

ED COMMITTEE #2  
September 27, 2018  
Worksession

**MEMORANDUM**

September 25, 2018

TO: Education Committee

FROM: <sup>CH</sup> Craig Howard, Senior Legislative Analyst

SUBJECT: **Worksession – Supplemental Appropriation to the FY18 Operating Budget, Montgomery County Public Schools Entrepreneurial Activities Fund, \$4,700,000 for the School Bus Safety Camera Program**

PURPOSE: Review and make recommendation on Supplemental Appropriation to full Council

**Expected Participants:**

- Pat O'Neal, MCPS Board of Education
- Andy Zuckerman, Chief Operating Officer, MCPS
- Todd Watkins, Director of Transportation, MCPS
- Captain Tom Didone, Director, Traffic Division, MCPD
- Richard Hetherington, Manager, Automated Traffic Enforcement Initiatives, MCPD

The Committee will hold a worksession on a supplemental appropriation to the FY18 Operating Budget of the Montgomery County Public Schools (MCPS) Entrepreneurial Activities Fund in the amount of \$4,700,000 for the School Bus Safety Camera Program. The source of funds is the School Bus Safety Camera Program citation revenue in the County Government General Fund.

The Council introduced this supplemental appropriation on September 11, and held a public hearing on September 25. The Board of Education requested this appropriation on June 25, 2018 (transmittal attached on ©4-5). A draft appropriation resolution is attached at ©2-3. The County Executive recommends approval (©1).

**Background**

In March 2012, the Council passed legislation enabling the County to implement school bus safety cameras. The purpose of the legislation was to allow cameras on school buses to monitor and enforce violations where vehicles pass a stopped school bus that has its flashing signals on, and stop sign and stop arm extended.

In 2013, the Montgomery County Police Department (MCPD) entered into a three-year contract with a vendor to implement a pilot bus camera program beginning with 25 buses in FY14 at a cost of \$255,000. However, fiscal constraints prevented funding additional buses with cameras in FY15 and FY16. As a result, MCPS and MCPD began researching different models and vendors for the program.

After reviewing different options, the MCPS and MCPD recommended that the Board of Education contract with a new vendor, which at that time was Force Multiplier Solutions and is now Bus Patrol America (BPA). As authorized by the Board of Education on May 26, 2016 (©6-8), MCPS entered into:

- A contract with Bus Patrol America (BPA), formerly Force Multiplier Solutions, Inc., to provide a comprehensive school bus camera safety system to MCPS; and
- A memorandum of understanding with Montgomery County Government to set forth the parties' respective obligations for effective implementation of the School Bus Safety Camera Program.

MCPS did not issue a request-for-proposals for this contract, instead they participated in an intergovernmental cooperative purchasing agreement and "bridged" a contract awarded by the East Baton Rouge Parish School Board as permitted by the Maryland State Finance and Procurement Article. The terms of the contract require the vendor to install bus camera systems on all MCPS buses at no cost, and MCPS is required to reimburse the vendor with revenue collected from bus camera citations until the vendor's capital investment is recovered (estimated to be about \$15-18 million).

Under the memorandum of understanding between MCPS and the County Government, MCPD reviews all bus camera violations and issues citations. All revenue from citation fines accrue to Montgomery County's General Fund, and then is transferred to the MCPS Entrepreneurial Activities Fund to enable MCPS to compensate BPA.

The joint Public Safety and Education Committee held a worksession on July 11, 2016 (packet attached at ©9-37) to review the school bus safety camera program, including MCPS' contract with BPA and the planned payment structure. The Council previously approved a FY17 supplemental appropriation of \$1.5 million from citation revenue in March 2017 to allow MCPS to make initial reimbursements to the vendor (packet attached at ©38-45). This supplemental appropriation request will give MCPS the authority to reimburse the vendor up to an additional \$4.7 million for camera systems that have already been installed.

### **Status of Contract and Installation**

The current contract began in July 2016 with a five-year term, and five additional one-year options to renew. As noted previously, the contract MCPS entered into in 2016 for the bus camera program was with Force Multiplier Solutions. In 2017, Force Multiplier Solutions was purchased and renamed Bus Patrol America. This occurred after Force Multiplier's CEO was charged with (and eventually pled guilty to in August 2018) participating in a bribery and kickback scheme involving a Dallas City Councilmember and the Dallas County Superintendent of Schools.<sup>1</sup> As a result, MCPS' existing contract was taken over by the new company, BPA.

MCPS reports that the acquisition of Force Multiplier by BPA has positively impacted the program. In particular, MCPS and MCPD both note improvements in working with the management and financial teams at BPA as compared to the prior company. MCPS and MCPD staff will be available at the worksession to address any questions about the current contract or the memorandum of understanding that Committee members may have.

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<sup>1</sup> <https://wtop.com/montgomery-county/2018/08/ceo-of-company-that-outfitted-montgomery-co-school-buses-with-cameras-pleads-guilty-to-federal-fraud-charges/>

Currently, 500 MCPS buses have camera systems installed and 400 more will be outfitted by the end of 2018. MCPS anticipates having its entire fleet of 1,350 buses outfitted by the start of the 2019-20 school year. All the buses equipped by BPA have a total of 14 cameras – seven exterior cameras in the enforcement box on the driver’s side to capture violations; three additional exterior cameras covering the front, back, and other side of the bus; and four interior cameras.

### School Bus Camera Citation Data

The tables below summarize data provided by MCPD on school bus camera citation data by fiscal year.<sup>2</sup> The data show:

- MCPD has issued 53,325 citations for passing a stopped school bus since the program began, leading to \$10.5 million in gross revenue.
- In FY18, there were over 34,400 citations issued from the 500 equipped buses. This equates to an average of 69 citations per equipped bus and 189 violations per school day (based on 182 school days).
- As more buses have become equipped with cameras, the average number of citations per bus has decreased. This aligns with the fact that MCPS and MCPD focused the initial camera installation on the most problematic bus routes.

**Table 1. School Bus Camera Citation Data, FY16-FY18**

	<b>FY16*</b>	<b>FY17</b>	<b>FY18</b>	<b>Total</b>
Total Gross Revenue	\$359,125	\$2,185,700	\$7,976,550	\$10,521,375
Total Expenditures	\$255,000	\$2,185,700	\$7,976,550	\$10,417,250
<b>Net Revenue</b>	<b>\$104,125</b>	<b>\$0</b>	<b>\$0</b>	<b>\$104,125</b>
# of Citations Issued	2,873	16,016	34,436	53,325
# of Buses Equipped	25	217	500	--
Average # of Citations per Bus Equipped	115	74	69	--
Average # of Citations per 182 School Days	16	88	189	--

\*All FY16 data is from a pilot program with a different vendor. Data beginning in FY17 is from the contract with the current vendor.

The current fine for a school bus camera violation is \$250 with no points assessed to the driver’s license (prior to July 1, 2017, the fine was \$150). In comparison, the fine for the same violation issued by a police officer is \$570 with three points issued to the driver’s license.

MCPD also provided data on the bus stops with the most frequent violations and the number of repeat violations since the program began in October 2016. In sum:

<sup>2</sup> While the fiscal year does not match up exactly with the school year due to summer school, the citation data broken out by school year does not vary substantially from the fiscal year data.

- Five bus stops account for 13.7% of the 53,325 citations since the program began. Two of those stops, the 8800 block of Colesville Rd. and the 1400 block of East West Highway, account for 3.8% of the citations each.
- Repeat violations account for just over 2,000 or 3.8% of all the citations issued.

**Table 2. School Bus Camera Citation Data by Location and Repeat Violations (Since October 2016)**

<b>Bus Stops with the Most Violations</b>	<b># of Citations</b>	<b>Proportion of Total Citations</b>
8800 block of Colesville Road	2,024	3.8%
1400 block of East West Highway	2,006	3.8%
300 block of N. Frederick Avenue	1,482	2.8%
5100 block of River Road	948	1.8%
8800 block of Piney Branch Road	835	1.6%
<b>Total</b>	<b>7,295</b>	<b>13.7%</b>
<b>Repeat Violations</b>	<b>2,003</b>	<b>3.8%</b>

#### **Staff Recommendation**

Approve the FY18 Supplemental Appropriation of \$4.7 million as requested by the Board of Education and recommended by the County Executive.

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OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

## MEMORANDUM

August 20, 2018

TO: Hans Riemer, President, County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Supplemental Appropriation #18-425 to the FY18 Operating Budget  
Montgomery County Public Schools  
Entrepreneurial Activities Fund  
School Bus Safety Camera Program, \$4,700,000

I am recommending a supplemental appropriation to the FY18 Operating Budget of Montgomery County Public Schools (MCPS) in the amount of \$4,700,000 for the School Bus Safety Camera Program. These funds are used to improve student safety and enforce traffic violations.

This supplemental appropriation is needed to provide MCPS spending authority for payments to the contractor that provides the cameras and other systems necessary to issue citations. While citations need to be reviewed and approved by law enforcement, and the citation revenues are received in the County's General Fund, the buses are the property of the school system, so the contract with the vendor was entered into by MCPS. Fine revenues are transferred from the County's General Fund to the MCPS Entrepreneurial Activities Fund to cover MCPS' payments to the vendor. The FY18 Budget assumed \$2,000,000 in revenues; actual revenues have been approximately \$6.7 million.

I recommend that the County Council approve this supplemental appropriation in the amount of \$4,700,000 and specify the source of funds as School Bus Safety Camera Program Citation Fines Revenues.

I appreciate your prompt consideration of this action.

