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# Joint Board Matter

**Chairman Jeffrey C. McKay**

**Supervisor John Foust**

**February 7, 2023**

## **Status and Timeline Request for School Bus Stop Arm Cameras**

The safety, security, and well-being of our residents are of the utmost importance. This is especially true for our children. As I am sure many on this Board and our residents can attest to, we have all seen a vehicle speed past a school bus that has its stop arm out and its red lights flashing. This is unacceptable.

Recognizing that this poses a significant risk to our children, I, Supervisor Foust and this Board, led the extensive effort to give localities the authority to implement a school bus stop arm camera program, dating back to 2013 (timeline attached). These cameras serve to change driver behavior and keep our children safe.

While the Board and the Fairfax County Police Department are supportive and have worked towards the ability to implement such a program, it is within the purview of the Fairfax County Public Schools to initiate this policy or maintain the equipment needed.

As such, and given that several years have passed and the cameras are still not in operation, without objection, we ask that the Board request a formal update from the Fairfax County Public Schools to the Board that includes the status of the cameras and a timeline for their implementation.

## Chronology

- **October 29, 2013:** Sup. Foust introduces a Board Matter directing County staff to work with FCPS staff to determine what would be required to implement a school bus stop arm camera program in response to General Assembly (GA) giving localities the option to do so in 2011.
- **October 22, 2015:** VA Attorney General (AG) issues an opinion that ended the school bus camera programs that were in effect. AG Herring wrote that the GA never explicitly gave police departments authority to issue summonses by mail based on evidence from bus cameras.
- **May 2016:** GA fixes problems; Gov. McAuliffe signs a bill that allows citations to be mailed.
- **June 2016:** Deputy County Executive (DCEX) for Public Safety reports to the Dranesville Office that Fairfax County Public Schools (FCPS) is no longer interested in implementation as any potential vendor would not have access to Department of Motor Vehicles (DMV) records. FCPS raised cost concerns and the DCEX was unsure why this would be a problem as vendors install the equipment and absorb costs.
- **July 2016:** The Board sends a letter to Executive Secretary of the Supreme Court supporting an amendment to the Uniform Fine Schedule allowing summonses to be pre-paid.
- **September 2016:** Uniform Fine Schedule was amended to put school bus summonses on the pre-payable list.
- **September 2016:** The problem of an outside vendor having the authority to review DMV records is still an issue. The Commissioner of the DMV assured the Senate Transportation Committee that the DMV does have authority to allow a vendor to view records for a school bus camera program.
  - **January 24, 2017:** The Board holds a public hearing on Code amendment authorizing FCPS Board to install and operate a video monitoring system. The Board adopted the amendment and hoped to see something in place by the start of the school year.
- **July 25, 2017:** Sup. Foust and then Sup. McKay introduce a Board Matter expressing frustration that the School Board has taken no action.
- **May 4, 2018:** School Board still concerned about whether the DMV can provide information to a vendor in conjunction with the implementation of a school bus stop arm camera program. FCPS attorneys ask AG to issue an opinion.
- **GA 2019 Session:** GA fixes the problem; FCPS attorneys indicate that the amendment addressed their legal concerns.
- **October 9, 2019:** Then FCPS Superintendent communicated to then Sup. McKay's chief of staff, that the Request For Proposal (RFP) is "almost done" and that he hopes "to have something out on buses before school year is over"
- **December 2019:** RFP issued; responses due on December 10, 2019. FCPS Superintendent hoped to have a program in effect by the end of school year in 2020.
- **December 10, 2019:** BusPatrol America sends letter to County and FCPS stating that the company will not respond to RFP for a number of reasons, namely only 300 buses out of a fleet of 1600 would be equipped with cameras.

- **January 2020:** FCPS Staff informs Dranesville Board staff that FCPS has selected a vendor and is in the process of working out details of the contract, and that the program would likely be operational in fall 2020.
- **COVID:** COVID halts the negotiations; FCPS procurement requests and extension.
- **April 2021:** FCPS Procurement given the news that their vendor contact left the company. FCPS was not sure if the offer presented in Dec. 2019 is still viable. FCPS may “need to reinvent the RFP process.”
- **December 17, 2021:** Chairman McKay sends a letter to School Board Chair requesting that the FCPS implement a school bus stop arm camera program no later than summer 2022. No response from School Board or FCPS.
- **Summer-Winter 2022:** Informal updates provided to both the Chairman and Dranesville offices that outlined some concerns surrounding similar regional programs and challenges in court, the number of buses initially equipped, and that negotiations are ongoing with a potential vendor, but no formal update.