



**School Bus Safety Enforcement Fund
Annual Report
July 1, 2009 – June 30, 2010**



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MSAR# 6922

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Report of the School Bus Safety Enforcement Program

Introduction

During the 2000 Legislative Session, House Bill 104 – Vehicle Laws – Drivers Failing to Stop for School Buses – Enforcement Initiative was passed by the Maryland General Assembly. This bill established a five year program, which became effective on January 1, 2001, to provide grant funds to assist law enforcement agencies in addressing the problem of drivers illegally passing stopped school vehicles. During the 2002 Maryland General Assembly, Senate Bill 323, the Budget Reconciliation and Financing Act of 2002, made the School Bus Safety Enforcement Program permanent by deleting the sunset provision of the law which had created the program.

The legislation created a special non-lapsing fund, known as the School Bus Safety Enforcement Fund. During the 2008 Legislative Session, House Bill 705 – transferred the administration of the School Bus Safety Enforcement Fund from the Department of State Police (DSP) to the Governor's Office of Crime Control & Prevention, effective July 1, 2008.

This fund provides \$600,000 annually to the Governor's Office of Crime Control & Prevention (GOCCP), of which \$550,000 is awarded in the form of grants to qualified law enforcement agencies for enforcement programs. The GOCCP may use up to \$50,000 of the \$600,000 to offset the cost of administering this program. To ensure that grant funds are dispersed throughout the State, at the start of each fiscal year, no more than \$35,000 in grants may be awarded per county. However, if grant funds remain after initial awards are made, supplemental awards may be made.

The Executive Director of the Governor's Office of Crime Control & Prevention is responsible for the administration of this program. Under Governor O'Malley's administration, the GOCCP was re-organized along regional lines to make the entire grant process more effective. The GOCCP has one grant monitor assigned to each of the 24 jurisdictions in Maryland to leverage available resources by identifying synergies and eliminating duplication of efforts.

Grant Funds Awarded

In March of each year, a Notice of Funding Availability (NOFA) is placed on the GOCCP website to inform local law enforcement agencies that grant applications for the Program are being accepted. Local law enforcement agencies include county and municipal police departments and sheriff's departments (in the counties where a sheriff's department is the primary local law enforcement agency), and to some barracks of the Department of State Police. The agencies which apply for grants are required to describe the specific problem associated with vehicles passing stopped school buses in their jurisdiction, and their proposed enforcement plan of operation. The program is administered on a State Fiscal Year cycle and applications are submitted to the GOCCP on or before April 30th each year. After the applications are received, a grant review is conducted to select the grant recipients and determine each agency's grant award. The grant review participants included representatives from the Maryland Municipal League, the Maryland State Pupil Transportation Board, the Maryland State Department of

Education, and the Maryland Transportation Authority.

During the grant review, each agency's specific problem(s), goal(s) and plan(s) to conduct enforcement efforts is considered. The number of schools in the service area, school population and the number of personnel assigned to each applicant law enforcement agency are factors that also are considered. After reviewing each application, the grant reviewers make recommendations to the Executive Director of the GOCCP regarding grant awards. The Executive Director then awards grant funds to the agencies, usually based on the findings and recommendations of the grant review. In FY 2010, there was an overwhelming interest in the Program. As a result, the grant awards may have been less than originally requested.

Exhibit A "Grant Recipients/Enforcement" lists the agencies which received funding, by county, during FY 2010. A total of \$511,857 in funds was distributed among 43 state and local law enforcement agencies.

Funds were allocated to law enforcement agencies in all 23 Maryland counties. During the Fiscal Year, some agencies de-obligated their funds because of manpower constraints which had prevented them from either fully or partially participating in the program. The de-obligated funds were then redistributed to agencies which demonstrated a need for additional funds.

Funding was provided to law enforcement agencies for officers to enforce, on an overtime basis, existing State laws regarding failure to stop for a stopped school bus. The format for the enforcement was determined by each agency. Some methods of enforcement included: officers following school vehicles, in either marked or unmarked patrol cars, to stop violators; and, officers riding on school vehicles, then communicating with patrol vehicles by radio when infractions were observed.