IL:brm

Attachments

Resolution No: \_\_\_\_\_

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the Request of the County Executive

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SUBJECT: Supplemental Appropriation #18-425 to the FY18 Operating Budget  
Montgomery County Public Schools  
Entrepreneurial Activities Fund  
School Bus Safety Camera Program, \$4,700,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive has requested the following FY18 Operating Budget appropriation increases for Montgomery County Public Schools

<u>Personnel</u> <u>Services</u>	<u>Operating</u> <u>Expenses</u>	<u>Total</u>	<u>Source</u> <u>of Funds</u>
\$0	\$4,700,000	\$4,700,000	School Bus Safety Camera Program Citation Fine Revenues – County General Fund

3. This supplemental appropriation is needed to provide MCPS spending authority for payments to the contractor that provides the cameras and other systems necessary to issue citations.
4. Appropriation of these funds to the MCPS Entrepreneurial Activities Fund will not impact Maintenance of Effort (MOE) calculations for FY19.
5. The County Executive recommends a supplemental appropriation to the FY18 Operating Budget of the Montgomery County Public Schools Entrepreneurial Activities Fund in the amount of \$4,700,000 for the School Bus Safety Camera Program and specifies that the source of funds will be School Bus Safety Camera Program Citation Fine Revenues.
6. Notice of public hearing was given, and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

A supplemental appropriation to the FY18 Operating Budget of Montgomery County Public Schools is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$4,700,000	\$4,700,000	School Bus Safety Camera Program Citation Fine Revenues -- County General Fund

This is a correct copy of Council action.

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Megan Davey Limarzi, Esq.  
Clerk of the Council

ACTION  
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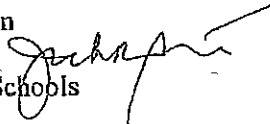
Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

June 25, 2018

REVISED

MEMORANDUM

To: Members of the Board of Education

From: Jack R. Smith, Superintendent of Schools 

Subject: Fiscal Year 2018 Supplemental Appropriation for School Bus Safety Camera Program

Montgomery County Public Schools (MCPS) is collaborating with the Montgomery County Police Department to implement a school bus safety program for the use of monitoring cameras on all operating school buses to improve student safety and enforce school bus traffic violations (the "School Bus Safety Camera Program"). Drivers in Montgomery County illegally overtake or pass school buses at an alarming rate. In a national survey conducted during the past six years, MCPS bus operators consistently reported 800 to 1,200 drivers illegally overtaking or passing school buses in a single day. Under Maryland law, vehicle owners who illegally overtake or pass stopped school buses may be issued a citation with a fine amount of \$250.

As authorized by the Board of Education on May 26, 2016, MCPS entered into (1) a contract with Bus Patrol America (BPA) (formerly Force Multiplier Solutions), a firm specializing in security and safety solutions for the school transportation industry, to provide its Bus Patrol School Bus Safety System™ to MCPS; and (2) a memorandum of understanding with Montgomery County to set forth the parties' respective obligations for effective implementation of the School Bus Safety Camera Program. The Bus Patrol School Bus Safety System™ is capable of equipping every school bus in MCPS' fleet with interior, exterior, and stop-arm enforcement video cameras with recording and real-time viewing capabilities, live and historical Global Positioning System location reporting, and a panic button for each bus operator to alert Department of Transportation staff of any emergencies. BPA also provides school systems with ongoing maintenance and upgrades for all equipment installed on the school buses. Through a unique business model, where BPA is compensated entirely from the citation fines paid by drivers who illegally overtake or pass stopped school buses, BPA is able to offer its Bus Patrol School Bus Safety System™ at no cost to its clients.

Pursuant to the contract and memorandum of understanding, all revenue generated from citation fines are to be transferred from the County General Fund to the MCPS Entrepreneurial Activities Fund to enable MCPS to compensate BPA for the Bus Patrol School Bus Safety System™ until such time that BPA recovers the cost of its capital investment, including the cost of equipment and operating costs. After BPA recovers its capital investment costs, revenue from citation fines will be shared



between the BPA and Montgomery County. Currently, 500 MCPS school buses are operating the Bus Patrol School Bus Safety System™ and approximately 44,525 citations have been issued. BPA, MCPS, and Montgomery County now are working to develop the schedule for equipping the remainder of the school bus fleet.

Authorization is requested to receive and expend, subject to County Council approval, a Fiscal Year 2018 supplemental appropriation of the estimated revenue generated from the payment of citation fines in the amount of \$4,700,000 to the MCPS Entrepreneurial Activities Fund for MCPS to compensate BPA for the installation and operation of the Bus Patrol School Bus Safety System™ on MCPS school buses.

#### **Recommended Resolution**

WHEREAS, Pursuant to Board Action dated May 26, 2016, Montgomery County Public Schools entered into a contract with Bus Patrol America (formerly Force Multiplier Solutions) to provide the school system with a comprehensive school bus safety camera system, the Bus Patrol School Bus Safety System™, at no cost to the school system; and

WHEREAS, Pursuant to Board Action dated May 26, 2016, Montgomery County Public Schools entered into a memorandum of understanding with Montgomery County defining each party's obligations regarding the School Bus Camera Safety Program; and

WHEREAS, The memorandum of understanding states that all fine revenue collected by Montgomery County from vehicle owners who illegally overtake or pass stopped school buses will be transferred to Montgomery County Public Schools for payment to Bus Patrol America for its Bus Patrol School Bus Safety System™ until such time that Bus Patrol America recovers its capital investment, after which, fine revenue will be shared between Bus Patrol America and Montgomery County; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, a Fiscal Year 2018 supplemental appropriation of \$4,700,000 to the Montgomery County Public Schools Entrepreneurial Activities Fund for payment to Bus Patrol America as compensation for the Bus Patrol School Bus Safety System™; and be it further

Resolved, That a copy of this resolution be forwarded to the county executive, the Montgomery County Police Department, and the County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

JRS:AMZ:ND

ACTION

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

May 26, 2016

MEMORANDUM

To: Members of the Board of Education

From: Larry A. Bowers, Interim Superintendent of Schools

Subject: Contract Approval for RFP No. 22-10, School Bus Safety Camera Program

Starting in 2007, the Department of Transportation (DOT) has equipped new and replacement school buses with interior and exterior video cameras and digital video recorders that provide significant information to DOT to understand and resolve complaints about bus operator and attendant actions, student behavior concerns, driving-related complaints, and accident investigations. Beginning in 2010, DOT also has equipped new and replacement school buses with Global Positioning Systems (GPSs) that provide historical and real-time data about the location of school buses while in service. Video systems and GPSs have become standard equipment on school buses throughout the school transportation industry, and similar equipment is used by a majority of school systems nationwide.

In 2013, as authorized by Sections 21-706 and 21-706.1 of the Maryland Transportation Article, DOT partnered with the Montgomery County Police Department (MCPD) to place stop-arm enforcement cameras on 25 Montgomery County Public Schools' (MCPS) school buses to deter drivers from illegally passing stopped school buses and to reduce the incidence of possible injuries to MCPS students. Drivers illegally pass school buses at an alarming rate. In a national survey conducted over the past four years, MCPS bus operators consistently reported 800 to 1,200 illegal passes in a single day. The current stop-arm enforcement cameras capture images of vehicles illegally passing school buses that MCPD uses to issue citations to vehicle owners with a fine of \$125. Currently, the installation cost to MCPS of video camera and GPS equipment is approximately \$7,000 per school bus. The cost to MCPD for operation of the stop-arm enforcement cameras is approximately \$250,000 annually.

Force Multiplier Solutions, Inc. (FXS), a firm specializing in security and safety solutions for the school transportation industry, has developed the BusGuard™ System, a comprehensive safety system capable of equipping every school bus in MCPS' fleet with interior, exterior, and stop-arm enforcement video cameras with recording and real-time viewing capabilities, live and historical GPS location reporting, two-way internet communication between each school

bus and DOT, and a panic button for each bus operator to alert DOT of any emergencies. FXS also provides school systems with ongoing maintenance and upgrades for all equipment installed on the school buses. Through a unique business model where FXS is compensated entirely from the citation fines paid by drivers who illegally pass stopped school buses, FXS is able to offer its products and services provided at no cost to its clients. DOT and MCPD have visited several school systems currently using the FXS equipment and were impressed with the unique and comprehensive BusGuard™ System. Due to the high cost of outfitting school buses with cameras, GPSs, and other necessary safety equipment, DOT and MCPD recommend transitioning from the current video system and GPSs to FXS' BusGuard™ System.

To acquire the products and services of FXS, MCPS intends to participate in an intergovernmental cooperative purchasing agreement and "bridge" an existing contract awarded by the East Baton Rouge Parish School Board, East Baton Rouge, Louisiana, on October 5, 2011, to FXS (formerly known as BusGuard LLC), under RFP No. 22-10, School Bus Safety Camera Program (the "East Baton Rouge Contract") as permitted by Section 13-110(e) of the Maryland State Finance and Procurement Article. By participating in this existing contract, MCPS benefits from a cost savings in purchase price and administrative burden and promotes the policy goals of operational and energy efficiency related to the purchase, operation, and maintenance of the equipment and services necessary for school bus safety. MCPD also has reviewed the contract and is agreeable to its business terms.

In addition, DOT and MCPD reviewed school bus safety product and service offerings from additional vendors and have confirmed that FXS offers the most comprehensive school bus safety camera system that would provide significant cost benefits while continuing to improve student safety. Therefore, I recommend the following resolution for your approval.

