

2026 -- H 8523

LC006363

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- SPECIAL STOPS REQUIRED

Introduced By: Representative Thomas E. Noret

Date Introduced: May 06, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-20-12 of the General Laws in Chapter 31-20 entitled "Special
2 Stops Required" is hereby repealed.

3 ~~**31-20-12. Stopping for school bus required — Penalty for violation.**~~

4 ~~(a) The driver of a vehicle upon a street, highway, private way, private or public parking
5 area upon meeting or overtaking from any direction any bus marked as "school bus" whenever the
6 bus is being operated in accordance with § 31-20-11 and on which there is in operation flashing red
7 lights, shall stop the vehicle before reaching the bus. The driver shall not proceed until the bus
8 resumes motion or until the flashing lights are no longer actuated. No driver of any motor vehicle,
9 except emergency vehicles on official business, shall travel in the same lane of traffic behind a
10 school bus at a distance of less than fifty feet (50'). A person convicted of a violation of this section
11 shall be punished by a fine not to exceed three hundred dollars (\$300) and/or suspension of driving
12 license for a period not to exceed thirty (30) days for the first offense, and a mandatory fine of not
13 less than three hundred dollars (\$300) nor more than five hundred dollars (\$500) and/or revocation
14 of driving license for a period of one year for each subsequent offense.~~

15 ~~(b) A peace officer may issue a summons based on the statement or testimony of a school
16 bus driver or monitor or other private citizen provided that the statement or testimony provides the
17 peace officer with sufficient probable cause that a violation under this section was committed. Any
18 conviction under this section may be punished in accordance with subsection (a) of this section.~~

19 SECTION 2. Section 31-20-13 of the General Laws in Chapter 31-20 entitled "Special

1 Stops Required" is hereby amended to read as follows:

2 **31-20-13. School buses stopped on divided highway or in loading zone.**

3 When operating a vehicle upon a highway, the driver need not stop upon meeting or passing
4 a bus marked as "school bus" in accordance with § 31-20-11 in the following circumstances:

5 (1) When a highway is a divided highway [that is divided by a raised median or physical](#)
6 [barrier](#), and the bus is stopped in the roadway on one side of the divided highway and the driver is
7 operating on the other side of it.

8 (2) When the bus is stopped in a loading zone adjacent to a limited access highway and
9 pedestrians are not permitted to cross the highway.

10 SECTION 3. Section 31-41.1-4 of the General Laws in Chapter 31-41.1 entitled
11 "Adjudication of Traffic Offenses" is hereby amended to read as follows:

12 **31-41.1-4. Schedule of violations.**

13 (a) The penalties for violations of the enumerated sections, listed in numerical order,
14 correspond to the fines described. However, those offenses for which punishments may vary
15 according to the severity of the offense, or punishment that requires the violator to perform a
16 service, shall be heard and decided by the traffic tribunal or municipal court. The following
17 violations may be handled administratively through the method prescribed in this chapter. This list
18 is not exclusive and jurisdiction may be conferred on the traffic tribunal with regard to other
19 violations.

20	Section of General Laws		Total Fine
21	8-8.2-2	DOT, DEM, or other agency and department violations	\$100.00
22	24-10-17	Soliciting rides in motor vehicles	100.00
23	24-10-18	Backing up prohibited	100.00
24	24-10-19	Advertising motor vehicle for sale on state highways	100.00
25	24-10-20	Park and ride lots	100.00
26	24-12-37	Nonpayment of toll	100.00
27	31-3-12	Visibility of plates	100.00
28	31-3-18	Display of plates	100.00
29	31-3-32	Driving with expired registration	100.00
30	31-3-34	Failure to notify division of change of address	100.00
31	31-3-35	Notice of change of name	100.00
32	31-3-40	Temporary plates — dealer issued	100.00
33	31-4-3	Temporary registration — twenty-day (20) bill of sale	100.00
34	31-10-10	Rules as to armed forces license	100.00

