



MEMO

SUBJECT: Automated School Bus Enforcement (ASBE) Program Guidelines

TO: School Entities or System Administrators acting on their behalf

FROM: Pennsylvania Department of Transportation

Thank you for doing your part in this important highway safety program. The following guidelines were developed by the Pennsylvania Department of Transportation (PennDOT) to help School Entities and System Administrators (Administrators) acting on their behalf to execute a transparent, efficient, and equitable Automated School Bus Enforcement (ASBE) Program (Program). [Act 19 of 2023](#) provided program changes, and both School Entities and Administrators on their behalf are encouraged to comprehensively read the applicable laws, regulations, and guidelines to ensure your program's conformance which include:

- [75 PA C.S. Vehicle Code §§ 3345-3345.1](#)
- [67 PA Code §171b School Bus Side Stop Signal Arm Enforcement Systems: Temporary Regulations](#)
- [PennDOT School Bus Safety web page](#)

Distinction: This Program only relates to violations with associated \$300 civil penalties under 75 PA C.S. §3345.1. Registered vehicle owners criminally convicted for the same violation under 75 PA C.S. §3345, with associated \$250 criminal penalty and \$35 surcharge, shall not also be responsible to pay the \$300 civil penalty. More discussion is below regarding finance and payments.

PennDOT has a limited role in the Program administration, specifically:

- 1) Develop and promulgate Commonwealth temporary and permanent regulations
- 2) Review and approve system certification and use for Program compliance
- 3) Administer 1st layer of the contestation process by conducting an informal hearing with Commonwealth identified Hearing Officers
- 4) As necessary, perform program Audits to School Entities/or Administrators
- 5) Work with Pennsylvania State Police to compile and publish an Annual Report to the Pennsylvania Legislature by December 31st each year
- 6) Administer the School Bus Safety Grant Program with the \$25/violation received

Accordingly, this document contains corresponding sections, reflecting PennDOT expectations, guidance, and key reminders: Commonwealth Regulations, System Certification, Hearing Administration, Program Audits, Annual Reports and School Bus Safety Grant Program. They do not purport to repeat or supersede all applicable laws and regulations, such as those mentioned above.

Section 1: Commonwealth Regulations

Following [Act 19 of 2023](#) by the PA General Assembly, which updated [75 PA C.S. Vehicle Code §§ 3345-3345.1](#) (Law), effective December 23, 2024, PennDOT promulgated [67 PA Code §171b School Bus Side Stop Signal Arm Enforcement Systems; Temporary Regulations](#) (Regulation), effective February 17, 2024. The new Law and Regulation include the necessary, legislatively identified program requirements for system certification and use.

Section 2: System Certification

As provided by the Law, and codified in the Regulation, no side stop signal arm enforcement system may be used without PennDOT certification. Previously certified systems under 67 PA Code §171a *School Bus Side Stop Signal Arm Enforcement Systems; Temporary Regulations* must be re-certified by PennDOT to achieve compliance with the new temporary regulations. PennDOT has reached out to all company applicants with previously certified systems to go through this recertification process. All new requests will follow the standard application process for such product certifications.

The purpose of the application is so the manufacturer or vendor may submit the necessary documentation outlined within this document for PennDOT certification, prior to utilizing the system. To gain certification, applicants should follow these steps:

- Access [PennDOT eCAMMS system](#) and complete the New User Request Form, if applicable. [This instructional video](#) is available to assist with form completion:
- Select “School Bus Side Stop Signal Arm Enforcement System” as a manufacturing facility type in eCAMMS to ensure the appropriate and timely review of your product.
- Submit a request for certification to the Department of Transportation on its letterhead confirming the make and model of the system and how the system meets the minimum requirements 67 PA Code §171b.3(a) School Bus Side Stop Signal Arm Enforcement Systems – Temporary Regulations listed below:
 - 1) Be installed on the school bus and include hardware, with at least one camera and one computer capable of producing accurate recorded images.
 - 2) While flashing red lights are activated on a school bus, be capable of capturing recorded images of any motor vehicle operated in violation of 75