WHEREAS, Montgomery County Public Schools' school buses continue to be illegally passed by motorists at an alarming rate of 800 to 1,200 times each school day; and

WHEREAS, Stop-arm enforcement cameras are currently installed on only 25 Montgomery County Public Schools' school buses and cost the Montgomery County Police Department \$250,000 annually to operate; and

WHEREAS, Video systems and Global Positioning Systems are currently installed on new and replacement school buses and cost Montgomery County Public Schools approximately \$7,000 per school bus to install; and

WHEREAS, Force Multiplier Solutions, Inc. offers a comprehensive school bus safety camera system, the BusGuard™ System, and a unique business model that would equip all school buses in the Montgomery County Public Schools' fleet with the BusGuard™ System at no cost to Montgomery County Public Schools; and

WHEREAS, Force Multiplier Solutions, Inc. has entered into a competitively bid contract with East Baton Rouge Parish School Board to provide the BusGuard™ System that deters drivers from illegally passing stopped school buses and reduces the possibility of injury to students; and

WHEREAS, Montgomery County Public Schools desires to participate in the East Baton Rouge Contract to retain Force Multiplier Solutions, Inc. to provide the BusGuard™ System to Montgomery County Public Schools; and

WHEREAS, Montgomery County Public Schools and the Montgomery County Police Department reviewed additional vendors offering school bus safety products and services and confirmed that Force Multiplier Solutions, Inc. offers a unique opportunity to meet school bus safety requirements and provides significant cost benefits and administrative efficiencies; now therefore be it

Resolved, That the Board of Education authorizes the interim superintendent of schools, or his successor, to negotiate and execute a contract with Force Multiplier Solutions, Inc. to provide Montgomery County Public Schools with interior, exterior, and stop-arm enforcement video camera systems, Global Positioning Systems, and other equipment and services beneficial to the Department of Transportation's operations at no cost to the school system; and be it further

Resolved, That the Board of Education authorizes the interim superintendent of schools, or his successor, to negotiate and execute a Memorandum of Understanding with Montgomery County, Maryland defining its roles and obligations regarding stop-arm enforcement video cameras and other services provided by Force Multiplier Solutions, Inc.; and be it further

Resolved, That the Board of Education authorizes the interim superintendent of schools, or subsequent superintendent of schools, to take additional actions, as necessary, to effectuate the transactions set forth above.

LAB:AMZ:sro

PS/ED COMMITTEE #1  
July 11, 2016

## MEMORANDUM

July 7, 2016

TO: Public Safety and Education Committees

FROM: Susan J. Farag, Legislative Analyst *SJF*  
Essie McGuire, Senior Legislative Analyst *EMC*

SUBJECT: **Discussion: School Bus Safety Cameras**

Today the Public Safety and Education Committees will discuss the school bus safety camera program. Those expected to brief the Joint Committee include:

Richard Hetherington, Manager, Automated Traffic Enforcement Unit, Montgomery County Police Department (MCPD)  
Todd Watkins, Montgomery County Public Schools (MCPS)

### Background

The Council passed legislation in March 2012 enabling the County to implement school bus safety cameras. The purpose of the cameras on school buses is to monitor and enforce violations where vehicles pass a stopped school bus that has its flashing signals, stop sign, and stop arm extended. The current fine is \$125 per violation.

MCPD selected Xerox Corporation in 2013 to provide the cameras and related services. The contract term is for three years, which coincides with the end of the Department's other automated enforcement contracts. The fixed rate, turnkey contract is \$250,000 annual for the 25 cameras, and includes maintenance, rotating cameras among buses, and wiring.

MCPD implemented the program in January 2014. Twenty-five buses had cameras at that time, and 75 additional buses were wired, to allow MCPD to move cameras among high priority routes as needed. The contract was unfunded in both FY15 and FY16; however, \$250,000 was included in the approved budget to pay the vendor for FY17.

### Status Update

Last year, MCPS and MCPD began researching a different model of school bus safety and traffic enforcement. The company, Force Multiplier Solutions, Inc. (FXS), is based in Dallas, and provides comprehensive on-board bundled services that provide data and security both inside and

outside school buses. From January to May 20, 2016, FXS began a five-bus pilot program in the County. It equipped five buses with its technology, and during the pilot program, it identified 2,620 potential stop arm violations. The current vendor's product, installed on 25 buses total, identified 2,588 during the entire 2015-2016 school year. The County entered into a contract with the FXS on June 30, 2016. It also completed an MOU at the same time.

The bundled package that FXS offers provides 14 cameras on each bus, installed both inside and outside. The three interior cameras have "live view" streaming video with live two-way communication with the driver's remote access. There is a rear camera with backup assist, a forward facing camera, and a right side camera. The product offers six-lane automated enforcement coverage. It also offers real-time GPS.

**Payment Structure:** In exchange for free installation on all MCPS school buses (approximately 1,200), FXS would retain all fine revenues in order to recoup its investment. MCPD indicates that FXS will need to recoup approximately \$18 million in fines to break even on their initial investment. At this point, FXS and the County will negotiate a revenue-sharing plan. Fines will be paid into the County General Fund, but they will be segregated in a "lock box." These funds will be transferred to an MCPS Entrepreneurial Fund and the payment to the vendor will be made from that fund.

MCPS could potentially save approximately \$800,000 annually due to the new contract, since it won't have to replace certain safety equipment that it currently installs on all new buses. Potential savings are about \$7,000 per bus, and MCPS replaces about 100 new buses a year.

MCPD plans to use the \$250,000 included in the FY17 budget for the school bus camera contract to fund three new employees needed to process the larger expected volume of tickets.

## **Implementation**

Full implementation is expected by June 30, 2019. Five buses are currently outfitted and operational. Another 100 buses will be operational by December 30, 2016. Another 400 buses will be operational by the end of 2017, and the remaining fleet will be operational by June 30, 2019. The 200 most frequently violated routes will be the first to be implemented.

## **Discussion Issues**

1. What is the estimated time for repayment to FXS until it recoups all installation costs?
2. Does FXS have enough experience in other similar jurisdictions to determine whether violations slow significantly due to public awareness and compliance? If so, and if revenues decline, does this present any concerns about timely repayment and continued operation of the program?
3. Will there be additional public information campaigns associated with the technology change and increased use on buses?
4. What current safety technology will FXS systems replace on school buses?

**This packet contains**  
MCPD PowerPoint Presentation  
FXS Pilot Program Report

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# PUBLIC SAFETY AND EDUCATION COMMITTEES

July 11, 2016



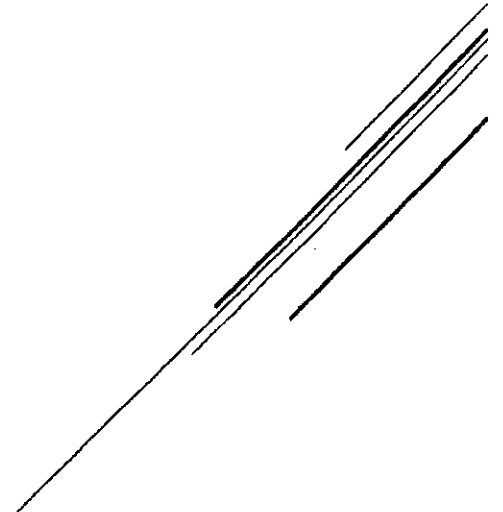


- ▶ In December 2014 Chief Manger was contacted by a colleague who suggested that MCPD take a look at a company who was making significant technological strides in automated school bus stop arm enforcement.
- ▶ The company was identified as Force Multiplier Solutions (FXS) based in Dallas, Texas.
- ▶ FXS had implemented their product with the Dallas School System which is of comparable size to Montgomery County Public Schools

## BACKGROUND

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- ▶ On July 8, 2015, members of MCPD's Automated Traffic Enforcement Unit (A.T.E.U.) met with representatives from FXS who wished to partner with Montgomery County on a school bus safety program
- ▶ A second meeting was held on July 17, 2015 which included Mr. Todd Watkins the Director of the MCPS Transportation Department. All parties involved felt that FXS had a technologically superior product and there was interest in moving forward

## BACKGROUND

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- ▶ August 12-13, 2015- Todd Watkins, Richard Harrison, and Lt. Dave McBain traveled to Dallas to the FXS Headquarters to get a first hand look at their product and operation
- ▶ They also met with the Dallas School Superintendent to get feedback on the product and the safety program
- ▶ Shortly after this meeting it was decided to move forward with FXS as the future vendor for both school bus safety and automated stop arm enforcement
- ▶ FXS offered to absorb 100% of the cost of equipment and installation. Needless to say, we were skeptical as this seemed "too good to be true"

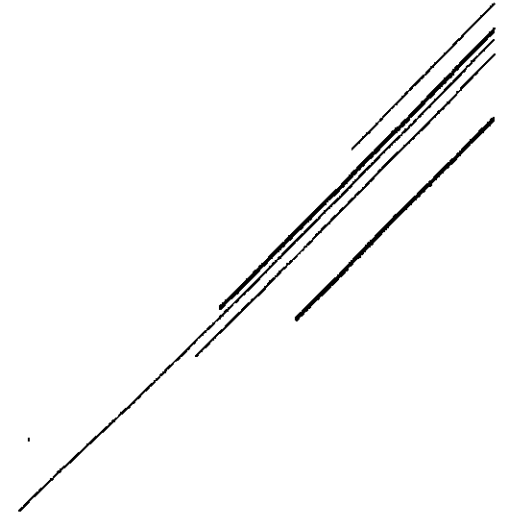
## BACKGROUND

- ▶ FXS began a 5 bus pilot program in Montgomery County. Their system began operations in January of 2016
- ▶ From January to May 20, 2016 the FXS product, on only 5 busses, identified 2,620 potential stop arm violations
- ▶ For comparison purposes, our current vendor operating on 25 busses for the entire school year only identified a total of 2,588 violations

## BACKGROUND

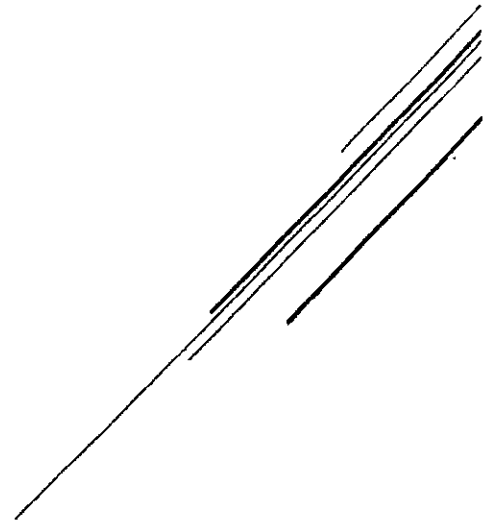
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- ▶ The FXS product features 14 cameras inside and outside the bus
- ▶ Three interior cameras with "live view" streaming video with live two-way communication with the driver's remote access
- ▶ Real-time GPS
- ▶ Rear camera with backup assist
- ▶ Emergency distress alarm
- ▶ Forward facing camera and a right side camera
- ▶ Six lane automated enforcement coverage
- ▶ Evidence and citation preparation, similar to our other vendors