1	31-10-30	Driving on expired license	100.00
2	31-10-32	Notice of change of address	100.00
3	31-10.1-4	No motorcycle helmet (operator)	100.00
4	31-10.1-5	Motorcycle handlebar violation	100.00
5	31-10.1-6	No motorcycle helmet (passenger)	100.00
6	31-10.1-7	Inspection of motorcycle required	100.00
7	31-12-12	Local motor vehicle ordinance	100.00
8	31-13-4	Obedience to devices	100.00
9	31-13-6(3)(i)	Eluding traffic light	100.00
10	31-13-9	Flashing signals	100.00
11	31-13-11	Injury to signs or devices	100.00
12	31-14-1	Reasonable and prudent speed	95.00
13	31-14-3	Condition requiring reduced speed	95.00
14	31-14-9	Below minimum speed	95.00
15	31-14-12	Speed limit on bridges and structures	95.00
16	31-15-1	Leaving lane of travel	100.00
17	31-15-2	Slow traffic to right	100.00
18	31-15-3	Operator left of center	100.00
19	31-15-4	Overtaking on left	100.00
20	31-15-5(a)	Overtaking on right	100.00
21	31-15-6	Clearance for overtaking	100.00
22	31-15-7	Places where overtaking prohibited	100.00
23	31-15-8	No passing zone	100.00
24	31-15-9	One way highways	100.00
25	31-15-10	Rotary traffic islands	100.00
26	31-15-11	Laned roadway violation	100.00
27	31-15-12	Following too closely	100.00
28	31-15-12.1	Entering intersection	100.00
29	31-15-13	Crossing center section of divided highway	100.00
30	31-15-14	Entering or leaving limited access roadways	100.00
31	31-15-16	Use of emergency break-down lane for travel	100.00
32	31-15-17	Crossing bicycle lane	100.00
33	31-15-18	Unsafe passing of person operating a bicycle	100.00
34	31-16-1	Care in starting from stop	100.00

1	31-16-2	Manner of turning at intersection	100.00
2	31-16-4	U turn where prohibited	100.00
3	31-16-5	Turn signal required	100.00
4	31-16-6	Time of signaling turn	100.00
5	31-16-7	Failure to give stop signal	100.00
6	31-16-8	Method of giving signals	100.00
7	31-16.1-3	Diesel vehicle idling rules	
8		first offense not to exceed	100.00
9		second and subsequent offense not to exceed	500.00
10	31-17-1	Failure to yield right of way	100.00
11	31-17-2	Vehicle turning left	100.00
12	31-17-3	Yield right of way (intersection)	100.00
13	31-17-4	Obedience to stop signs	100.00
14	31-17-5	Entering from private road or driveway	100.00
15	31-17-8	Vehicle within right of way, rotary	100.00
16	31-17-9	Yielding to bicycles on bicycle lane	100.00
17	31-18-3	Right of way in crosswalks	
18		first violation	100.00
19		second violation or any subsequent violation	100.00
20	31-18-5	Crossing other than at crosswalks	100.00
21	31-18-8	Due care by drivers	100.00
22	31-18-12	Hitchhiking	100.00
23	31-18-18	Right of way on sidewalks	100.00
24	31-19-3	Traffic laws applied to bicycles	100.00
25	31-19-20	Sale of new bicycles	100.00
26	31-19-21	Sale of used bicycles	100.00
27	31-19.1-2	Operating motorized bicycle on an interstate highway	100.00
28	31-19.2-2	Operating motorized tricycle on an interstate highway	100.00
29	31-20-1	Failure to stop at railroad crossing	100.00
30	31-20-2	Driving through railroad gate	100.00
31	31-20-9	Obedience to stop sign	100.00
32	31-21-4	Places where parking or stopping prohibited	100.00
33	31-21-14	Opening of vehicle doors	100.00
34	31-21-18	Electric vehicle charging station restriction	100.00