- Pa.C.S. § 3345.1(a) (relating to automated enforcement of failure to stop for school bus with flashing red lights), with at least one recorded image depicting the license plate number and state of issuance of the motor vehicle.
- 3) Automatically activate when the school bus driver or operator engages the stop signal arm and red signal lights for a school bus stop.
 - 4) Produce a recorded image displaying or be capable of confirming, the date, time and place of an alleged violation of 75 Pa.C.S. § 3345.1(a).
 - 5) Include the capability to prohibit automated or user-controlled remote surveillance by means of recorded video.
 - 6) Include vandal-resistant housing covers for exterior cameras.
 - 7) Include hardware storage or cloud-based storage capable of storing recorded images and be capable, internally or in conjunction with removable media, of retaining recorded images of an alleged violation of 75 Pa.C.S. § 3345.1(a).
 - 8) Be capable of producing all recorded images to the school entity, a system administrator acting on the school entity's behalf or a contracted company that provides pupil transportation no later than 24 hours after an alleged violation of 75 Pa.C.S. § 3345.1(a).
- Attach the following information certification in eCAMMS:
 - 1) Certification Request Letter: Provide the letter as described above
 - 2) Product Specification – Provide a detailed product specification of the capabilities of your School Bus Side Stop Signal Arm Enforcement System
 - 3) Technical Data Sheet – Provide a technical data sheet which provides the systems capabilities along with how the system works
 - 4) Quality Control (QC) Plan – Provide a detailed quality control plan to provide accuracy and testing requirements of the product. Additionally, all backend post processing of the data before the school entity receives the information should be documented within the QC Plan. Please include how the retention process and destroying of images as identified within the legislation is accomplished. Lastly, the manufacturer will explain how it secures all data associated with the school bus side signal arm enforcement system.
 - 5) Use Guidelines – Provide detailed guidelines of the use of the system and recommendations to the school entity to ensure the most efficient, accurate, and transparent way to run the system.
 - 6) Independent Testing Data – Provide any independent 3rd party testing of the equipment or other state DOT testing requirements for review.
 - 7) Installation Directions and Guidelines – Provide clear manufacturer installation and installation requirements and guidelines of the system.
 - 8) Maintenance/Repair Direction and Guidelines – Provide clear manufacturer maintenance and repair directions and guidelines of the system.
 - 9) Parts List – Provide a listing of all the associated parts to the manufactured system.
 - 10) Performance Data and Reports – Provide any additional data or reports of the use in other transportation jurisdictions.

- 11) Product Approvals by other State DOTs and/or FHWA – Provide a listing and differentiate whether you have a statewide approval, or the product is being utilized by another state DOT or local agencies.
- 12) Other
 - 1) Provide any product testing certifications, if applicable.
 - 2) If software is part of the solution, please provide details regarding the software, how the school entity will access and retrieve the software,
 - 3) Provide any sample agreements you may have with school entities.
 - 4) Provide details regarding how the manufacturer or vendor will document where they have deployed to school entities and the overall number deployed.

Once the application materials have been submitted, the Department will promptly review and either issue written approval, with certification, and/or application comments.

Section 3: Hearing Administration

The vehicle owner may contest liability for a violation by requesting a hearing in front of a PennDOT Hearing Officer. To facilitate effective, efficient, and fair hearings, consistent processes and records, such as evidentiary packages are encouraged, and in some cases required by law. Below details the key elements for hearing administration.

Hearings per 75 Pa.C.S. §3345.1 are only to be conducted with PennDOT Hearing Officers. School Entities and System Administrators acting on their behalf may unilaterally deny a vehicle owner's Request for Hearing only if the violation is an undisputable violation of law and regulation. School Entities and System Administrators acting on their behalf may not deny valid hearing requests.

Distinction: This Program only relates to civil violations with associated \$300 civil penalties under §3345.1 as captured through the automated enforcement program. Violations that are considered as criminal penalties and involve police citations are **not** handled through this hearing process. Please refer to the NOV on the governing statutes, penalties, hearing procedures and timeframes related to the particular violation.

3.1 System Access and Training

The School Entity/Administrator is responsible to establish an electronic system where program information and all violations can be accessed and viewed by the Hearing Officer and Police. Prior to enforcement activities and administration of hearings, School Entities/Administrators are encouraged to provide system access and training

to allow PennDOT Hearing Officers to better understand the program processing and administration.