As part of the grant award, funding was also provided to law enforcement agencies to promote enforcement efforts utilizing media resources to promote enforcement along with education of Maryland residents regarding school bus driving laws. Five law enforcement agencies participated in the Public Information Campaign. The program provided public service announcements in local movie theaters from August 1, 2009 through Labor Day 2009. The mission of this campaign was to educate and inform Maryland residents of the school bus safety laws and assure them that aggressive steps were being taken by local law enforcement to increase and ensure the safety of Maryland's students.

Effect of the Program

The goal of the School Bus Safety Enforcement Program is to reduce serious injuries and fatalities caused by motorists who fail to stop and/or remain stopped for school buses. For the calendar years 2006 through 2009, the Maryland State Police Central Records Division and the Maryland State Department of Education reported the following statistics regarding personal injury accidents and fatalities, which occurred as a result of the failure to stop and/or remain stopped for school buses.

Calendar Year	Number of Fatal Accidents ¹	Number of Personal Injury Accidents ²	School Bus Miles Traveled ³	School Vehicles ⁴	Students ⁵
2006	0	22	119,592,617	7,014	623,595
2007	2	11	121,209,195	7,107	605,257
2008	2	9	122,014,032	7,146	617,653
2009	3	14	123,274,416	7,200	618,742

The School Bus Safety Enforcement Program has been effective in establishing partnerships between the law enforcement community and school safety advocacy groups. Additionally, the program has been successful in fostering a spirit of increased awareness and safety between the education community and the general public. Based on quarterly progress reports and performance measures received in FY 2010, it appears that the number of school bus related citations have been reduced by 24.6%. This reduction could only be contributed to enforcement efforts conducted to safeguard Maryland's school-aged children.

It is difficult to determine the effectiveness of this program based on data alone. In order to discern the effectiveness of program activities, GOCCP's regional monitors utilize different tools to track activities throughout the Fiscal Year. Monitoring tools include reviewing quarterly programmatic and financial reports; regular communication with sub-recipients to ensure their compliance with general and special conditions of the grant; desk audits to address barriers and expenditures; and site visits to view the strategies set in place to enforce school bus safety laws.

Agencies receiving grants report to the GOCCP the number of citations issued during each quarter. They also report citations issued as a result of other motor vehicle law violations observed by officers. Exceeding the posted speed limit, failing to use seat belts, improper use of child safety seats, and aggressive driving are some of the violations commonly observed by officers while they were conducting enforcement under this program.

The GOCCP was able to obtain the year 2009 statewide total number of traffic citations issued from District Court. However, this figure does not include the number of warnings issued or letters sent by law enforcement agencies to motorists who violated the law regarding passing a stopped school bus (**Exhibit B, "Statewide Citation Totals"**).

As reported in previous reports from DSP, the GOCCP cannot estimate how many vehicles might have illegally passed a school vehicle if a marked police vehicle had not been following a school bus. The GOCCP also cannot estimate how many violations occurred in areas not being patrolled by police vehicles. This number is compared to the number of citations written as a direct result of this enforcement program.

As a result of enforcement taken under this program, there was a significant increase in the number of school bus citations issued, according to figures provided by the District Court of

¹ Source - Maryland State Department of Education – Pupil Transportation (Data is for Fiscal Year).

² Source - Maryland State Department of Education – Pupil Transportation (Data is for Fiscal Year)

³ Source - Maryland State Department of Education – Pupil Transportation (Data is for Fiscal Year)

⁴ Source - Maryland State Department of Education – Pupil Transportation (Data is for Fiscal Year)

⁵ Source - Maryland State Department of Education – Pupil Transportation (Data is for Fiscal Year)

Maryland (**Exhibit B, “Statewide Citation Totals”**). The annual summary of the quarterly status reports, which detail enforcement activities by grantees, (**see Exhibit C, “Enforcement Summary”**), indicates that there was an unexplained decrease in School Bus related violations between FY 2008 and FY 2009. It is impossible to determine whether the decrease was due to fewer violations of TA 21-706 or due to other reasons.

Audits

The Audit Department of the GOCCP randomly conducts audits on grants that have an elevated risk level as specified by the GOCCP's risk criteria. The purpose of these audits is to ensure that the work performed and activity reported under the School Bus Safety Enforcement Program is consistent with the program goals, and that documentation submitted supports reimbursement and is properly retained as stated in the general conditions of the grant. Overall, the School Bus Safety Enforcement Program grant was successful in that 98% of the grants were not at a risk level to warrant audits. A total of 2 audits were conducted in FY 2010.

