violates this section is guilty of a minor misdemeanor. If the 91  
offender previously has been convicted of or pleaded guilty to 92  
one or more violations of this section or section 4511.63, 93  
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 94  
Code or a municipal ordinance that is substantially similar to 95  
any of those sections, whoever violates this section is guilty 96  
of a misdemeanor of the fourth degree. 97

**Section 2.** That existing sections 4511.751 and 4511.76 of 98  
the Revised Code are hereby repealed. 99