3.2 Request for Hearing and Other Pre-Hearing Information

The School/Administrator shall establish a unique violation number for each Notice of Violation (NOV). Following receipt of an NOV, the vehicle owner may contest liability by making a request for a hearing to the School Entity/Administrator, either virtually or in-person. Instructions should be clearly stated on the NOV. The School Entity/Administrator should immediately notify the vehicle owner, in writing, that the request for a hearing was received. As part of the challenge process, vehicle owners will have the ability to present evidence in support of their challenge to the NOV. When responding to the hearing request, School Entities/Administrators should provide language on the correspondence related to provision of this evidence, including the following:

Vehicle owners challenging the Notice of Violation (NOV) may present evidence supporting the challenge corresponding to the allowable defenses provided by the Statute, 75 PA C.S. §§ 3345-3345.1. Evidence must pertain to one of the allowable defenses listed within the statute and as presented on the NOV. The Hearing Officer retains the right to determine if submitted evidence is relevant to one of the allowable defenses. Submission of the evidence ahead of the hearing will permit Hearing Officer review and determination of relevance for hearing. Evidence may be submitted through the following email address: {Insert email address of School Entity/Administrator}. Please adhere to the following guidance:

- *In the email subject line, include the following:*
 - *School Bus Safety Enforcement – School District – Violation Number*
- *In the email body, include the following*
 - *Owner Name*
 - *Date/Time of Violation*
 - *Location of Violation*
 - *Applicable Defense*
- *In the email attachments, include relevant evidence*

If the School Entity/System Administrator is unable or unwilling to provide an adequate email address for submission of this pre-Hearing material from the vehicle owner, PennDOT may provide a resource account address for vehicle owners to directly email PennDOT the material.

The School Entity/Administrator shall notify PennDOT of the hearing request via email notice, to the following resource account: RA-PDBUS@pa.gov, or other agreed method. All evidence, in accordance with the Evidentiary Requirements below, along

with an appropriate link to the Administrator's electronic management system, shall be included in the transmittal.

The Hearing Officer will review pre-hearing material provided. The School Entity/Administrator will schedule hearings on the Microsoft Teams platform in the time blocks provided by PennDOT. The School Entity/Administrator must coordinate scheduling with the owner. The School Entity/Administrator must ensure accessibility, such as ADA-related or language accommodations, in accordance with all applicable federal, state and local laws, regulations and policies. The School Entity/Administrator should include the following in all correspondence:

- The official name of the School Entity and System Administrator acting on the School Entity's behalf, if applicable
- The PA Department of Education Administrative Unit Number (AUN) of the School Entity. [The AUN may be found on the PA DOE website here.](#)
- The School Entity or System Administrator's violation number

3.3 Evidentiary Requirements

The following elements for each individual violation must be transmitted to the Hearing Officer via email to RA-PDBUS@pa.gov. PennDOT may excuse the need for email attachments if the Hearing Officer is able to download the evidence directly from the Administrator's electronic management system, in which case a link to the matter in the electronic management system must be included in the email.

- A copy of the NOV from the School Entity/Administrator to the owner, as well as the mailing receipt. Additional discussion about the NOV is found below.
- A copy of the hearing request from the vehicle owner to the School Entity/Administrator
- A copy of the Hearing Notice from the School Entity/Administrator to the vehicle owner
- All images captured by the system with date, timestamp, and location including the License Plate Tag or Activation of Side Arm. Per 75 PA C.S. § 3345.1: an automated side stop signal arm enforcement system shall use necessary technologies to ensure that photographs or recorded video images produced by the system shall not identify, nor be configured to identify, the driver, the passengers or the interior contents of the motor vehicle.
- Per [75 PA C.S. § 3345.1\(d\)](#):
 - Written documentation of Certificate as evidence by the primary Police (officer name, title, and identification number included on the documentation) and
 - Written documentation from the School Entity/Administrator that the system was operating correctly at the time of the alleged violation (System Validation).

This includes internal and 3rd party daily and routine system certification documentation.

