



Albemarle County

Legislation Details (With Text)

File #:	19-424	Version:	1	Name:	
Type:	Ordinance	Status:		Public Hearing	
File created:	7/18/2019	In control:		Board of Supervisors	
On agenda:	8/7/2019	Final action:			
Title:	Ordinance to Amend County Code Chapter 9, Motor Vehicles (School Bus Arm). To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 9, Motor Vehicles and Traffic, Article VIII, Video-Monitoring System, to provide that: i) the system support provided by contracted private entities includes charging and prosecuting violations; ii) a private provider of video-monitoring systems and related support services may obtain records on behalf of the County regarding the registered owners of vehicles captured by a video-monitoring system; iii) only law enforcements officers of the County may authorize the issuance of a civil summons or ticket to violators; iv) personal information collected by the system shall be limited pursuant to Virginia Code § 46.2-208(B)(30); v) a civil summons for a violation may be executed pursuant to Virginia Code § 19.2-76.2 and by mailing a copy to the vehicle owner at the address contained in the records of the Virginia Department of Motor Vehicles to include information and directions regarding rebutting the allegation by filing an affidavit; and vi) civil penalties shall be paid to the County, and to make other minor revisions consistent with Virginia Code § 46.2-844.				

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att.A - Proposed Ordinance, 2. Att.B - Program Info / Budget Impact

Date	Ver.	Action By	Action	Result
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AGENDA DATE: 8/7/2019

TITLE:

An Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic, Article III, Video-Monitoring System

SUBJECT/PROPOSAL/REQUEST: Public hearing to consider an ordinance to amend County Code Chapter 9, Motor Vehicles and Traffic, Article III, Video-Monitoring System

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Walker, Kamptner, Farley, Foley, J.

PRESENTER (S): Amanda Farley

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Virginia Code §§ 46.2-208 and 46.2-844 authorize the County to enact ordinances and contract with private vendors to administer a video-monitoring system on school buses. Recent amendments to the Virginia Code expressly permit such vendors to have access to records of the Department of Motor

Vehicles. The changes recommended in the attached proposed ordinance (Attachment A) would conform the Albemarle County Code to those Virginia Code changes and authorize a video-monitoring program that meets legal requirements.

STRATEGIC PLAN: Quality Government Operations: Ensure County's government capacity to provide high quality service that achieves community priorities.

DISCUSSION: The attached proposed ordinance (Attachment A) incorporates Virginia Code amendments from the 2019 General Assembly session, as well as prior changes to the Virginia Code that have not previously been included in the County Code.

Virginia Code § 46.2-844 permits but does not require any civil penalties collected to be remitted to the School Board. The current proposed ordinance provides that any civil penalties collected would be remitted to the County. If the proposed ordinance is adopted and the program implemented, staff will come back to the Board approximately one year after the program is implemented to report the actual budget impact so the Board can determine what portion, if any, of the collected civil penalties should be appropriated to the School Board.

BUDGET IMPACT: Implementing a school bus arm camera program would have a staffing and an administrative impact to the Police Department, and would impact the workloads of staff in the County Attorney's Office and the Finance Department. Staff anticipates that those impacts could be handled by existing staff, but that Police Department staff would have to work overtime to verify violations. See Attachment B for more information about the program, as well as a detailed budget impact analysis that includes an assumption of 10 busses being fitted with cameras.

RECOMMENDATION:

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

ATTACHMENTS:

A - Proposed Ordinance

B - Budget Impact Analysis