## FXS PRODUCT FEATURES



- ▶ FXS continued to offer 100% free installation of the entire bus fleet. It turns out that this is in fact their proven successful business model
- ▶ In return, they receive all of the citation revenue until they recoup their initial investment of approx. \$18 million dollars
- ▶ As the break even point approaches a revenue sharing plan will be negotiated
- ▶ MCPS saves approx. \$800,000 annually due to not having to outfit their fleet replacement of 100 busses at a cost of \$8,000 per bus
- ▶ MCPD will save approx. \$250,000 in camera lease fees to our current vendor and will use those funds to cover the expense of adding 3 additional employees to process stop arm violations

## FXS BUSINESS MODEL

- ▶ FXS offers a technologically superior product compared to other vendors
- ▶ FXS has excellent technical and customer support
- ▶ FXS will offer better protection for school bus users by increasing safety in and around the bus as well as superior enforcement capabilities for stop arm violators
- ▶ FXS will outfit the entire MCPS bus fleet at NO COST to the County or MCPS

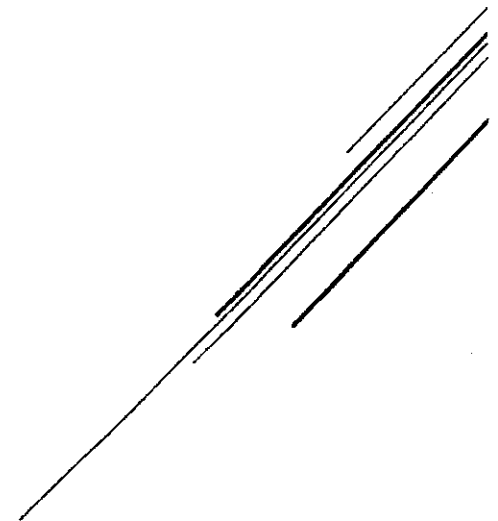
## SUMMARY

- ▶ After lengthy negotiations, the Contract was signed and executed on June 30, 2016
- ▶ The MOU was completed and signed on June 30, 2016

WHAT IS THE STATUS OF THE  
CONTRACT AND THE MOU?

20

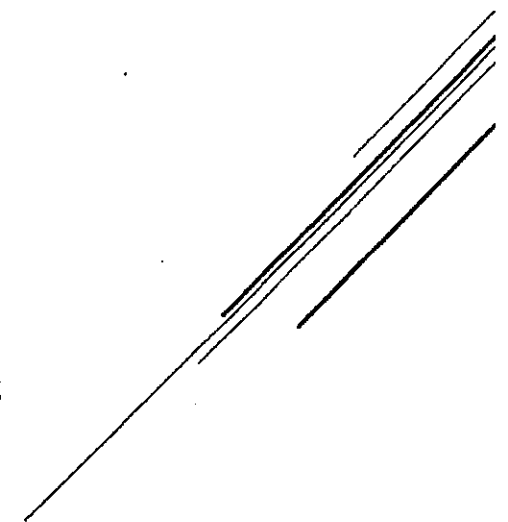
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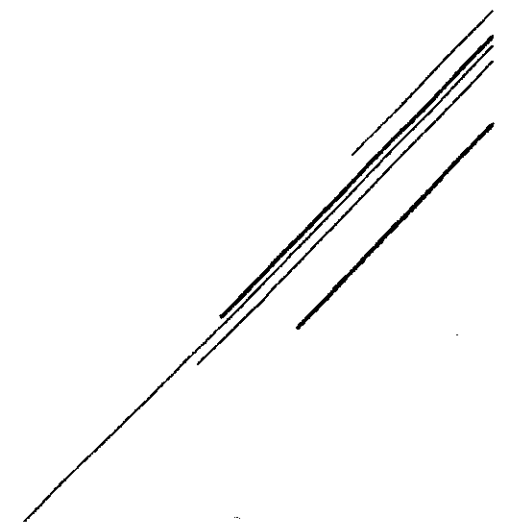
- ▶ The contract was signed on June 30, 2016
- ▶ Orders for equipment have been placed
- ▶ Five (5) busses are already outfitted and ready to go
- ▶ One hundred (100) will be operational by December 30<sup>th</sup>
- ▶ An additional four hundred (400) will be operational by December 30, 2017
- ▶ The remaining fleet will be operational by June 30, 2019
- ▶ The top 200 most frequently violated routes, as identified by MCPS and its drivers, will be the first to be implemented

WHAT IS THE TIMEFRAME FOR  
IMPLEMENTING THE CONTRACT AND WHEN  
WILL THE CAMERAS BE IN PLACE?



- ▶ MCPD currently has two employees who focus on the review and overview of the school bus violation program which also includes court testimony and evidence presentation
- ▶ The plan is for MCPD to use its annual \$250,000 savings in leasing current vendor equipment to fund the hiring of three additional employees to handle the increase in workload in stop arm enforcement and court preparation and testimony

WHAT STAFFING IN THE POLICE  
DEPARTMENT WILL ASSIST WITH  
ADMINISTRATION OF THE PROGRAM?

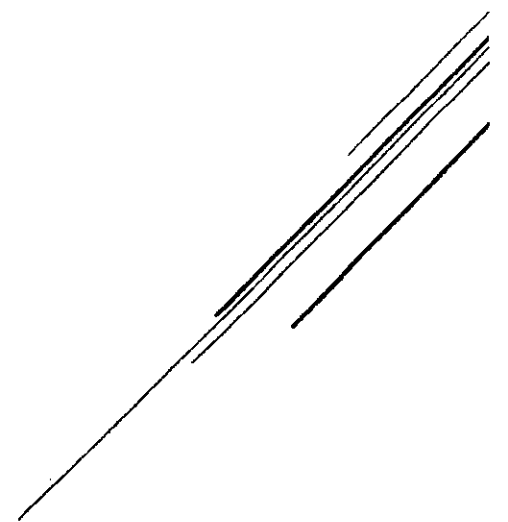


- ▶ The initial term of the contract will expire on June 30, 2021
- ▶ There are an additional 6 1-year options after that under the same terms and conditions unless otherwise modified
- ▶ MCPS may terminate this Agreement prior to the Expiration Date in accordance with Article 26 of the MCPS General Contracting Articles (as described in Section XII), and subject to the survival of any provisions in accordance with their specific terms.

WHEN WILL THE CONTRACT END, AND IF THIS REQUIRES EARLY TERMINATION, HOW WILL THAT OCCUR?

- ▶ Mirroring our Speed Camera and Red Light programs, violators will make their payments into a secured "Lock Box"
- ▶ MCPD and FXS will reconcile the incoming funds and the citations so that a monthly invoice can be verified
- ▶ The funds will go from the "Lock Box" to the County General Fund
- ▶ The County will then transfer the funds to a MCPS Entrepreneurial Fund and the payment to the vendor will be made from that fund

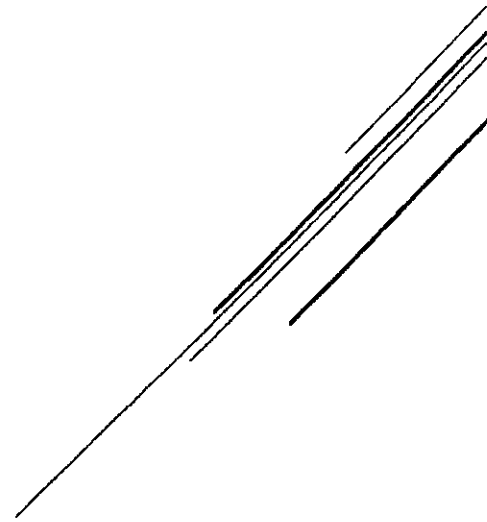
PLEASE DETAIL HOW THE FUNDING  
STREAMS WILL FUNCTION FOR ALL PARTIES  
INVOLVED?



24  
18

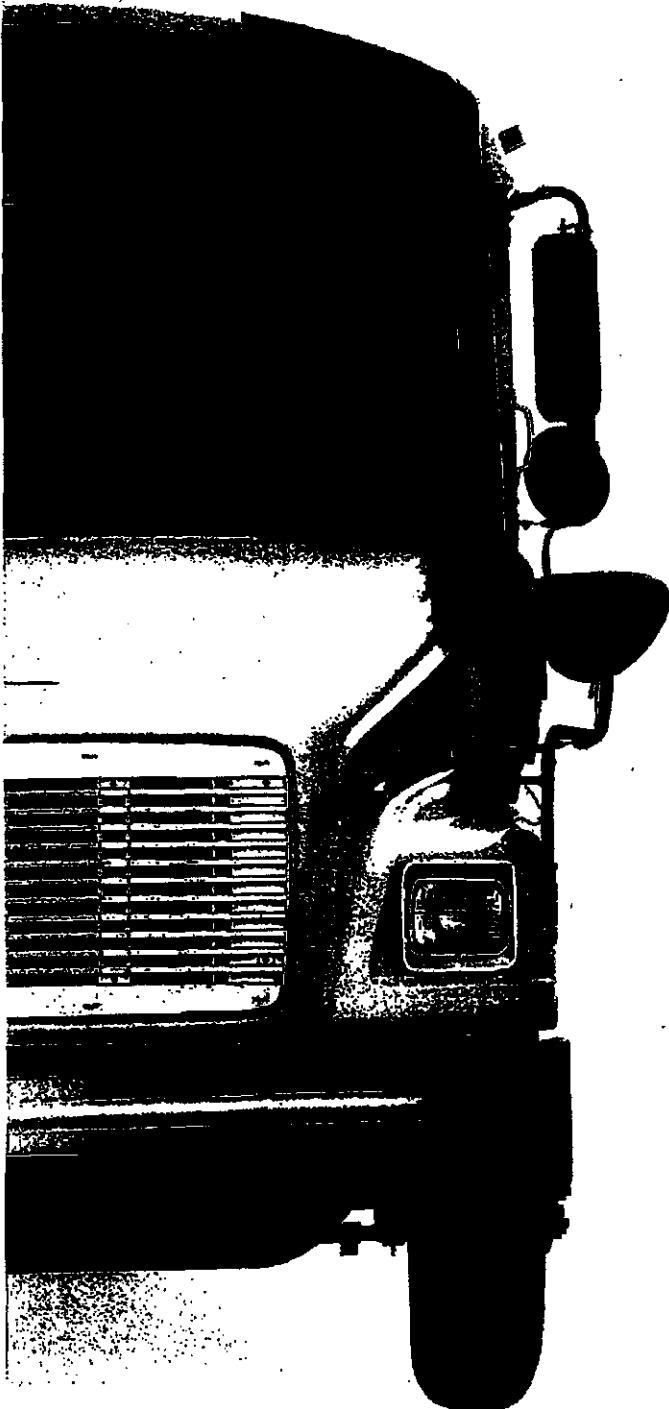
- ▶ Again, mirroring our Speed and Red Light Camera program, when a violator requests a court date rather than paying the fine, a court date will be scheduled, a court package will be prepared by the vendor and reviewed by MCPD A.T.E.U. staff
- ▶ On the court date, A.T.E.U. staff, specifically a Supervisor and a member of the approval staff, will attend District Court and testify, if necessary
- ▶ Since the programs inception in January 2014 4,829 citations have been issued. 96 violators, or 2%, requested a court date. Only 69, or 1%, have actually shown up for court
- ▶ As in all automated programs, fines that are paid in District Court are remanded to the State of Maryland and not the County