- A copy of the PennDOT System Certification Letter, per [67 PA Code §171b](#)
- Copies of any written reports provided by the vehicle owner (if available)
- Copies of correspondence between the vehicle owner and School Entity/Administrator
- Agreement between the Vendor and School Entity
- Agreement between the School Entity and System Administrator (if applicable)
- Agreement between the School Entity and Primary Police Department performing the evidence review

3.4 Hearing and Disposition

Virtual hearings will be conducted on the Microsoft Teams platform, and the School Entity/Administrator is responsible to ensure all parties have login/location instructions. The Hearing Officer will conduct the interactive hearing to evaluate the evidence, hear the vehicle owner's contest of liability based on the permitted defenses, and determine if the vehicle owner is liable. The vehicle owner must present their own evidence for defense. Should the Hearing Officer require secondary review of any evidence, they will coordinate with the vehicle owner within the 45-days from the hearing date with a decision.

Hearings will be conducted and overseen by PennDOT Hearing Officers. Hearing Officers will consider the evidence provided by the School Entity/Administrator and vehicle owner in accordance with the governing statute and as presented by the respective parties. Hearing Officers shall determine whether the vehicle owner is liable and produce a Disposition. The Disposition will be rendered in accordance with the governing statute and within the timeframe ascribed above. The Disposition will be emailed to the School Entity/Administrator via RA-PDBUS@pa.gov, or other agreed method. The School Entity/Administrator will transmit the Disposition Letter to the vehicle owner, with payment directions, if found liable.

3.5 Fiscal Requirements

The Law contains requirements for the collection and distribution of funds associated with the Program, and those requirements are different depending on the revenue source.

3.5.1 \$300 Civil Penalty for Violations Under 75 PA C.S. § 3345.1

Payment by vehicle owners for violations of the statute *Automated Enforcement of Failure to Stop for School Bus with Flashing Red Lights*, enforced through use of School Bus Side Stop Signal Arm Enforcement Systems, are responsible to pay a

\$300 civil penalty per violation to the School Entity/Administrator. The School Entity/Administrator then distributes the funds to the following three (3) entities:

1) \$250 the School Entity

\$250 shall be distributed by the School Entity/Administrator to the school entity where the violation occurred and which authorized the use of a side stop signal arm enforcement system, which shall be utilized for the installation, administration or maintenance of side stop signal arm enforcement systems, including through a system administrator under an agreement with the school entity, on school buses.

2) \$25 to the Police

\$25 shall be distributed by the by the School Entity/Administrator to the primary police department that reviewed the submitted evidence as required under the Law, in accordance with the agreement between the School Entity/Administrator and Police.

3) \$25 to PennDOT

\$25 shall be distributed by the by the School Entity/Administrator to the School Bus Safety Grant Program Account, managed by PennDOT. School Entities/Administrators may batch and transmit payments via check on a weekly, but no greater than monthly basis, along with a record that correlates to individual violations.

Checks must be made payable to the “**Commonwealth of PA.**” Transmit the fiscal information via mail to:

PennDOT Bureau of Operations
School Bus Safety Grant Program
400 North Street – 6th Floor
Harrisburg, PA 17120

If School Entities/Administrators have questions about the payment instructions or process, they may email the PennDOT Fiscal Unit’s Resource Account at RA-PDHWYADMINFISCAL@pa.gov. Note: this email address is solely for fiscal purposes. For contact information related to other Program Elements, see the respective parts of these guidelines.

3.5.2 Hearing Officer Reimbursement

The School Entity/Administrator will reimburse PennDOT for the actual cost of the Hearing Officer for hearing administration. No more than 90 days following the date of disposition, PennDOT will transmit an invoice, along with payment instructions, to the School Entity/Administrator along with a list of the corresponding hearings. To the extent practical, invoices will be generated per calendar-month period, batching all corresponding hearings for a specific School Entity/Administrator. Costs associated with hearing reimbursements will be evaluated at appropriate intervals to ensure consistency with current administrative costs.

If School Entities/Administrators have questions about the invoice payment instructions or process, they may email the PennDOT Fiscal Unit's Resource Account at RA-PDHWYADMINFISCAL@pa.gov. Note: this email address is solely for fiscal purposes. For contact information related to other Program Elements, see the respective parts of these guidelines.

