

Intro. Res. No. 1628-2020

Laid on Table 7/21/2020

Introduced by Legislators Krupski, Piccirillo, Berland, Sunderman, Hahn, Gonzalez, Flotteron, Kennedy, Richberg, Donnelly, Spencer, Fleming and Caracappa

**RESOLUTION NO. 208-2021, ADOPTING LOCAL LAW NO. 12-2021, A LOCAL LAW TO STRENGTHEN THE COUNTY'S SCHOOL BUS PHOTO VIOLATION MONITORING PROGRAM**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on July 21, 2020, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN THE COUNTY'S SCHOOL BUS PHOTO VIOLATION MONITORING PROGRAM**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 12-2021, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO STRENGTHEN THE COUNTY'S SCHOOL BUS PHOTO VIOLATION MONITORING PROGRAM**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Local Law No. 35-2019 established a school bus photo violation monitoring program to deter drivers from failing to properly stop pursuant to New York State Vehicle and Traffic Law when a school bus has students boarding and exiting.

This Legislature also finds and determines that pursuant to Local Law No. 35-2019, the net proceeds generated from this program must be used for traffic safety purposes in the sponsoring municipality or the school district where the violations occurred.

This Legislature further finds and determines that presently, there is no procedure in the law to ensure that the traffic safety funding that is to be generated from this program will be distributed in a manner which will improve traffic safety throughout all school districts which elect to participate.

This Legislature finds that a process should be established to ensure that the funds obtained through this program are used to fund traffic safety improvements and driver education programs to enhance safety of children using school buses.

Therefore, the purpose of this law is to amend Chapter 719 of the SUFFOLK COUNTY CODE to establish a dedicated fund and revenue sharing program for revenues generated from the County's school bus photo violation monitoring system.

**Section 2. Amendments.**

Chapter 719 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 719. School Buses.**

Article I. Photo Violation Monitoring Program.

\* \* \* \*

**§ 719-17. Use of revenues generated.**

[20% of all funds received shall be used for a County-wide program to educate drivers on the State laws associated with stopping for school buses.]

- A. Funding for public safety and traffic safety will be distributed using the following formula:
  - 1. 20% of all funds received shall be used for a County-wide program to educate drivers on the State laws associated with stopping for school buses and to provide funding for traffic safety enforcement, with a minimum of \$100,000 allocated towards education which shall include, but not be limited to, outreach to Suffolk County residents through television, radio, newspaper and social media outlets.
  - 2. 50% of all funds received shall be provided to the municipality where the ticket is adjudicated for traffic-safety enforcement, with a preference for enforcement which enhances pedestrian safety located within school districts participating in the program. A minimum of 20% of all funding allocated pursuant to this paragraph shall be utilized for costs associated with crossing guards, traffic control officers and other public safety positions.
- B. Beginning in 2023, each municipality which receives funding pursuant to Paragraph A(2) of this section shall annually submit a written report on or before March 15th of each year to each member of the Legislature, the Clerk of the Legislature and the Comptroller detailing: the amount of revenue received from the County in association with the school bus photo violation monitoring program during the preceding 12 month period, the amount of funding expended by the municipality during the preceding 12 month period, and what the funds were utilized for. Any municipality which fails to submit a report by March 15<sup>th</sup> shall have their allocations for the following calendar year held by the Comptroller until such time as a report is filed.

**Section 3. Applicability.**

This law shall apply to all actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or

circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26), (27) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW in that the action constitutes routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This local law shall take effect on January 1, 2022.

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: March 16, 2021

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: April 5, 2021

After a public hearing duly held on March 29, 2021  
Filed with the Secretary of State on April 21, 2021