

**MEMORANDUM OF UNDERSTANDING
BETWEEN
ARLINGTON PUBLIC SCHOOLS
AND
ARLINGTON COUNTY POLICE DEPARTMENT**

Review of Violations - Photo-Monitoring Systems / Passing Stopped School Buses

I. Purpose

The Code of Virginia § 46.2-844. Passing stopped school buses, enables localities, by ordinance, to authorize the school division of the locality to install and operate a video-monitoring system in or on the school buses operated by the division or to contract with a private vendor to do so on behalf of the school division for the purpose of recording such violations.

Arlington County Code § 14.2-23.2. Photo-Monitoring Systems to Enforce Passing Stopped School Buses authorizes Arlington Public Schools to install and operate a video- monitoring system in or on the school buses operated by the school system or may contract with a private vendor to do so on behalf of the school system for the purpose of recording violations.

While the number of actual crashes caused by drivers passing a school bus that is stopped with flashing red signals and the stop arm extended is relatively low, the potential for serious injury or death is high. Stop-arm cameras will aid in enforcement of this violation and will enhance student safety in Arlington County.

Arlington Public Schools (APS) will be installing, utilizing an outside vendor, a photo-monitoring system on a number of school buses. Code of Virginia requires that when a violation is detected and recorded by a video monitoring system the vendor shall promptly submit the recorded video to a law enforcement officer employed by the county for review.

II. General Provisions

- A. APS shall ensure that information collected by a school bus stop arm violation monitoring system installed and operated pursuant to Code of Virginia §46.2-844 subsection B for the Arlington Public Schools shall be limited exclusively to that information that is necessary for the enforcement of the violation of vehicles passing a stopped school bus with it stop arm extended and red lights flashing.
- B. Notwithstanding any other provision of law, APS shall ensure that all photographs, microphotographs, electronic images, or other personal information collected by a school bus stop arm violation monitoring system shall be used exclusively for enforcing traffic violations of Code of Virginia §46.2-844 and shall not:
 - 1) Be open to the public
 - 2) Be sold or used for sales, solicitation, or marketing purposes
 - 3) Be disclosed to any other entity except as may be necessary for the enforcement of a the violation or to a vehicle owner or operator as part of a challenge to the violation

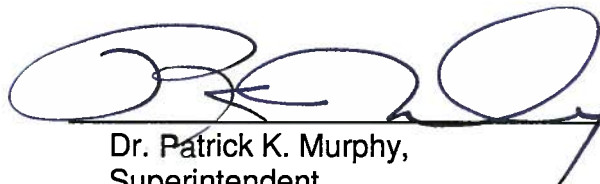
4) Be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of §46.2 -5 859 or requested upon order from a court of competent jurisdiction.

- C. APS shall ensure that violations will be submitted, after a review by the vendor, to the Arlington County Police Department (ACPD) for final review. If after ACPD review a determination is made that there was no violation or if ACPD is provided evidence of a violation, and does not execute a summons for a violation of this section within ten business days, all information collected pertaining to that suspected violation shall be purged by the vendor within two business days of notification by the ACPD.
- D. If a possible violation is reviewed by the vendor, and a determination is made that there was no violation and it will not be forwarded to the ACPD for review, APS shall ensure that information shall be purged by the vendor within two business days.
- E. Information collected under this section pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties.
- F. APS will be responsible for contracting with the vendor for equipment, installation, technical services, processing of notices of violation, and any collection activities.
- G. ACPD will provide the law enforcement resources for the assessment of violations and forwarding them to the vendor after that review.
- H. All penalties collected for violations under this ordinance shall be paid into the County treasury and, after deducting costs incurred by the ACPD in reviewing violations, the remaining balance shall be remitted to APS.
- I. ACPD will be reimbursed by APS for the actual time spent in the review of violations whether approved or dismissed.

IV. Duration/Termination of MOU

The term of this MOU will be for a period of one calendar year from the date of execution by both parties and will renew annually for a period of four years. Either party may terminate the Agreement with 30 days written notice. APS and ACPD staff will meet annually to review and update this MOU. Any MOU revisions must be in writing and signed by both parties.

Date: 3-2-15



Dr. Patrick K. Murphy,
Superintendent
Arlington Public Schools

Date: 3-12-15



Barbara Donnellan
Arlington County Manager