

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 3887

# STATE OF NEW JERSEY

DATED: FEBRUARY 19, 2026

The Assembly Education Committee reports favorably Assembly Bill No. 3887.

This bill authorizes the use of a school bus monitoring system to enforce the State law governing passing a school bus. A school bus monitoring system is defined as a system meeting certain requirements set forth in the bill and having at least one camera and sensor that captures and records a digital video or image of any motor vehicle operating near a school bus.

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. The penalty for violating this law, for a first offense, is: a fine of no less than \$100; imprisonment for no more than 15 days or community service; or both. For subsequent offenses, the penalty is: a fine of no less than \$250; imprisonment for no less than 15 days; or both. This bill provides that the penalty for a first violation of the law, when the violation is not evidenced by the recorded images captured by a school bus monitoring system, would instead be: a fine of \$300; not more than 15 days of community service; or both, in the case of a first offense. For each subsequent offense, the penalty would be a fine of \$500 and no less than 15 days of community service.

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. A violation that is evidenced by the recorded images captured by a school bus monitoring system would not result in penalty points or automobile insurance eligibility points being assessed on the violator.

The bill authorizes a municipality or school district operating or providing Type I or Type II 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. Additionally, a school district or municipality that enters into a contract with a school bus contractor may require the installation, operation, and maintenance of a school bus monitoring system on any school bus used for a contracted bus route. The bill requires a school bus monitoring system to be capable of capturing and producing a record of any occurrence that may be considered illegal passing of a school bus, and include in that recorded image:

- if the school bus is exhibiting its flashing light;
- if a motor vehicle passes a school bus; and
- the license plate, make, and model of the violating vehicle.

The bill requires a recorded image to be sufficient evidence of a camera-based violation and is to be admissible in an administrative proceeding in which a petitioner contests an alleged camera-based violation. Under the bill, it is a rebuttable presumption that is not to be overcome unless a petitioner presents certain clear and convincing evidence to the contrary.

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. When a law enforcement officer reviews recorded images and determines there is sufficient evidence to conclude that a camera-based violation occurred, the law enforcement officer, or a designee of the law enforcement agency, is required to send a notice of liability, within 90 days of the date of the violation, to the registered owner of the vehicle by first class mail at the address of record with the New Jersey Motor Vehicle Commission, or with any other motor vehicle registration recordkeeping authority, providing the owner with the opportunity to resolve the matter by paying the civil penalty or by contesting the notice of liability in an administrative hearing.

The bill also provides that mailing of the notice of liability is to constitute notice and is to be admissible in any hearing as to the facts contained in the notice of liability. The failure to pay the civil penalty or to contest the notice of liability within 60 days of the mailing of the notice of liability is to result in a late fee of \$25. However, the bill provides that a lessor or owner of a motor vehicle is not to be liable for a notice of liability if, within 60 days, the lessor or owner presents certain information demonstrating the lessor or owner was not in possession or control of the vehicle at the time of the camera-based violation or if the owner, lessor, or lessee demonstrates that a uniform traffic ticket in the form of a summons was issued for the same camera-based violation.

The bill requires municipalities to develop and make electronically available a contest of liability form by which a petitioner may contest an alleged camera-based violation and to establish certain

requirements and a timeline by which a petitioner is permitted to submit the contest of liability form. Additionally, the bill establishes the timeline, circumstances, and procedures by which a petitioner may reschedule or cancel a scheduled administrative hearing and to provide that the municipality, or a designated agent of the municipality in which the administrative hearing is adjudicated is to collect the proceeds of any fines assessed. These fines would be credited to the municipality and to the school district that operates or provides the school bus, whether owned or contracted for services, associated with the camera-based violation, as outlined in the bill.

The bill also provides that any recorded image or information produced in connection with a school bus monitoring system is not a public record under New Jersey's "open public records act," is not discoverable as a public record except upon a subpoena issued by a grand jury or a court order in a criminal matter, and is not to be offered into evidence in any civil or administrative proceeding unless directly related to illegally passing a school bus.

The bill further provides that recorded images or information produced in connection with a school bus monitoring system pertaining to a specific violation 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 required to be purged within 365 days of the recording.

This bill was pre-filed for introduction in the 2026-2027 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.