1	31-22-2	Improper backing up	100.00
2	31-22-4	Overloading vehicle	100.00
3	31-22-5	Violation of safety zone	100.00
4	31-22-6	Coasting	100.00
5	31-22-7	Following fire apparatus	100.00
6	31-22-8	Crossing fire hose	100.00
7	31-22-9	Throwing debris on highway — snow removal	100.00
8	31-22-11.5	Improper use of school bus — not to exceed five hundred dollars	
9		for each day of improper use	(\$500)
10	31-22-22(a)	No child restraint	100.00
11	31-22-22(a)	Child restraint/seat belt but not in any rear seating position	100.00
12	31-22-22(b), (f)	No seat belt — passenger	40.00
13	31-22-22(g)	No seat belt — operator	40.00
14	31-22-23	Tow trucks — proper identification	275.00
15	31-22-24	Operation of interior lights	100.00
16	31-23-1(b)(2)	U.S. department of transportation motor carrier safety rules and	
17		regulations	Not less than \$100.00 or more than \$500.00
18	31-23-1(e)(6)	Removal of an “out of service vehicle” sticker	125.00
19	31-23-1(e)(7)	Operation of an “out of service vehicle”	100.00
20	31-23-2(b)	Installation or adjustment of unsafe or prohibited parts, equipment,	
21		or accessories:	(first offense) 250.00
22			(second offense) 500.00
23			(third and subsequent offenses) 1,000.00
24	31-23-4	Brake equipment required	100.00
25	31-23-8	Horn required	100.00
26	31-23-10	Sirens prohibited	100.00
27	31-23-13	Muffler required	100.00
28	31-23-13.1	Altering height or operating a motor vehicle with an altered	
29		height	100.00
30	31-23-14	Prevention of excessive fumes or smoke	100.00
31	31-23-16	Windshield and window stickers (visibility)	100.00
32	31-23-17	Windshield wipers	100.00
33	31-23-19	Metal tires prohibited	100.00
34	31-23-20	Protuberances on tires	100.00

1	31-23-26	Fenders and wheel flaps required	100.00
2	31-23-27	Rear wheel flaps on buses, trucks, and trailers	100.00
3	31-23-29	Flares or red flag required over four thousand pounds	
4		(4,000 lbs.)	100.00
5	31-23-40	Approved types of seat belt requirements	100.00
6	31-23-42.1	Special mirror — school bus	100.00
7	31-23-43	Chocks required (1 pair) — over four thousand pounds	
8		(4,000 lbs.)	100.00
9	31-23-45	Tire treads — defective tires	100.00
10	31-23-47	Slow moving emblem required	100.00
11	31-23-49	Transportation of gasoline — passenger vehicle	100.00
12	31-23-51	Operating bike or motor vehicle wearing ear phones	
13		(first offense)	100.00
14		second offense	110.00
15		for the third and each subsequent offense	140.00
16	31-24-1 through 31-24-54	Times when lights required	100.00
17	31-25-9	Leaking load	100.00
18	31-25-11	Connections between coupled vehicles	100.00
19	31-25-12	Towing chain, twelve-inch (12") square flag required	100.00
20	31-25-12.1	Tow truck — use of lanes	
21		(first offense)	100.00
22		second offense	110.00
23		for the third and each subsequent offense	140.00
24	31-25-17	Identification of trucks and truck-tractors	
25		(first offense)	100.00
26		(second offense)	110.00
27		for the third and subsequent offenses	140.00
28	31-25-24	Carrying and inspection of excess load limit	350.00
29	31-27-2.3	Refusal to take preliminary breath test	100.00
30	31-28-7(d)	Wrongful use of handicapped parking placard	500.00
31	31-28-7(f)	Handicapped parking space violation:	
32		First offense	100.00
33		Second offense	175.00
34		Third offense and subsequent offenses	325.00

1	31-28-7.1(e)	Wrongful use of institutional handicapped parking placard	125.00
2	31-33-2	Failure to file accident report	100.00
3	31-34-2	Proof of insurance — motor vehicle rental	100.00
4	31-34-3	Operation by person other than lessee	100.00
5	31-36.1-17	No fuel tax stamp (out-of-state)	85.00
6		and not exceeding (\$100) for subsequent offense	
7	31-38-3	No inspection sticker	100.00
8	31-38-4	Violation of inspection laws	100.00
9	31-41.3-15	Automated school zone speed enforcement system	50.00
10	31-47.2-6	Heavy-duty vehicle emission inspections:	
11		First offense	125.00
12		Second offense	525.00
13		Third and subsequent offenses	1,025.00
14	31-51-2.2	Failure to stop for school bus	300.00
15	37-15-7	Littering not less than 55.00,	
16		not more than five hundred dollars	(\$500)
17	39-12-26	Public carriers violation	300.00

SPEEDING

Fine

- 19 (A) One to ten miles per hour (1-10 m.p.h.) in excess of posted speed limit \$ 95.00
- 20 (B) Eleven miles per hour (11 m.p.h.) in excess of posted speed limit with 205.00

21 minimum a fine of ten dollars (\$10.00) per mile in excess of speed limit shall be assessed.