Notice of Violation

The following guidance is provided to aid School Entities/Administrators develop their own Notice of Violation (NOV). To ensure compliance with the law, the need to cover the evidentiary requirements, and to provide the proper information to the vehicle owners, School Entities/Administrators are encouraged to follow these guidelines.

Shown below as Figure 1 is an example NOV with the following annotations:

1. At top: School Entity and Primary Police Department
2. Prominent citation of 75 Pa.C.S.§3345.1. Cite 75 Pa.C.S.§3345.1 (i.2)(2)(v) to explain the violation, along with a statement that the violation:
 - a. Is not deemed a criminal conviction
 - b. Will not be made part of the operating record of the individual upon whom the violation of this section is being imposed
 - c. Will not be used to determine a merit rating for insurance purposes; and
 - d. Does not authorize the imposition of surcharge points in the provision of motor vehicle insurance coverage.
3. Registered vehicle owner's name/address and violation number
4. Miscellaneous data:
 - a. Amount due
 - b. NOV mailing date
 - c. Payment due date
 - d. Vehicle license plate state & number
 - e. Vehicle description (make/type/year)
 - f. Violation Date, Time, and Location

5. Information about the Police Certification and System Validation
6. Information and directions on options for the vehicle owner to consider:
 - a. Pay: include options for methods, form and address for electronic or hardcopy payments
 - b. Contest liability via Request for Hearing, either virtual or in-person.
7. Statement that images/video are transmitted within 24 hours after violation
8. Photos from the image capture of the violation:
 - a. At minimum
 - i. The vehicle and
 - ii. The registration number and state of issuance, such as the plate
 - b. Additional photos are preferred showing:
 - i. Activation of the arm
 - ii. Vehicle visibly committing the infraction
 - iii. Progression of the vehicle within the sequence
 - c. Additional photos may be provided as part of the evidentiary process, should an appeal be sought by the registered owner.
9. Customer Service support phone number
10. PIN number for each violation for vehicle owners to access online records

**School Bus Safety
Enforcement
Violation Notice**
75 PA C.S. §3345.1

1
INSERT PRIMARY POLICE
LOGO/ADDRESS HERE

1
INSERT SCHOOL DISTRICT
LOGO/ADDRESS HERE

3 REGISTERED OWNER/ADDRESS

2 VIOLATION NUMBER

2

You are the registered owner of a vehicle that is charged with a violation of 75 PA C.S. §3345.1(c)(2)(v), improper adherence to activation of a side stop signal arm. This violation under this section 1) is not deemed a criminal conviction 2) will not be made part of the operating record of the individual upon whom the violation of this section is being imposed 3) will not be used to determine a merit rating for insurance purposes; and 4) Does not authorize the imposition of surcharge points in the provision of motor vehicle insurance coverage

AMOUNT DUE	MAILING DATE	DUE DATE
\$300		

4

LOCATION OF VIOLATION	LICENSE PLATE STATE/NUMBER	VEHICLE MAKE/TYPER/YEAR	DATE/TIME OF VIOLATION

5

Based on the review and inspection of the evidence, including recorded images, the police department swears or affirms that there is sufficient evidence that a violation of Pennsylvania Statute, Title 75 PA C.S. §3345.1, did occur. The **INSERT SCHOOL HERE** has certified that all equipment is compliant with 67 PA Code §171b.4. This certificate shall be prima facie evidence of a violation. Reviewer Code: _____

INSERT CONTRACTED POLICE AGENCY CONTACT/ADDRESS

The School Entity, or System Administrator acting on their behalf, certified on **INSERT DATE** that the side stop signal arm enforcement system was operating correctly at the time of the alleged violation.

6

You have 30 days from the Mailing Date listed above to pay the fine or to request a hearing with the hearing officer. To request a hearing with the hearing officer to contest your liability, you must sign and mail the below form.