Status of the School Bus Safety Enforcement Fund

All of the funds used by law enforcement agencies were spent on overtime enforcement activities and public information campaigns. These funds were not used to supplant regular patrol activities. Although some agencies were able to issue more warnings or citations than others, this does not necessarily imply ineffectiveness on the part of some agencies.

The presence of a police vehicle can cause motorists to decrease their speed, drive more cautiously, and obey all traffic laws. As a result, no violations were observed. This demonstrates the effectiveness of this program in deterring violations and aggressive driving around school vehicles through an increased police presence.

Consistent with allowances in the statute, the GOCCP hired a contractual employee to administer this program. During FY 2010, a total of \$44,187 was spent for the salary for this position and another \$5,771 was spent for other administrative expenses for the School Bus Safety Enforcement Program.

On September 30, 2008 the School Bus Safety Enforcement Fund was transferred from Maryland State Police to the Governor's Office of Crime Control & Prevention in the amount of \$1,602,556.98. The balance of \$1,602,556.98 consisted of the FY 2008 balance from the non-lapsing fund in the amount of \$1,002,556.98 transferred from Maryland State Police and the FY 2009 appropriation of \$600,000. During FY 2009 the fund balance accrued \$34,082.68 in interest; however, \$900,000 of the fund balance was reverted by the Board of Public Works to the General Fund. Local law enforcement agencies expended \$463,324.02 in addition to administrative costs of \$49,973 resulting in a fund balance of \$223,342.64 as of June 30, 2009. Local law enforcement agencies expended \$511,857 in addition to administrative costs of \$49,958 resulting in a fund balance of \$261,527 as of June 30, 2010.

In July 2010, the GOCCP awarded grants for FY 2011 to 51 Maryland law enforcement agencies in 22 Maryland counties and Baltimore City. It is expected that public awareness of this program will continue during FY 2011, and that participating law enforcement agencies will be successful in enforcing Maryland's laws regarding failing to stop and/or remain stopped for school buses.

EXHIBIT A
Grant Recipients/Enforcement

Recipient	Amount Awarded	Grant Expenditures	Citations		Warnings	
			SB	Other	SB	Other
Allegany County						
SBSE-2010-1038 - Allegany County Bureau of Police	\$11,000.00	\$9,133.00	2	9	0	8
SBSE-2010-1022 - Cumberland Police Department	\$13,000.00	\$8,749.10	0	12	0	9
SBSE-2010-1048 - MD State Police, Barrack C - Cumberland	\$7,000.00	\$4,705.71	0	13	0	26
<i>2009 grants paid out in FY2010</i>		\$12,285.41				
Anne Arundel County						
SBSE-2010-1033 - Annapolis City Police Department	\$9,956.37	\$6,685.85	48	0	1	0
SBSE-2010-1030 - Anne Arundel County Police Department Headquarters	\$25,000.00	\$18,760.93	74	40	100	10
<i>2009 grants paid out in FY2010</i>		\$3,542.26				
Baltimore County						
SBSE-2010-1021 - Baltimore County Police Department	\$33,000.00	\$21,736.35	103	280	17	274
<i>2009 grants paid out in FY2010</i>		\$5,890.06				
Calvert County						
SBSE-2010-1012 - MD State Police, Barrack U - Prince Frederick	\$16,500.00	\$14,751.78	9	4	8	3
<i>2009 grants paid out in FY2010</i>		\$770.61				
Caroline County						
SBSE-2010-1001 - Caroline County Sheriff's Office	\$10,501.84	\$6,297.98	14	10	6	4
<i>2009 grants paid out in FY2010</i>		\$8,144.58				
Carroll County						
SBSE-2010-1041 - Carroll County Sheriff's Office	\$17,000.00	\$14,030.00	28	111	5	47
SBSE-2010-1029 - Manchester Police Department	\$6,000.00	\$5,967.50	4	4	8	2
SBSE-2010-1010 - MD State Police, Barrack G - Westminster	\$9,000.00	\$7,046.42	12	24	5	20
SBSE-2010-1028 - Westminster Police Department	\$4,000.00	\$3,989.96	4	1	1	1
<i>2009 grants paid out in FY2010</i>		\$4,479.00				
Cecil County						
SBSE-2010-1011 - MD State Police, Barrack F - North East	\$9,757.75	\$6,426.38	4	6	1	0
<i>2009 grants paid out in FY2010</i>		\$5,491.20				
Charles County						
SBSE-2010-1031 - Charles County Sheriff's Office	\$12,000.00	\$8,517.60	74	6	2	3
SBSE-2010-1014 - MD State Police, Barrack H - La Plata	\$17,620.32	\$12,606.50	38	21	35	53
<i>2009 grants paid out in FY2010</i>		\$21,458.64				

EXHIBIT A
Grant Recipients/Enforcement

Dorchester County						
SBSE-2010-1003 - Dorchester County Sheriff's Office	\$20,000.00	\$16,437.34	4	1352	1	407
SBSE-2010-1035 - Hurlock Police Department	\$5,471.81	\$3,124.29	0	46	1	14
<i>2009 grants paid out in FY2010</i>		\$6,473.99				
Frederick County						
SBSE-2010-1032 - Frederick City Police Department	\$15,000.00	\$10,579.93	23	182	0	0
SBSE-2010-1016 - MD State Police, Barrack B - Frederick	\$4,938.14	\$1,296.90	3	28	2	59
Garrett County						
SBSE-2010-1002 - Garrett County Sheriff's Office	\$20,000.00	\$19,215.00	9	25	0	70
SBSE-2010-1015 - MD State Police, Barrack W - Mc Henry	\$10,500.00	\$8,019.56	2	0	1	0
<i>2009 grants paid out in FY2010</i>		\$945.00				
Harford County						
SBSE-2010-1025 - Harford County Sheriff's Office	\$8,520.00	\$7,647.48	4	8	8	17
SBSE-2010-1005 - MD State Police, Barrack D - Bel Air	\$9,000.00	\$3,635.24	1	87	1	139
Howard County						
SBSE-2010-1023 - Howard County Police Department	\$19,872.00	\$16,607.19	11	16	0	8
<i>2009 grants paid out in FY2010</i>		\$4,273.61				
Kent County						
SBSE-2010-1039 - Kent County Sheriff's Office	\$14,828.58	\$8,479.29	5	24	1	18
<i>2009 grants paid out in FY2010</i>		\$503.23				
Montgomery County						
SBSE-2010-1026 - Montgomery County Police Department	\$7,977.84	\$2,610.28	53	63	6	0
<i>2009 grants paid out in FY2010</i>		\$5,083.31				
Prince George's County						
SBSE-2010-1018 - Bladensburg Police Department	\$4,221.00	\$2,858.00	4	46	6	0
SBSE-2010-1037 - Prince George's County Police Department	\$21,540.49	\$14,858.21	97	107	0	56
<i>2009 grants paid out in FY2010</i>		\$5,354.23				
Queen Anne's County						
SBSE-2010-1008 - MD State Police, Barrack S - Centreville	\$10,000.00	\$7,316.73	0	45	0	26
SBSE-2010-1042 - Town of Centreville	\$8,522.98	\$3,391.04	0	50	0	94
<i>2009 grants funds returned in FY2010</i>		(\$12,289.68)				

EXHIBIT A
Grant Recipients/Enforcement

Somerset County						
SBSE-2010-1006 - MD State Police, Barrack X - Princess Anne	\$9,997.75	\$4,612.66	0	178	2	118
SBSE-2010-1019 - Princess Anne Police Department	\$5,000.00	\$5,000.00	4	48	0	30
SBSE-2010-1004 - Somerset County Sheriff's Office	\$10,000.00	\$10,000.00	0	0	0	3
<i>2009 grants paid out in FY2010</i>		\$4,220.90				
St. Mary's County						
SBSE-2010-1013 - MD State Police, Barrack T - Leonardtown	\$9,982.11	\$6,364.76	15	49	12	66
SBSE-2010-1024 - St. Mary's County Sheriff's Office	\$19,989.26	\$13,386.91	26	22	4	16
<i>2009 grants paid out in FY2010</i>		\$5,353.01				
Talbot County						
SBSE-2010-1034 - Talbot County Sheriff's Office	\$12,000.00	\$6,417.38	3	75	1	133
Washington County						
SBSE-2010-1017 - MD State Police, Barrack O - Hagerstown	\$14,000.00	\$7,847.17	6	38	32	67
SBSE-2010-1040 - Washington County Sheriff's Office	\$13,000.00	\$13,000.00	39	12	13	8
<i>2009 grants paid out in FY2010</i>		\$2,557.95				
Wicomico County						
SBSE-2010-1009 - MD State Police, Barrack E - Salisbury	\$13,682.06	\$11,578.69	4	28	1	12
SBSE-2010-1020 - Wicomico County Sheriff's Office	\$14,937.77	\$14,277.67	1	37	4	256
<i>2009 grants paid out in FY2010</i>		\$19,911.20				
Worcester County						
SBSE-2010-1007 - MD State Police, Barrack V - Berlin	\$8,000.00	\$4,368.82	0	38	0	16
SBSE-2010-1036 - Ocean City Police Department	\$18,074.00	\$14,636.00	14	33	212	26
SBSE-2010-1027 - Pocomoke City Police Department	\$1,435.00	\$525.00	0	4	0	8
<i>2009 grants paid out in FY2010</i>		\$19,912.22				
Total	\$531,827.07	\$511,857.33	742	3182	497	2127