22 (b) In addition to any other penalties provided by law, a judge may impose the following
 23 penalties for speeding:

24 (1) For speeds up to and including ten miles per hour (10 m.p.h.) over the posted speed
 25 limit on public highways, a fine as provided for in subsection (a) of this section for the first offense;
 26 ten dollars (\$10.00) per mile for each mile in excess of the speed limit for the second offense if
 27 within twelve (12) months of the first offense; and fifteen dollars (\$15.00) per mile for each mile
 28 in excess of the speed limit for the third and any subsequent offense if within twelve (12) months
 29 of the first offense. In addition, the license may be suspended up to thirty (30) days.

30 (2) For speeds in excess of ten miles per hour (10 m.p.h.) over the posted speed limit on
 31 public highways, a mandatory fine of ten dollars (\$10.00) for each mile over the speed limit for the
 32 first offense; fifteen dollars (\$15.00) per mile for each mile in excess of the speed limit for the
 33 second offense if within twelve (12) months of the first offense; and twenty dollars (\$20.00) per
 34 mile for each mile in excess of the speed limit for the third and subsequent offense if within twelve

1 (12) months of the first offense. In addition, the license may be suspended up to sixty (60) days.

2 (c) Except for a technology surcharge assessed in accordance with § 8-15-11, any person
3 charged with a violation who pays the fine administratively pursuant to this chapter shall not be
4 subject to any additional costs or assessments, including, but not limited to, the hearing fee
5 established in § 8-18-4.

6 SECTION 4. Sections 31-51-2, 31-51-2.1, 31-51-2.2, 31-51-3, 31-51-4, 31-51-5, 31-51-
7 5.1, 31-51-6, 31-51-8 and 31-51-9 of the General Laws in Chapter 31-51 entitled "School Bus
8 Safety Enforcement" are hereby amended to read as follows:

9 ~~31-51-2. Live digital video school bus violation detection monitoring systems~~ **Digital**
10 **video school bus violation detection monitoring systems.**

11 (a) All school departments of this state are hereby authorized to install and operate ~~live~~
12 digital video school bus violation detection monitoring systems. Such systems shall, at a minimum,
13 be systems which monitor and detect school bus traffic violations. For purposes of this chapter a
14 ~~live~~ digital video school bus violation detection monitoring system means a system with one or
15 more camera sensors and computers which produce ~~live~~ digital and recorded video of motor
16 vehicles being operated in violation of school bus traffic laws in violation of § 31-20-12. All
17 systems installed for use under this chapter shall, at a minimum, produce a ~~live~~ visual image
18 viewable remotely, a recorded image of the license plate, and be able to record the time, date, and
19 location of the vehicle, and a signed affidavit by a person who witnessed the violation via live or
20 recorded video.

21 (b) On and after July 1, 2027, all new school buses to be operated pursuant to § 31-20-
22 11(a) shall be equipped with a ~~live~~ digital video school bus violation detection monitoring system
23 that conforms with the requirements of subsection (a) of this section.

24 (c) On and after July 1, 2032, all school buses to be operated pursuant to § 31-20-11(a)
25 shall be equipped with a ~~live~~ digital video school bus violation detection monitoring system that
26 conforms with the requirements of subsection (a) of this section.

27 (d) The school departments with input and approval by the municipal police chief may
28 enter into an agreement with a private corporation or other entity to provide ~~live~~ digital video school
29 bus violation detection monitoring systems and to maintain and operate such systems.

30 (e) Neither the school department, nor the municipality shall incur liability or have an
31 obligation to reimburse a vendor for any expenses or costs associated with the operation or
32 administration of the contracted digital video school bus violation detection monitoring system
33 beyond revenue allocations pursuant to § 31-51-2.2, even if expenses or costs to the vendor exceed
34 such violation revenues.

1 **31-51-2.1. Installation and signage.**

2 (a) All vehicles installed with a ~~live~~ digital video school bus violation detection monitoring
3 system shall post a warning sign indicating the use of such system.