## WHAT HAPPENS TO CONTESTED TICKETS IN COURT?



25

~~14~~



**FORCE MULTIPLIER  
SOLUTIONS**

## School Bus Safety Program

Pilot Program  
Montgomery

From January 1, 2016  
To May 20, 2016

## Table of Contents

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Details for Bus 05048	9
Details for Bus 04011	10
Appendix: Overview per Week	11

## Letter of Introduction

Stakeholders  
Montgomery County



Dear Stakeholders,

Thank you for the opportunity to participate in the School Bus Safety Program pilot. Force Multiplier Solutions (FXS) is honored to partake, and is looking forward to helping you better protect your students. As you now know, Force Multiplier Solutions (FXS) has launched BusGuard, a fully integrated security and transit management system that is scalable and upgradable, featuring live real-time video and audio, with additional options and special features based on the needs of each school district. Over the past 9 years, FXS has equipped more than 3,000 buses in 16 school districts in two large cities with the BusGuard system to protect students, drivers, and other riders. Our commitment to student safety is unfailing, our technical solution is the most comprehensive available, and our community outreach ensures compliance.

While creating a system for the Dallas County Schools with a fleet of about 1,700 buses, we developed a camera system, an interior monitoring system, helped write a city ordinance, created a procedure for citations, and expanded our program to cover aspects of school bus safety that go far beyond those of our competitors: all at no cost to our customer. FXS operates systems on more than 3,000 buses throughout Texas and Louisiana. No other competitor operates as many systems, nor do their systems offer the scalability of our BusGuard solution.

BusGuard protects students from theft, drug dealers, sexual assault, fights, weapons, other crimes and inappropriate behavior, and also helps protect school bus drivers from abuse or trouble caused by students. While some districts request systems capable of recording activity related to motorists who illegally pass stopped school buses, our offer also includes interior cameras and two-way Voice-Over-IP (VOIP) communication, as well as a silent alarm for the bus driver to quickly signal an emergency. With BusGuard, school officials are given live audio and visual links inside the bus to assess activity in the event of an emergency, or to investigate a report of inappropriate or illegal behavior.

FXS believes in protecting all students and drivers on 100% of buses for each school district. Our competitors typically offer to install only exterior cameras on 20% of the bus fleet. Our solution protects 100% of students riding buses: not 2 out of 10. Led by people with experience in law enforcement and in identifying and mitigating threats, FXS is on a mission to protect students while changing motorists' behavior. The goal of our program is to improve the safety of our students as they enter and exit your buses on their way to and from school. We have seen a 20% reduction in stop arm violations in the districts that have implemented our program.

We began the pilot by installing a complete system on 5 buses. We have created a comprehensive report summarizing the details of the pilot. In this report you will find a compilation of data, maps, graphs and charts that represents the complete performance of the pilot from January 1, 2016 until May 20, 2016.

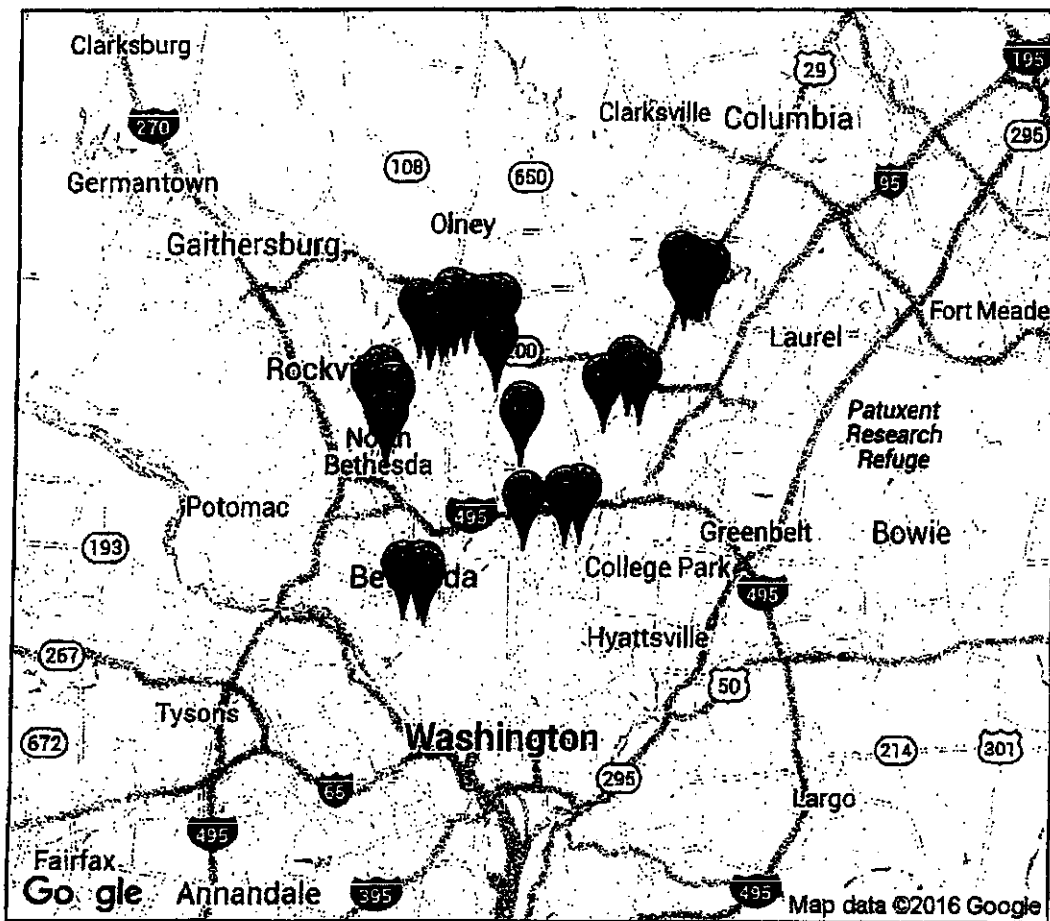
David Poirier  
President & COO  
7217 Lockport Place  
Suite 102  
Lorton, VA 22079  
703.338.0208



## Overview of Violations by Location

The below map indicates the top 56 unique locations with the highest violations, occurring from 1/01/16 to 5/20/16.

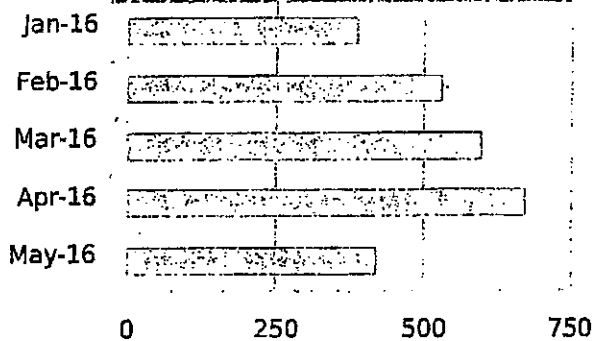
Total Violations and Locations	
Total Violations	2620
Unique Locations with Violations	57



## Overview of Violations by Dates and Times

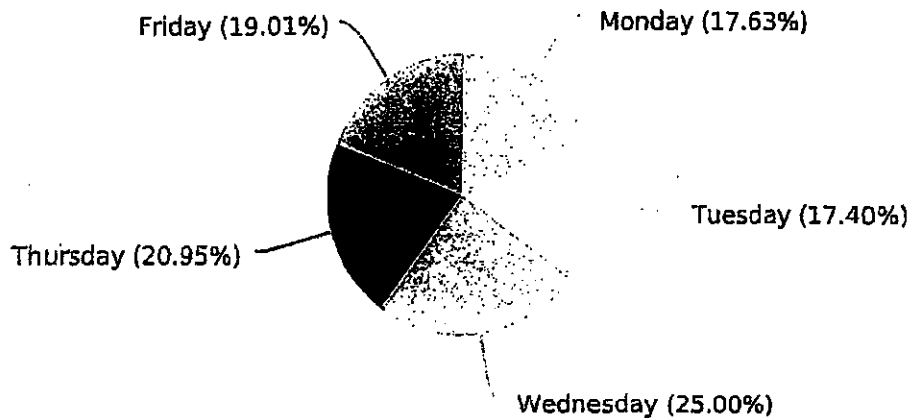
The charts below indicate the total number of violations based on the month, day of the week, and hour of the day, occurring from 1/01/16 to 5/20/16.