Exhibit B
School Bus Enforcement Citations Statewide Totals

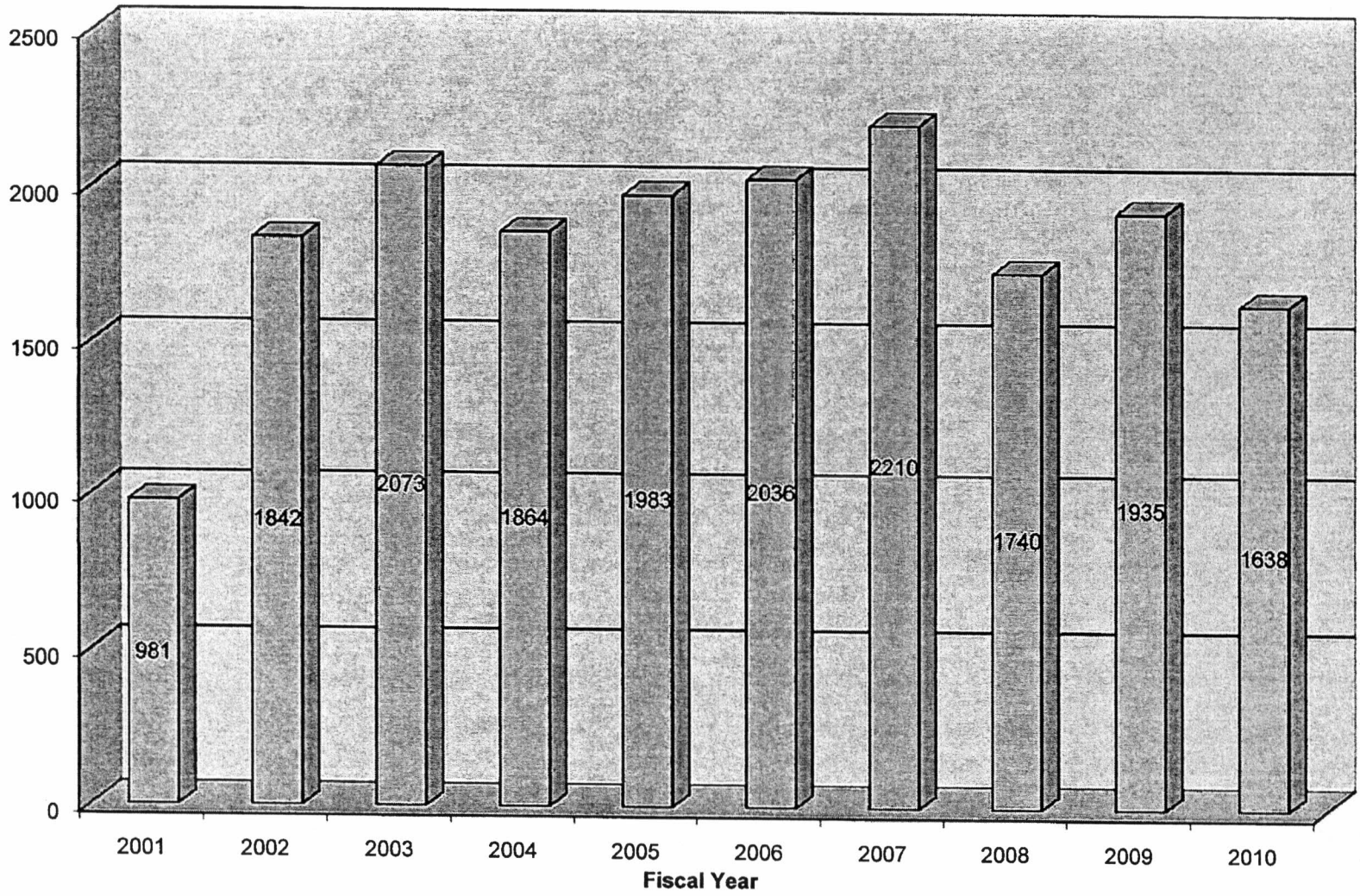


EXHIBIT C

	School Bus Citations	School Bus Warnings	Warning Letters	Complaints	Other Citations	Other Warnings	Arrests	Speeding Citations	Stop Sign Citations	Seat Belt Citations	SERO	DUI Citations
Allegany County Bureau of Police	2	0	2	10	3	8	1	6	0	0	0	0
Annapolis City Police Department	48	1	0	11	0	0	1	0	0	0	0	0
Anne Arundel County Police Department	74	100	239	357	36	10	3	4	0	0	0	0
Baltimore County Police Department	103	17	107	88	127	274	1	82	16	52	41	3
Bladensburg Police Department	4	6	0	6	31	0	0	0	13	2	16	0
Caroline County Sheriff's Office	14	6	0	0	9	4	1	0	0	1	0	0
Carroll County Sheriff's Office	28	5	0	5	37	47	14	38	2	34	1	0
Charles County Sheriff's Office	74	2	22	41	5	3	2	0	0	0	0	1
Cumberland Police Department	0	0	0	1	3	9	0	3	5	1	0	0
Dorchester County Sheriff's Office	4	1	0	15	839	407	896	332	22	56	40	103
Frederick City Police Department	23	0	89	141	49	0	11	5	93	35	3	0
Garrett County Sheriff's Office	9	0	2	18	11	70	5	9	1	4	0	0
Harford County Sheriff's Office	4	8	14	34	8	17	0	0	0	0	1	0
Howard County Police Department	11	0	10	20	6	8	0	10	0	0	0	0
Hurlock Police Department	0	1	0	2	28	14	61	13	5	0	2	0
Kent County Sheriff's Office	5	1	5	17	5	18	1	18	0	1	0	0
Maryland State Police	94	100	146	239	188	605	8	273	10	86	28	2
Manchester Police Department	4	8	2	9	4	2	1	0	0	0	0	0
Montgomery County Police Department	53	6	171	176	22	0	0	37	1	3	0	0
Ocean City Police Department	14	212	0	0	26	26	3	1	2	4	4	0
Pocomoke City Police Department	0	0	0	0	2	8	0	1	0	1	1	0
Prince George's County Police Department	97	0	49	105	53	56	1	52	0	2	139	0
Princess Anne Police Department	4	0	0	1	26	30	2	5	3	14	3	0
Somerset County Sheriff's Office	0	0	0	0	0	3	0	0	0	0	0	0
St. Mary's County Sheriff's Office	26	4	16	23	5	16	0	12	3	2	2	0
Talbot County Sheriff's Office	3	1	4	5	34	133	1	34	2	5	21	0
Town of Centreville	0	0	0	1	21	94	1	21	3	5	15	0
Washington County Sheriff's Office	39	13	0	90	4	8	0	6	1	1	0	0
Westminster Police Department	4	1	0	5	1	1	1	0	0	0	2	0
Wicomico County Sheriff's Office	1	4	0	6	12	256	0	4	21	0	3	0
TOTAL:	742	497	878	1426	1595	2127	1015	966	203	309	322	109