4 (b) Warning signage shall remain on each vehicle as long as a ~~live~~ digital video school bus
5 violation detection monitoring system is in operation.

6 **31-51-2.2. Stopping for school bus required — Penalty for violation.**

7 (a) Any vehicle being operated upon a street, highway, private way or private or public
8 parking area upon meeting or overtaking from any direction any school bus on which there is in
9 operation flashing red lights or activated stop sign, shall stop before reaching the bus. The vehicle
10 shall not proceed until the bus resumes motion or until the flashing lights are no longer actuated.
11 No driver of any motor vehicle, except emergency vehicles on official business, shall travel in the
12 same lane of traffic behind a school bus at a distance of less than fifty feet (50'). ~~Am Notwithstanding~~
13 ~~any provision of the general laws to the contrary, an~~ owner and/or operator of a motor vehicle
14 operated in violation of this section based on evidence obtained from a ~~live~~ digital video school bus
15 violation detection monitoring system shall, upon admission or conviction of a violation of this
16 section, be punished by a civil fine of ~~not less than two hundred fifty dollars (\$250) nor more than~~
17 ~~five hundred dollars (\$500) and/or suspension of his or her driving license for a period not to exceed~~
18 ~~thirty (30) days~~ three hundred dollars (\$300).

19 (b)(1) A law enforcement officer ~~authorized to issue a traffic violation summons pursuant~~
20 ~~to this title~~ or technician employed by a municipality may issue a ~~summons~~ notice of a violation of
21 this chapter based on evidence from a ~~live~~ digital video school bus violation detection monitoring
22 system; provided, that the statement of testimony, or evidence provides the law enforcement officer
23 or technician with sufficient probable cause that a violation under this section was committed. The
24 ~~summons~~ notice of violation shall be in the form referred to in § 31-51-3.

25 (2) A law enforcement officer may issue a notice of violation based on personal
26 observation, or on the statement or testimony of a school bus driver or monitor or other private
27 citizen; provided that, the statement or testimony provides the law enforcement officer with
28 sufficient probable cause that a violation under this section was committed. Any admission or
29 conviction under this subsection may be punished in accordance with subsection (a) of this section.

30 **31-51-3. Procedure — Notice.**

31 (a) Except as expressly provided in this chapter, all prosecutions based on evidence
32 produced by a ~~live~~ digital video school bus violation detection monitoring system shall follow the
33 procedures established in chapter 41.1 of this title, chapter 18 of title 8, and the rules promulgated
34 by the chief magistrate of the traffic tribunal for the hearing of civil traffic violations in the traffic

1 tribunal. Provided, that in an action brought pursuant to the provisions of this chapter, references
2 in chapter 41.1 of this title to an “operator” shall apply to the registered owner of the vehicle. A
3 ~~summons~~ notice of violation may be issued by an officer or technician solely based on evidence
4 obtained by use of a ~~live~~ digital video school bus violation detection monitoring system. All
5 ~~summons~~ notices of violation issued based on evidence obtained from a ~~live~~ digital video school
6 bus violation detection monitoring system shall be issued within ~~ten (10)~~ thirty (30) days of the
7 violation. Notwithstanding any provisions of the general laws to the contrary, jurisdiction to hear
8 and decide any violation under this chapter shall be as follows:

9 (1) By the traffic tribunal over all violations for which the ~~summons~~ notice of violation is
10 issued by a state agency;

11 (2) By the traffic tribunal over all violations for which the ~~summons~~ notice of violation is
12 issued by a city or town which has not established a municipal court; and

13 (3) By the municipal court over all violations for which the ~~summons~~ notice of violation is
14 issued by a city or town which has established a municipal court.

15 (b) It shall be sufficient to commence a prosecution based on evidence obtained from a ~~live~~
16 digital video school bus violation detection monitoring system. A copy of the ~~summons~~ notice of
17 violation and supporting documentation shall be mailed to the address of the registered owner kept
18 on file by ~~the~~ an applicable registry of motor vehicles. For purposes of this section, the date of
19 issuance shall be the date of mailing. A manual or automatic record of mailing prepared in the
20 ordinary course of business shall be prima facie evidence of the factors contained therein.

