

LEGISLATIVE FISCAL ESTIMATE

ASSEMBLY, No. 3887

STATE OF NEW JERSEY

222nd LEGISLATURE

DATED: SEPTEMBER 21, 2026

SUMMARY

Synopsis:	Authorizes use of school bus monitoring systems; establishes certain enforcement procedures and penalties for certain violations captured by school bus monitoring systems.
Type of Impact:	Initial State expenditure increase. Annual local expenditure increases and decreases. Annual local revenue increases.
Agencies Affected:	New Jersey Motor Vehicle Commission; Administrative Office of the Courts; Supreme Court of New Jersey; Department of Education; Department of Law and Public Safety; Counties; Municipalities; and School Districts.

Office of Legislative Services Estimate

Fiscal Impact	
Initial State Expenditure Increase	Indeterminate
Annual Local Expenditure Net Impact	Indeterminate
Annual Local Revenue Increase	Indeterminate

- The Office of Legislative Services (OLS) estimates there would be an indeterminate expenditure increase for school districts or municipalities that opt to participate in the school bus monitoring program.
- The bill revises penalties for the illegal passing of a school bus that has activated flashing lights by increasing fines, eliminating imprisonment as a possible penalty, and establishing mandatory community service. The OLS estimates that the revisions in fines for offenders without video evidence may increase revenue for counties and municipalities, while the elimination of the option of incarceration may reduce expenditures for counties and municipalities.
- The bill adds a civil penalty of \$300 for offenders when there is recorded evidence of illegally passing a school bus that has flashing lights. The OLS estimates the new civil penalty may increase municipal revenues but notes that mandated review of the recorded images by local law enforcement may increase municipal expenditures.

- Further, the OLS anticipates that there may be an initial State expenditure increase by the New Jersey Motor Vehicle Commission to adopt rules and regulations to effectuate the purposes of the bill, as well as by the Supreme Court of New Jersey to adopt Rules of Court as appropriate.

BILL DESCRIPTION

This bill authorizes the use of a school bus monitoring system to enforce the State law governing passing a school bus.

The bill authorizes a municipality or school district operating or providing certain school buses that transport students to contract with a private vendor to provide for the installation, operation, and maintenance of a school bus monitoring system for enforcement purposes.

The bill requires any suspected violation captured in a recorded image produced by a school bus monitoring system to be made available to the chief law enforcement officer of the municipality in which the violation occurred. A law enforcement officer is to issue a summons within 90 days of determining that a suspected violation occurred. The bill provides that recorded images or information produced in these circumstances are not to be retained for more than 120 days after the collection of any civil penalty imposed and are then to be purged. All recorded images and information collected but not resulting in the issuance of a summons are to be purged within 365 days of the recording.

The bill requires the New Jersey Motor Vehicle Commission to adopt rules and regulations to effectuate the purposes of the bill, including specifications and certification procedures for the school bus monitoring systems and devices that may be installed. The bill also permits the Supreme Court of New Jersey to adopt Rules of Court as appropriate or necessary to effectuate the purposes of the bill.

Under current law, school buses are required to exhibit flashing red lights when the bus has stopped for the purpose of receiving or discharging any person with a developmental disability or a child. Drivers of vehicles approaching or overtaking the school bus are required to stop at least 25 feet from a school bus that has activated its flashing lights.

This bill revises current fines associated with the illegal passing of a school bus that has activated its flashing red light. The bill modifies the penalty for a first offense by: 1) changing the fine from no less than \$100 to a fixed fine of \$300; 2) modifying the community service penalty so no more than 15 days are required; and 3) eliminating imprisonment as a possible penalty. In the case of subsequent offenses, the bill revises the penalty by: 1) changing the fine from no less than \$250 to a fixed fine of \$500; 2) requiring community service for no less than 15 days; and 3) eliminating imprisonment as a possible penalty.

Additionally, under the bill, a civil penalty of \$300 would be imposed on a person who passes a school bus in violation of current law if the violation is evidenced by the recorded images captured by a school bus monitoring system. Under these circumstances, any civil penalty imposed and collected for this violation is to be forwarded to the financial officer of the municipality in which the violation occurred and used for general municipal and school district purposes, including efforts to improve the monitoring and enforcement of this law through the utilization of a school bus monitoring system and other public education safety programs.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS anticipates that there may be an initial State expenditure increase by the New Jersey Motor Vehicle Commission to adopt rules and regulations to effectuate the purposes of the bill as well as by the Supreme Court of New Jersey to adopt Rules of Court as appropriate. Further, the OLS estimates that for those school districts participating in the program, there would be an increased cost to the district or municipality for the school bus monitoring systems, which may be offset to some extent by the annual revenues from increases in fines and civil penalties.