All images/video are transmitted within 24 hours after violation per 67 PA Code §171a.3 (a)(8)

7

Photo 1

8

Photo 2

9

10

FOR CUSTOMER SERVICE CALL **INSERT PHONE NUMBER HERE** Your PIN:

Figure 1 – Example Notice of Violation

Section 4: Program Audits

PennDOT may randomly conduct audits of a School Entity or Administrator on the School's behalf, to ensure legal compliance. If PennDOT conducts an audit, they shall prepare a summary of the audit, which shall be posted on the publicly accessible internet website maintained by the school entity or the system administrator on the school entity's behalf.

Section 5: Annual Reports

Two types of Annual Reports are required: One completed by the School Entity/Administrator and one Program summary completed by PennDOT in collaboration with the Pennsylvania State Police (PSP).

5.1 Individual Annual School Program Reports

Not later than July 1 annually, School Entities/Administrators shall submit a report for each individual school program to PennDOT and the PSP for the preceding calendar year via email at RA-PDBUS@pa.gov. The Annual School Report shall include the following information:

- Number of school buses equipped with a side stop signal arm enforcement system
- Number of notices of violation issued
- Fine Data
 - Fines Imposed
 - Fines Paid
- Distribution of Funds collected
 - Primary Police (\$25 per violation)
 - School Bus Grant Program (\$25 per violation)
 - Amount of total funds received by School Entity
 - Amount of total funds received by System Administrator
- Appeals Statistics
 - Total Number of Appeals
 - Appeals Upheld (Found Not Liable)
 - Appeals Rejected (Found Liable)

5.2 Statewide Annual Program Report by PennDOT/PSP

The information from the individual Annual School Reports will be compiled PennDOT and PSP into a statewide Annual Program Report. The statewide Annual Program Report will also include the use of additional revenue funds and any grants awarded from the Program. No later than December 31, the statewide Annual Program Report

will be jointly submitted to the chairperson and minority chairperson of both the PA Senate and House Transportation Committees. The statewide Annual Program Report shall be posted on the publicly accessible internet website maintained by the School Entity/Administrator.

Section 6: School Bus Safety Grant Program

The School Bus Safety Grant Program Account is established as a restricted account in the Commonwealth General Fund. Money in the account is appropriated on a continuing basis to PennDOT for grants related to this program. The surcharge established under 75 PA C.S. § 3345(j), the portion of the fine established under subsection 75 PA C.S. §3345.1(c)(1)(iii), and any other revenue as provided for under 75 PA C.S. §§3345-33445.1 shall be deposited into the account and shall be used by PennDOT to implement the Grant Program.

Once sufficient account funding is available to administer a fair and equitable Grant Program, PennDOT will publish a uniform application process in the PA Bulletin for grants in an amount not to exceed \$100,000 on a competitive basis for the following purposes:

- 1) To promote and increase school bus safety, education and training throughout the Commonwealth
- 2) To reimburse or pay for, in whole or in part, education, training and other associated costs related to the issuance of a commercial learner's permit, commercial driver's license or school bus endorsement by the department to an individual for the purpose of driving a school bus in this Commonwealth.

The following are eligible to apply for grants under this subsection:

- 1) Independent school bus contractors
- 2) School entities
- 3) Municipalities

PennDOT may pay any actual Program administrative costs out of the fines deposited into to the account. PennDOT shall post information related to this Grant Program on the [PennDOT School Bus Safety web page](#).

Inquiries about the Program may be made in writing to:

PennDOT Bureau of Operations
School Bus Side Stop Signal Arm Enforcement System Grant Program
400 North Street – 6th Floor
Harrisburg, PA 17120

Compendium of Revisions

<u>Date:</u>	<u>Page:</u>	<u>Revision:</u>
2024-03-09	8	Updated mailing address
2024-03-09	11	Revised NOV law and regulation citations for consistency
2024-06-07	1	Changed Program Name to Automated School Bus Enforcement (ASBE) (typ.)
2024-06-07	5	Sec. 3.2 revised to clarify and simplify process. Added accessibility provisions.
2024-06-07	7	Sec. 3.4 revised to clarify and simplify process
2024-06-07	8	Sec. 3.5.1.3 revised to clarify that hardcopy check is the standard payment
2024-06-07	9	Sec. 3.5.2 revised to prescribe a monthly invoice process for reimbursements
2024-08-20	8	Sec. 3.5.1.3 changed checks payable to "Commonwealth of PA"