Total Violations by Month

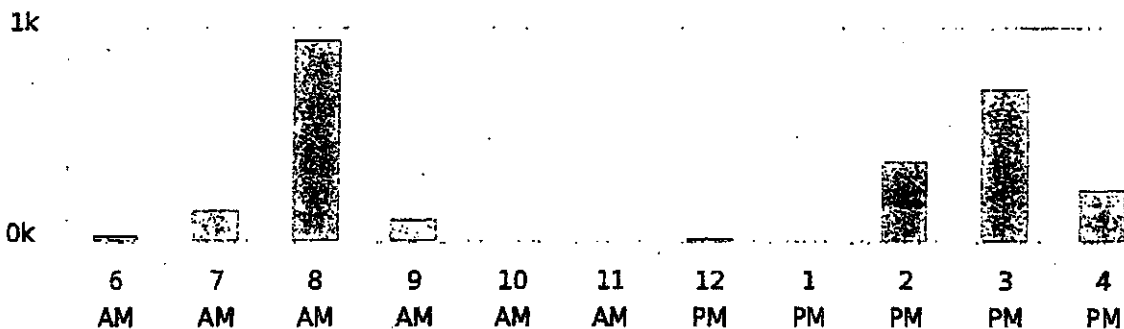


Total Violations by Month	
January 2016	388
February 2016	534
March 2016	600
April 2016	675
May 2016	423

Total Violations by Weekday

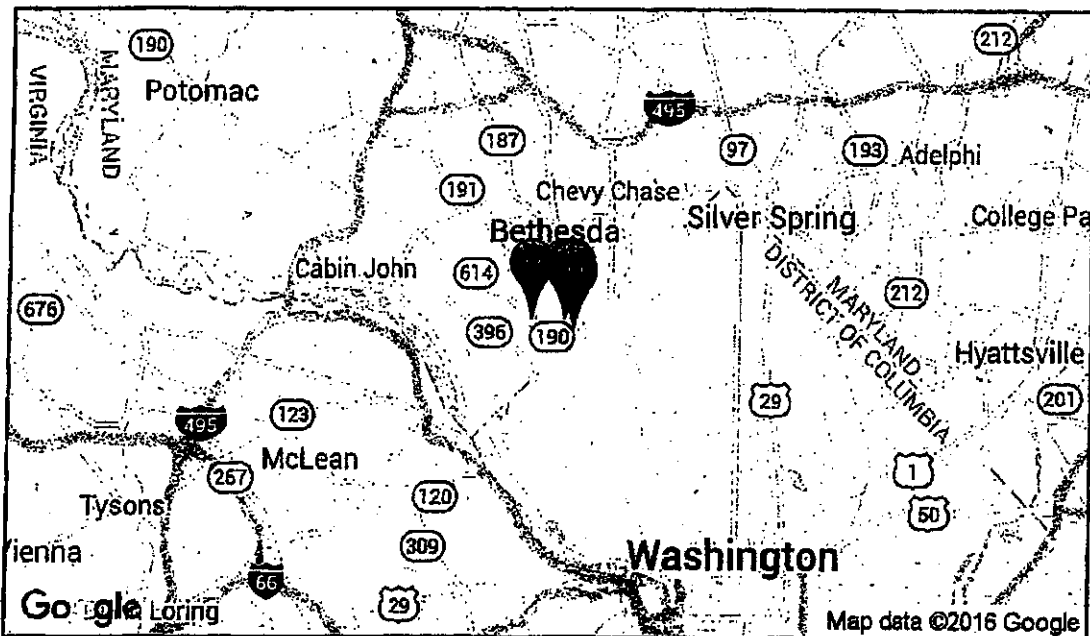


Total Violations by Hour

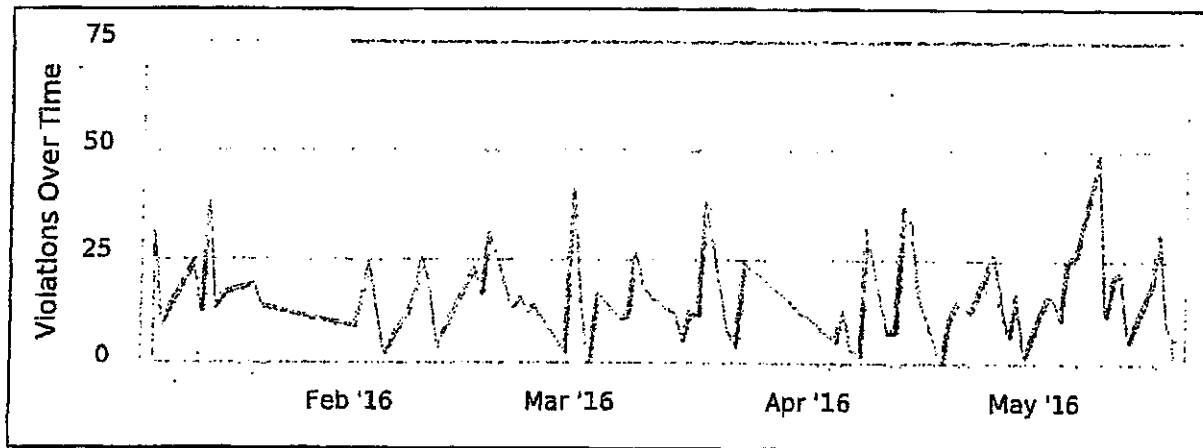


## Details for Bus 02038

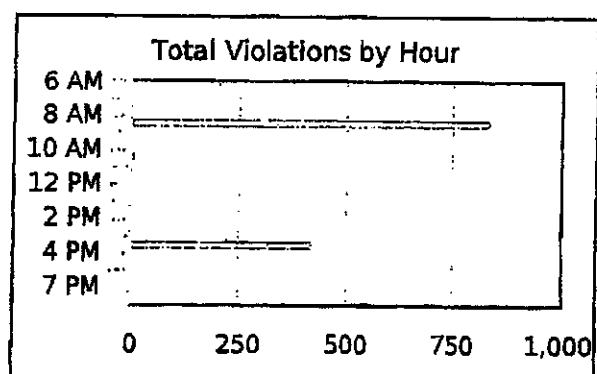
The bus 02038 had a total of 1274 violations, with the first violation occurring on 1/06/16 and the most recent violation occurring on 5/19/16.



The above map shows 8 unique locations where violations occurred for bus 02038.

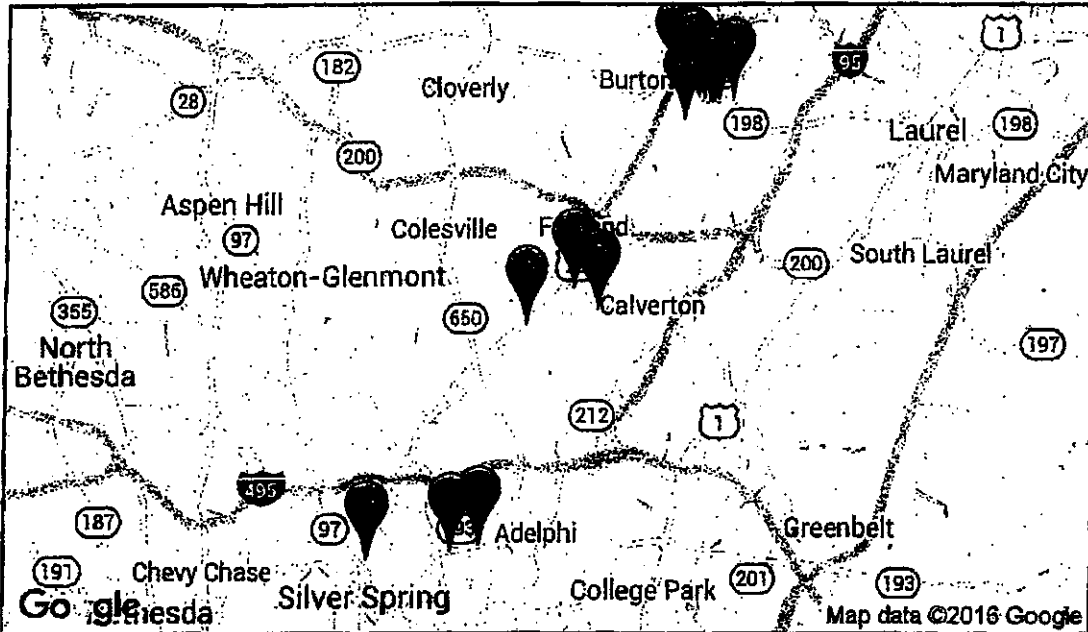


Top 5 Locations for Bus 02038	
Violations	Location
1034	5100 block of River Rd
127	4400 block of S Park Ave
48	5300 block of Friendship Blvd
29	5300 block of Friendship Boulevard
15	4600 block of N Park Ave

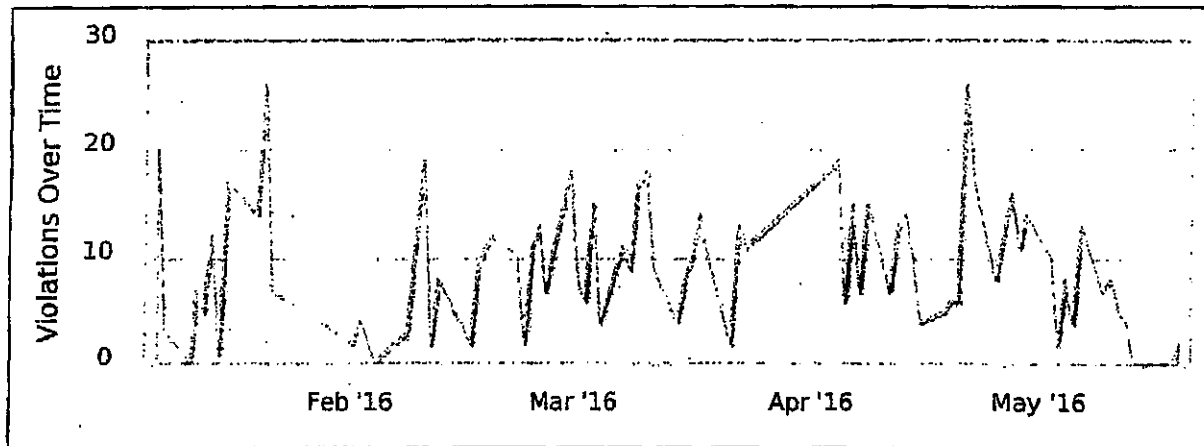


## Details for Bus 15085

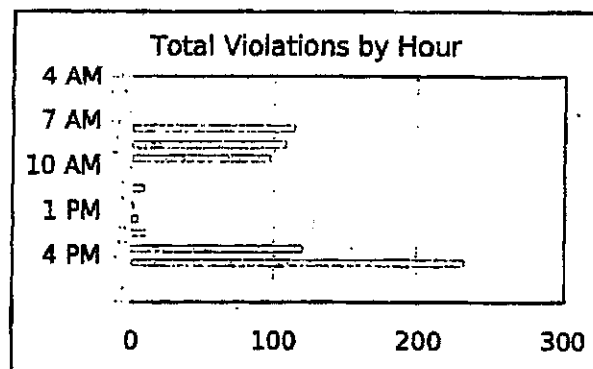
The bus 15085 had a total of 711 violations, with the first violation occurring on 1/06/16 and the most recent violation occurring on 5/19/16.



The above map shows 20 unique locations where violations occurred for bus 15085.

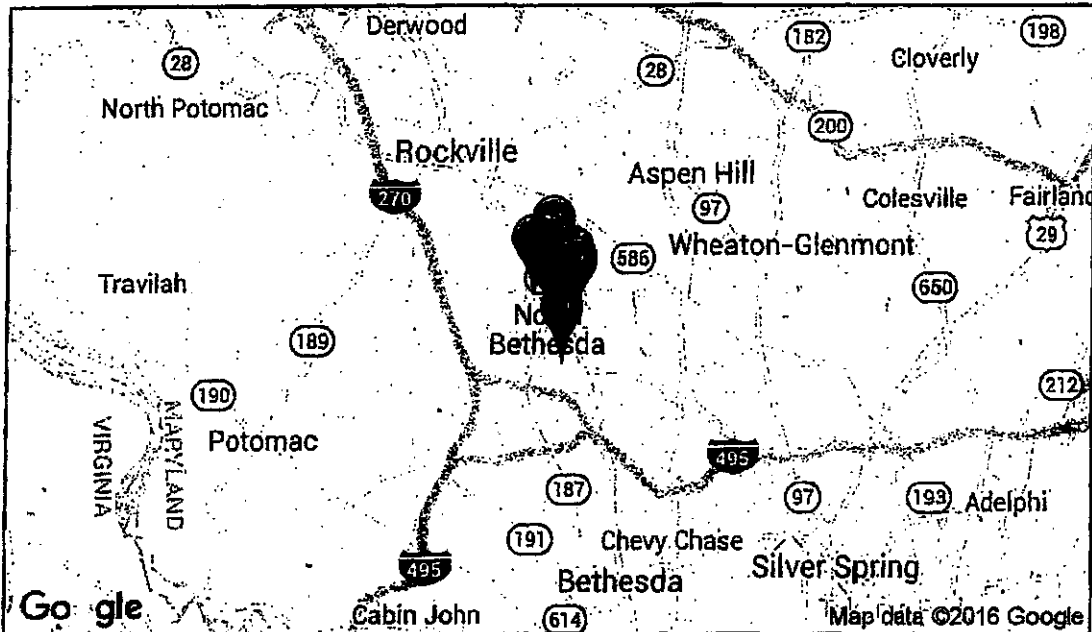


Top 5 Locations for Bus 15085	
Violations	Location
204	4400 block of Sandy Spring Rd
184	4600 block of Sandy Spring Rd
140	4300 block of MD-198
62	4300 block of Sandy Spring Road
53	15300 block of Dino Dr

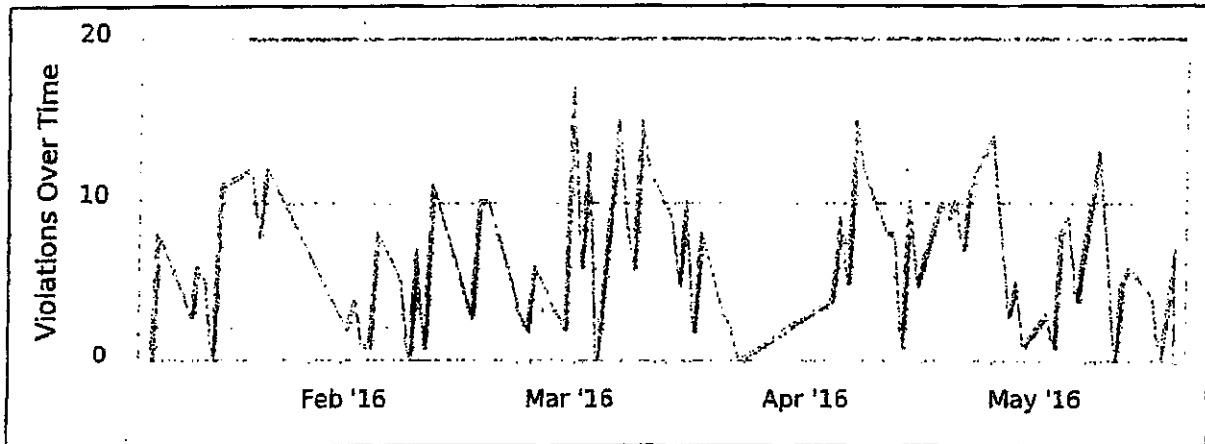


## Details for Bus 05039

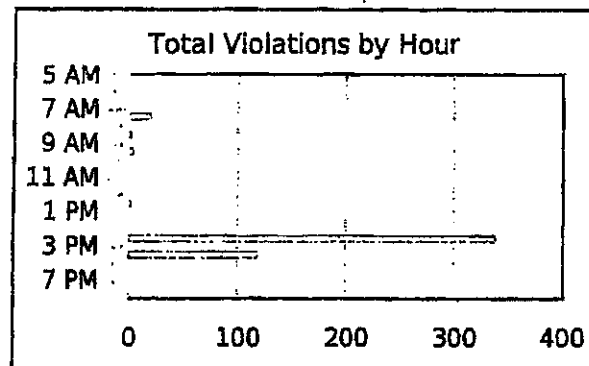
The bus 05039 had a total of 500 violations, with the first violation occurring on 1/06/16 and the most recent violation occurring on 5/19/16.



The above map shows 11 unique locations where violations occurred for bus 05039.

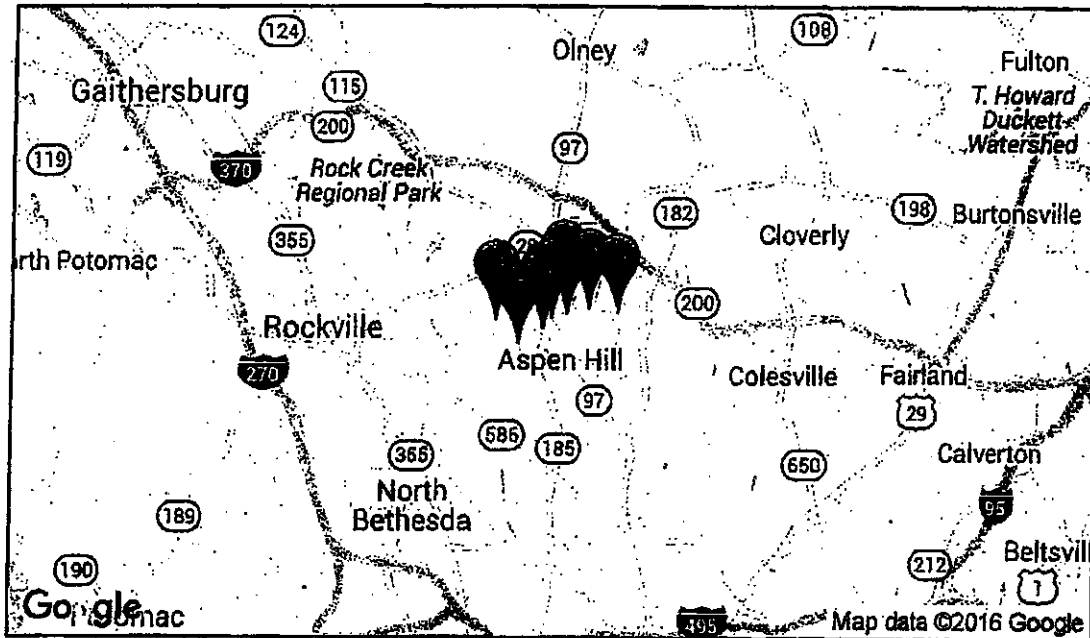


Top 5 Locations for Bus 05039	
Violations	Location
283	11900 block of Rockville Pike
72	5900 block of Montrose Rd
39	6100 block of Montrose Rd
33	5800 block of Executive Blvd
32	5700 block of Bou Ave

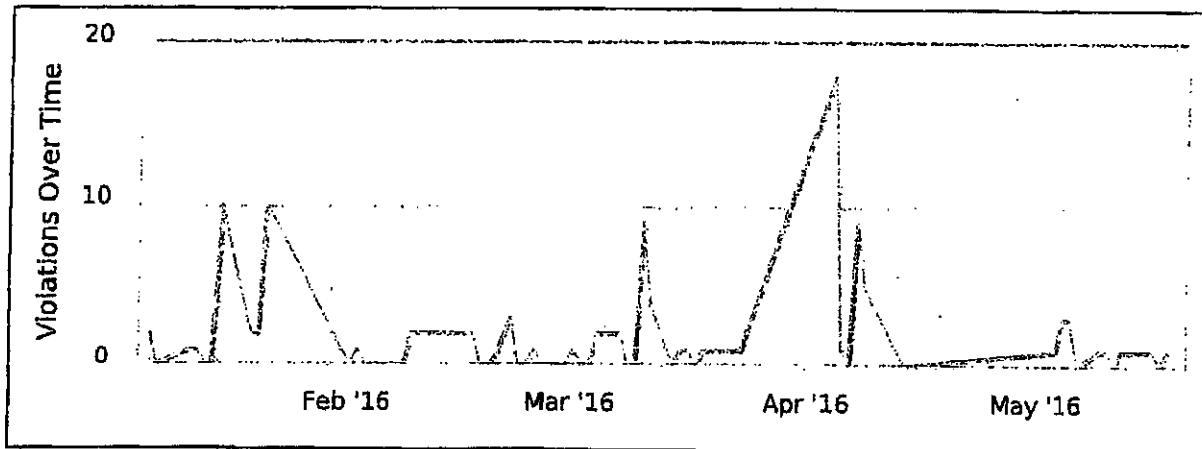


## Details for Bus 05048

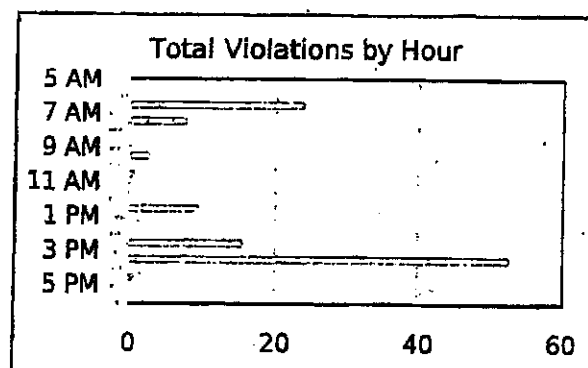
The bus 05048 had a total of 116 violations, with the first violation occurring on 1/06/16 and the most recent violation occurring on 5/19/16.