State Expenditures: The bill permits the New Jersey Motor Vehicle Commission and the Supreme Court to participate in the establishment and adoption of rules and regulations necessary to implement the provisions of the bill; however, the OLS does not know if the Supreme Court and the New Jersey Motor Vehicle Commission, respectively, will participate, or to what extent they will participate, in the adoption of those rules and regulations. Depending on the resource allocation policies of the commission and the court, the added initial workload may or may not augment State administrative expenditures.

The bill imposes certain administrative requirements on the law enforcement agency serving any municipality where a school bus monitoring program is implemented. While no municipality or school district is required by the bill to institute a school bus monitoring program, if a program is already in place or newly instituted, the Division of State Police, if no municipal police department exists, will be required to comply with those requirements. This may result in increased costs to the Division of State Police.

School District and Municipal Expenditures: For those school districts opting to participate, the OLS estimates that there may be an indeterminate increase in expenditures to the district or municipality for the school bus monitoring systems. As of the 2022-2023 school year, there were 593 public school districts. The New Jersey Motor Vehicle Commission indicated there were 24,422 registered school buses in calendar year 2023.

Number of NJ Motor Vehicle Commission Registered School Buses by Calendar Year				
CY 2019	CY 2020	CY 2021	CY 2022	CY 2023
24,932	22,448	22,741	23,538	24,422

**Information provided by the New Jersey Motor Vehicle Commission, December 2023*

The OLS does not have information on the number of school districts opting to equip school buses or those already equipped with the school bus monitoring systems or the cost of annual maintenance and replacement for the systems to provide an estimate; however, research indicates that in 2021 the Mount Olive Township School District equipped 72 buses with multiple security cameras specifically to catch violators of the law with \$230,400 provided through a State grant. It was indicated that the cost to equip each bus was \$3,200 for camera systems specifically designed to record vehicles that pass buses that have their flashing lights activated and stop-arms extended. The OLS notes that the \$3,200 figure is noted for illustrative purposes only and does not include annual maintenance or replacement costs.

The OLS estimates that those law enforcement entities in municipalities with school districts opting to participate would experience an increase in expenditures, as each municipality is required

to assign a law enforcement officer to review the recorded images of the suspected violations. These images are to be made available to the chief law enforcement officer of the municipality in which the violation occurred. Depending on each law enforcement agency’s resource allocation policies, the added initial workload may or may not augment the municipality’s administrative expenditures.

County and Municipal Revenues: The OLS estimates the bill will result in increased annual revenues from increases in fines and civil penalties. Currently, the penalty for violating this law without recorded images, for a first offense, is: 1) a fine of no less than \$100; 2) imprisonment for no more than 15 days or community service for 15 days; or 3) both. For subsequent offenses, the penalty is: 1) a fine of no less than \$250; 2) imprisonment for no less than 15 days; or 3) both. The Administrative Office of the Courts indicated there were 2,372 tickets issued from November 1, 2021 to October 31, 2022 for violations for passing stopped school buses under P.L.1942, c.192 (C.39:4-128.1). There were 3,189 tickets issued from November 1, 2022 to October 31, 2023.

First Offense	<i>Fine</i>	<i>Imprisonment and/or Community Service</i>
Current penalty without recorded evidence.	No Less than \$100	No more than 15 days imprisonment or community service for 15 days.
Proposed Assembly Bill No. 3887 - Penalty without recorded evidence.	Fixed \$300	No more than 15 days of community service.

Subsequent Offenses	<i>Fine</i>	<i>Imprisonment and/or Community Service</i>
Current penalty without recorded evidence.	No Less than \$250	No more than 15 days of imprisonment.
Proposed Assembly Bill No. 3887 - Penalty without recorded evidence.	Fixed \$500	No less than 15 days of community service.

Based on the number of tickets issued in those prior two years, there could be an expected overall increase in annual revenues between \$350,000 and \$800,000. Currently under State law, 50 percent of the fines collected are forwarded to the municipality, in which the violation occurred to be used for general municipal use and to defray the costs of operating the municipal court. Of this 50 percent, up to 25 percent of the funds may be used to upgrade case processing. The other 50 percent of the collections are forwarded to the county in which the fines were collected.

Further, the bill eliminates the option of imprisonment as a penalty. It is unknown how often this penalty has or would have been imposed; however, the elimination could possibly reduce incarceration costs incurred by counties and municipalities.

Additionally, for those school districts and municipalities that install the school bus monitoring systems or have already installed these systems, the civil penalty of \$300 would be imposed if the violation is evidenced by the recorded images captured by a school bus monitoring system. Of the \$300 collected, \$250 is to be forwarded to the municipality in which the violation occurred and \$50 to the school district that operates or provides the school bus associated with the camera-based violation.

Finally, the bill requires, under certain circumstances, the following additional amounts be paid to the municipality: 1) a \$25 late fee on top of the civil penalty if the suspected violator fails to pay or contest the civil penalty within 60 days of notice; and 2) a fee not to exceed \$100 to pay for municipal costs related to petitioning against a civil penalty, which may result in additional municipal revenue that would to some extent offset municipal administration costs related to enforcing the bill’s provisions.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Lead Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).