21 (c) The officer or technician issuing the ~~citation~~ notice of violation shall certify ~~under~~
22 ~~penalties of perjury~~ that the evidence obtained from the ~~live~~ digital video school bus violation
23 detection monitoring system was sufficient to demonstrate a violation of the motor vehicle code.
24 Such certification shall be sufficient in all prosecutions pursuant to this chapter to justify the entry
25 of a default judgment upon sufficient proof of actual notice in all cases where the ~~citation~~ notice of
26 violation is not answered within the time period permitted.

27 (d) ~~The~~ Notwithstanding any provision of the general laws to the contrary, the summons
28 shall be in the form of violation and contain ~~all the information provided for on the uniform~~
29 ~~summons as referred to in § 31-41.1-1 and the rules of procedure promulgated by the chief~~
30 ~~magistrate of the traffic tribunal as well as the date, time, and location of the violation. In addition,~~
31 ~~the following information shall be attached to or accompany the summons~~ the following:

32 (1) The date, time, and approximate location of the violation;

33 (2) Copies of two (2) or more photographs, or microphotographs, videos, or other recorded
34 images taken as proof of the violation;

1 ~~(2)(3)~~ A signed statement certified ~~under the penalties of perjury~~ by a ~~trained~~ law
2 enforcement officer or authorized municipal technician that, based on inspection of recorded
3 images and video, the motor vehicle was being operated in violation of this chapter;

4 ~~(3)(4)~~ A ~~signed~~ statement that recorded images are evidence of a violation of this chapter;

5 ~~(4)(5)~~ A statement that the person who receives the ~~summons~~ notice of violation under this
6 chapter may either pay admit liability by paying the civil fine ~~in accordance with the provisions of~~
7 ~~§ 31-51-2.2~~ to the municipality or its designee, proceed under § ~~31-51-5(e)(3)~~ 31-51-5(c)(2) of this
8 section, or ~~elect to stand trial~~ request a hearing for the alleged violation;

9 ~~(5) A signed affidavit by a person who witnessed the motor vehicle being operated in~~
10 ~~violation of this chapter; and~~

11 ~~(6) A signed statement certified under the penalties of perjury by a trained law enforcement~~
12 ~~officer that the summons and attachments required under this subsection were mailed to the address~~
13 ~~of the registered owner kept on file by the registry of motor vehicles. A website where the recorded~~
14 ~~video and images from a digital school bus violation detection monitoring system can be observed;~~

15 ~~(7) The amount of the civil fine imposed by the municipality, the date by which the civil~~
16 ~~fine must be paid, and instructions on how to pay the civil fine;~~

17 ~~(8) Instructions on how to request a hearing or stand trial to contest liability;~~

18 ~~(9) A warning that failure to pay the civil fine within thirty (30) days of the issuance of the~~
19 ~~notice of violation shall incur a thirty-five dollar (\$35.00) administrative late fine in addition to the~~
20 ~~unpaid civil fine; and~~

21 ~~(10) A warning that failure to pay the civil fine may result in withholding of the motor~~
22 ~~vehicle registration.~~

23 ~~(e) Any summons issued pursuant to this chapter~~ Notwithstanding any provision of the
24 general laws to the contrary, a notice of violation shall be issued by a law enforcement officer
25 ~~authorized to issue a traffic violation summons~~ or technician designated by a municipality pursuant
26 to this ~~title~~ chapter, however, a municipality may assign a designee to perform ministerial mailing
27 and payment processing services associated with a notice violation.

28 ~~(f) Any registered owner or otherwise liable party who fails to pay the civil fine within~~
29 ~~thirty (30) days of the issuance of the notice of violation shall be subject to a thirty-five dollar~~
30 ~~(\$35.00) administrative late fine in addition to the unpaid civil fine.~~

31 ~~(g) If an unpaid civil fine or administrative late fine is not paid within ninety (90) days of~~
32 ~~the issuance of the original notice of violation and there is no non-liability violation established~~
33 ~~pursuant to § 31-51-5(e), the municipality shall report the registered owner to the Rhode Island~~
34 ~~division of motor vehicles, who then shall not permit the renewal of the vehicle registration~~

1 associated with the violation until any unpaid civil fines or administrative late fines are paid to the
2 municipality. Upon the municipality's receipt of such payment or a written repayment agreement
3 between the person and the municipality, the municipality shall promptly issue a verbal, written, or
4 electronic confirmation showing the amounts paid and certification that the person does not owe
5 any amounts to the municipality or has otherwise made satisfactory repayment arrangements with
6 the municipality. In any such case, the Rhode Island division of motor vehicles shall forthwith
7 release any hold placed for this purpose on the person's vehicle registration renewal. If a person
8 who made satisfactory repayment arrangements with the municipality subsequently fails to honor
9 and comply with such arrangement with the municipality according to their terms, the municipality
10 may re-report the person to the Rhode Island division of motor vehicles which shall then prohibit
11 that person from renewing the vehicle registration until the originally paid civil fines and
12 administrative late fines are paid to the municipality.

13 (h) If a non-liability of violation is proven pursuant to § 31-51-5(e), then the municipality
14 shall report the liable party to the Rhode Island division of motor vehicles.

15 **31-51-4. Hearings.**

16 Notwithstanding any provision of the general laws to the contrary, a hearing to decide any
17 violation under this chapter may be conducted in person, online via video conferencing or by mail
18 through submission of a written explanation. Evidence from a ~~live~~ digital video school bus violation
19 detection monitoring system shall be considered substantive evidence in the prosecution of all civil
20 traffic violations. ~~Evidence~~ Recorded images from a ~~live~~ digital video school bus violation
21 detection monitoring system ~~approved by the school department~~ shall serve as prima facie evidence
22 of a violation, shall be admitted without further authentication and ~~such evidence may shall~~ be
23 deemed sufficient to sustain a civil traffic violation. Notwithstanding any provision of the general
24 laws to the contrary, liability at any hearing shall be determined by clear and convincing evidence
25 whether the violation occurred. In addition to any other defenses as set forth herein, any and all
26 defenses cognizable at law shall be available to the individual who receives the ~~citation~~ notice of
27 violation commencing a prosecution under this chapter; provided, however, school bus compliance
28 with §§ 31-20-11 or 31-20-11.1 shall not be a defense to the violation. Notwithstanding any
29 provision of the general laws to the contrary, the traffic tribunal or a municipal court may charge a
30 hearing fee not to exceed one hundred dollars (\$100) to a party that requests a hearing for a notice
31 of violation issued under this chapter, and such hearing fee shall not apply if the party is deemed
32 not liable at the hearing.

33 **31-51-5. Driver/registered owner liability.**

34 (a) The registered owner of a motor vehicle shall not operate or allow the motor vehicle to

1 be operated in violation of this chapter. There shall be a rebuttable presumption that the registered
2 owner of the vehicle that is photographed pursuant to this chapter was operating the vehicle.

3 (b) In all prosecutions of civil traffic violations based on evidence obtained from a ~~live~~
4 digital video school bus violation detection monitoring system as provided under this chapter, the
5 registered owner of the vehicle shall be primarily responsible in all prosecutions of violations
6 pursuant to the provisions of this chapter, except as otherwise provided under this chapter.

7 (c) In the event that the registered owner of the vehicle operated in violation of this chapter
8 was not the operator of the vehicle at the time of the violation, the registered owner shall either:

9 (1) Accept responsibility for the violation by paying the fine to the municipality or its
10 designee; or

11 (2) Upon receipt of the notice of the violation, provide the issuing authority, a notarized
12 affidavit under penalty of perjury, within ~~twenty (20)~~ thirty (30) days of the date of issuance, the
13 name and address of the individual operating the vehicle at the time which the violation occurred.

14 (d) It shall be prima facie evidence, establishing a rebuttable presumption, that the owner
15 of the registered motor vehicle was the operator of the vehicle at the time of the violation if the
16 registered owner of the motor vehicle fails to pay the fine and fails to proceed under subdivision
17 (c)(2) of this section. Evidence offered pursuant to this chapter shall be sufficient to establish a
18 violation of § 31-51-2.2 by clear and convincing evidence.

