

ENROLLED ACT NO. 42, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to motor vehicles; providing for enforcement of violations related to passing a stopped school bus; clarifying access to and the use of recordings from video systems installed on a school bus; providing a fine for vehicles passing a stopped school bus; providing defenses; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-3-131(b)(x) and 31-5-507 by creating new subsection (e) are amended to read:

21-3-131. School bus standards; operators; vehicle operation; liability limited.

(b) Each district shall establish and maintain minimum standards for the operation of school buses, including:

(x) Effective school year 2016-2017, and each school year thereafter, all school buses transporting students to and from school and to and from student activities, as defined under W.S. 21-13-320(b)(i) and (ii), shall be equipped with an external video system and may be equipped with an internal video system. Equipment specifications shall be prescribed by rule and regulation of the department. Recordings or images from a video system installed under this paragraph shall not be a public record under the Wyoming Public Records Act, W.S. 16-4-201 through 16-4-205. Recordings or images may be entered into evidence for a violation of W.S. 31-5-507(a) as provided in W.S. 31-5-507(e) and may be discoverable for other criminal actions. Recordings or images made from a video system under this paragraph shall be destroyed within one (1) year of the date the recording was made.

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**31-5-507. Meeting or passing stopped school bus;
markings and visual signals.**

(e) A recording of images produced by a video system equipped on a school bus under W.S. 21-3-131(b)(x) shall be prima facie evidence of the facts contained in it. A recorded image evidencing a violation of subsection (a) of this section shall be admissible in a judicial or administrative proceeding to adjudicate liability for the violation. If the identity of the driver of a vehicle that violates subsection (a) of this section is unknown, the registered owner of the vehicle recorded by a video system as provided in this subsection shall be fined one hundred ninety-five dollars (\$195.00) provided that:

(i) A fine issued to a registered owner of a vehicle under this subsection shall not be considered a moving violation for the purpose of suspending a driver's license under W.S. 31-7-129 and shall not be considered a conviction under W.S. 31-5-1201 or as a prior conviction for any other purpose; and

(ii) It shall be a defense to enforcement of a fine issued under this subsection that the registered owner of the vehicle:

(A) Did not provide express or implied consent to the person who was operating the vehicle at the time of the violation; or

(B) Transferred ownership of the vehicle to a new owner prior to the observed violation.

ORIGINAL SENATE
FILE NO. SF0080

ENGROSSED

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Section 2. This act is effective July 1, 2019.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk