

ORDINANCE

AN ORDINANCE TO ADOPT SECTION 13-24.2 OF THE FAUQUIER COUNTY CODE AUTHORIZING THE SCHOOL DIVISION TO USE VIDEO MONITORING OF VEHICLES PASSING SCHOOL BUSES AND CREATING A CIVIL PENALTY FOR THE INFRACTION

WHEREAS, § 46.2-844(B) of the *Code of Virginia* enables counties to adopt an ordinance that authorizes the school division to install and operate, or contract with a private vendor to do so on their behalf, a video-monitoring system in or on school buses for the purposes of recording violations of § 46.2-844(A), passing a stopped school bus loading or unloading passengers; and

WHEREAS, the Fauquier County School Board has requested that the Fauquier County Board of Supervisors adopt such an ordinance; and

WHEREAS, the Board of Supervisors, after due notice and public hearing, has determined that it is in the best interest of the health, safety, and welfare of the citizens of Fauquier County to adopt this Ordinance; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 13th day of October 2016, That Section 13-24.2 of the Code of Fauquier County be adopted, which Section shall read as follows:

Sec. 13-24.2. Authorization for the Fauquier County School Board to Install and Operate Video-Monitoring System on School Buses.

A. The Fauquier County School Division is hereby authorized to either (i) install and operate a video-monitoring system in or on school buses operated by the Division or (ii) contract with a private vendor to do so on their behalf for the purpose of recording violations of *Code of Virginia* § 46.2-844(A), passing a stopped school bus while it is loading or unloading passengers.

B. The civil penalty of \$250, not inclusive of court costs and fees, shall be prepayable through the Fauquier County General District Court. Civil penalty proceeds shall be transferred to the Fauquier County Treasurer who shall disperse the proceeds in accordance with guidelines established by the Fauquier County Board of Supervisors.

C. The summons for a violation may be executed as provided in *Code of Virginia* § 19.2-76.2 and, notwithstanding the provisions of § 19.2-76, the summons may be executed by mailing by first-class mail a copy thereof to the address of the owner of the vehicle contained in the records of the Virginia Department of Motor Vehicles. Every such mailing shall comply with the requirements of § 46.2-844(B) and shall provide to the person summoned at least 30 business days from the mailing of the summons to inspect information collected by a video-monitoring system in connection with the violation.

D. No summons may be executed pursuant to this Section until all forms and the process for citing violations and collecting civil penalties has been approved by the County Attorney, Commonwealth's Attorney and presiding judge of the Fauquier County General District Court.

(Ord. No. 16-_____, 10-13-16)

State law references: Authority to adopt ordinance authorizing school division to install school bus video-monitoring system, § 46.2-844(B).