19 (e) The owner of a rented or leased motor vehicle, or the owner of a corporation or
20 authorized agent, may establish non-liability for violations issued pursuant to this chapter by
21 providing to the issuing authority the name and address of the custodian of the vehicle at the time
22 of the violation. The owner of the rented or leased vehicle shall provide a copy of the written rental
23 or a lease agreement which shall be prima facie evidence, establishing a rebuttable presumption,
24 that the lessee was the operator of the vehicle. In the event that the lessee was not the operator of
25 the motor vehicle at the time of the violation, the lessee shall either:

26 (1) Accept responsibility for the violation by paying the fine to the municipality or
27 designee; ~~or~~

28 (2) Upon receipt of the notice of the violation, provide the issuing authority within ~~twenty~~
29 ~~(20)~~ thirty (30) days of the date of issuance, the name and address of the individual operating the
30 vehicle at the time which the violation occurred; or

31 (3) Request a hearing for the alleged violation.

32 **31-51-5.1. Revenue.**

33 The revenue generated from each fine imposed pursuant to this chapter shall be allocated
34 as follows:

- 1 (1)
- 2 ~~Forty percent (40%)~~ Twenty percent (20%) to the state general fund;
- 3 (2)(i) ~~Thirty percent (30%)~~ Forty percent (40%) to the municipality where the violation
- 4 takes place; and
- 5 (ii) ~~Thirty percent (30%)~~ Forty percent (40%) to the vendor who supplies and supports the
- 6 video detection monitoring system being used; and
- 7 (3) The provisions of this section shall not apply to contracts existing at the time of the
- 8 enactment of this section, and shall only apply to new contracts, ~~or extensions of existing contracts,~~
- 9 entered into on or after the effective date of this section.

10 **31-51-6. Use of evidence in criminal and civil cases.**

11 Nothing in this chapter shall prohibit the use of evidence produced by a ~~live~~ digital video

12 school bus violation detection monitoring system in a criminal or private civil proceeding provided

13 that the admissibility of such evidence shall not follow the applicable laws and rules of procedure

14 and rules of evidence which apply in criminal and civil cases.

15 **31-51-8. Security of records.**

16 (a) The recorded images and live video produced by a ~~live~~ digital video school bus violation

17 detection monitoring system shall not be deemed “public records” subject to disclosure pursuant to

18 subdivision 38-2-2(4)(i).

19 (b) All recorded images and live video that do not identify a violation shall be destroyed

20 within ~~twenty-four (24) hours~~ ninety (90) days of the date the ~~live~~ video was recorded, unless

21 ordered by a court of competent jurisdiction.

22 (c) All recorded images and live video that identify a violation shall be destroyed within

23 one year after the citation is resolved by administrative payment, trial or other final disposition of

24 the citation, unless ordered by a court of competent jurisdiction.

25 (d) The privacy of records produced pursuant to this chapter shall be maintained; provided,

26 that aggregate data not containing personal identifying information may be released.

27 **31-51-9. Reports.**

28 The school department authorizing the installation of a ~~live~~ digital video school bus

29 violation detection monitoring system, in consultation with the municipality, shall prepare an

30 annual report containing data on:

- 31 (1) The number of citations issued;
- 32 (2) The number of those violations paid;
- 33 (3) The number of those violations found after trial or hearing;
- 34 (4) The number of violations dismissed after trial or hearing;

1 (5) The amount of revenue obtained from the ~~live~~ digital video school bus violation
2 detection monitoring system.

3 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR AND OTHER VEHICLES -- SPECIAL STOPS REQUIRED

1 This act would permit a driver to admit to a violation for failure to stop for a school bus
2 and pay the violation of three hundred dollars (\$300) directly to the municipality or its designee,
3 without the need for a court appearance. This act would further permit a law enforcement officer,
4 or a technician employed by a municipality to issue a notice of violation to a driver who fails to
5 stop for a school bus. The driver would then have thirty (30) days to pay the fine, or request a
6 hearing in regard to the violation. The recorded images from the digital video school bus violation
7 detection monitoring system shall serve as prima facie evidence of a violation and shall be admitted
8 without further authentication and sufficient to sustain a civil traffic violation. The revenue received
9 from these violations would be readjusted so that twenty percent (20%) goes to the state general
10 fund; forty percent (40%) goes to the municipality where the violation occurred; and forty percent
11 (40%) goes to the vendor applying and supporting video detection monitoring system being used.

12 This act would take effect upon passage.

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