The above map shows 10 unique locations where violations occurred for bus 05048.

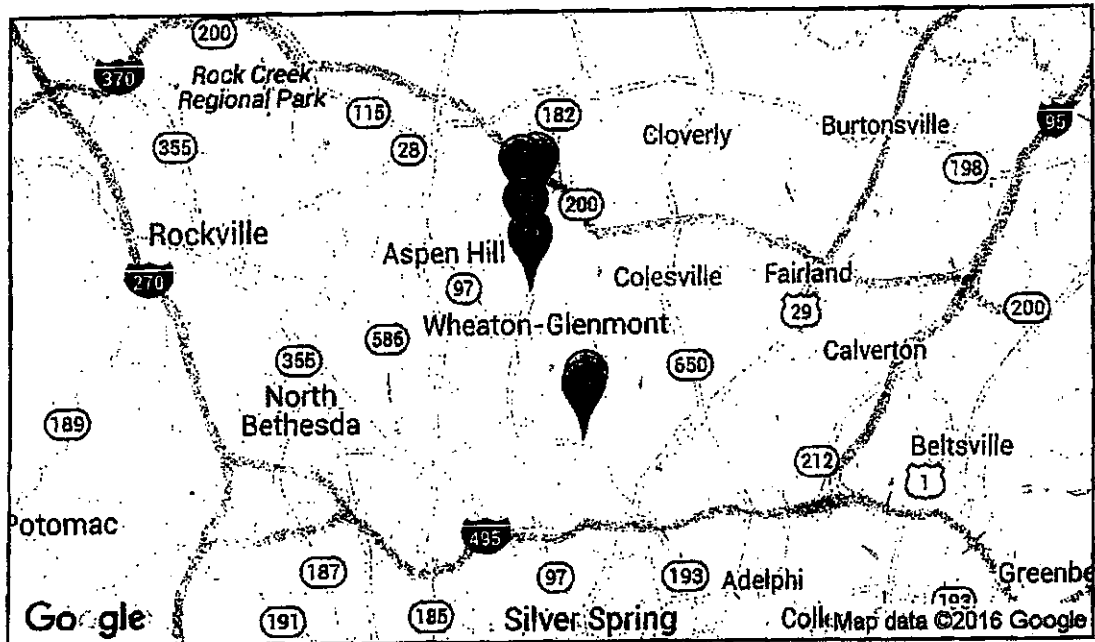


Top 5 Locations for Bus 05048	
Violations	Location
42	3000 block of Bel Pre Rd
34	14200 block of Georgia Ave
16	14100 block of Georgia Ave
10	2600 block of Bel Pre Rd
9	4000 block of Postgate Ter

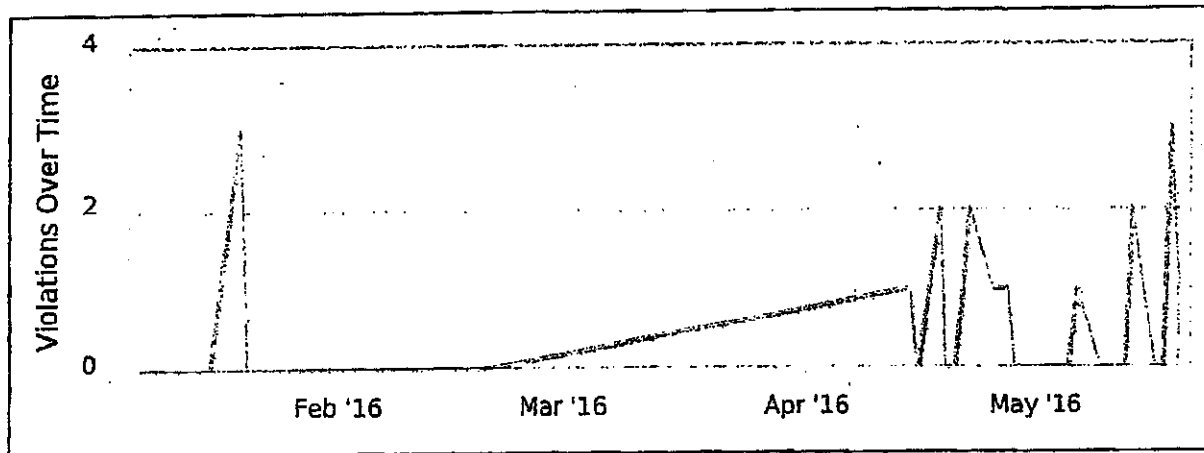


## Details for Bus 04011

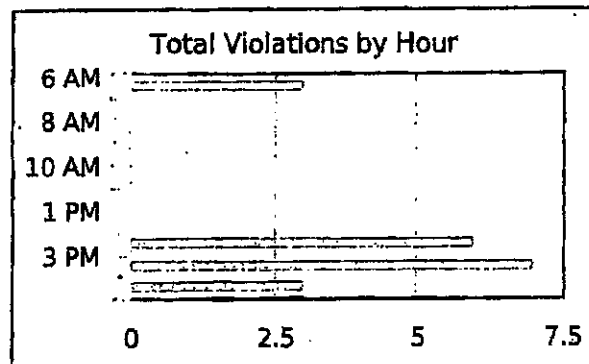
The bus 04011 had a total of 19 violations, with the first violation occurring on 1/08/16 and the most recent violation occurring on 5/19/16.



The above map shows 8 unique locations where violations occurred for bus 04011.

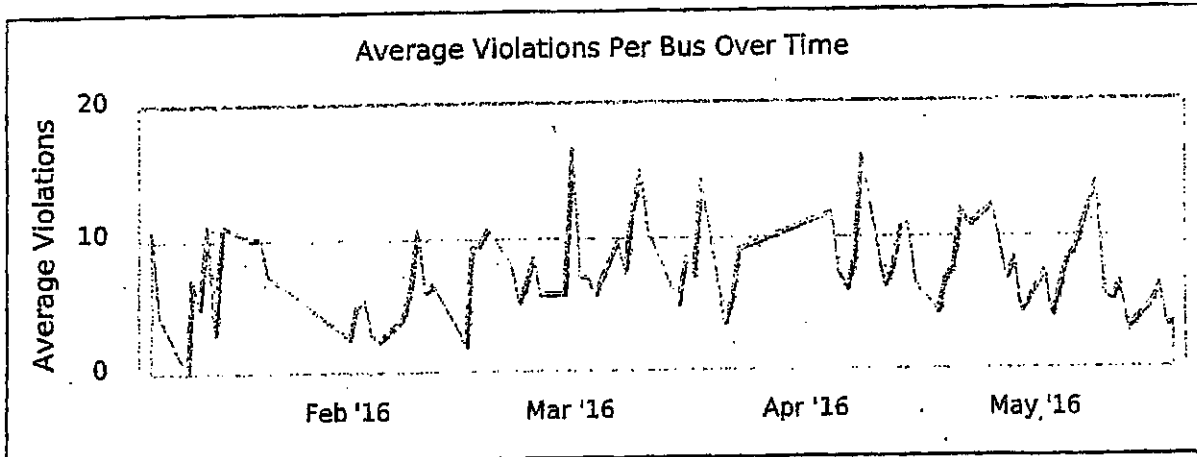


Top 5 Locations for Bus 04011	
Violations	Location
6	14300 block of Rosetree Ct
3	2300 block of Sun Valley Cir
2	2000 block of Middlebridge Dr
2	13200 block of Layhill Rd
2	1100 block of Aroola Ave



## Appendix: Overview per Week

Below are details per week from 1/01/16 to 5/20/16. This includes the total number of violations for the week, the average number of violations per bus, and the average number of violations per weekday.



The above chart shows the average number of violations for buses running per day.

Violations per Week			
Week	Total Violations	Average per Bus	Average per Weekday
Jan/3/16 - Jan/9/16	74	14.8	14.8
Jan/10/16 - Jan/16/16	185	37.0	37.0
Jan/17/16 - Jan/23/16	129	25.8	25.8
Jan/31/16 - Feb/6/16	91	18.2	18.2
Feb/7/16 - Feb/13/16	154	30.8	30.8
Feb/14/16 - Feb/20/16	130	26.0	26.0
Feb/21/16 - Feb/27/16	136	34.0	27.2
Feb/28/16 - Mar/5/16	169	42.2	33.8
Mar/6/16 - Mar/12/16	219	54.7	43.8
Mar/13/16 - Mar/19/16	164	41.0	32.8
Mar/20/16 - Mar/26/16	71	17.7	14.2
Apr/3/16 - Apr/9/16	197	49.2	39.4
Apr/10/16 - Apr/16/16	187	37.4	37.4



## Appendix: Overview per Week

Below are details per week from 1/01/16 to 5/20/16. This includes the total number of violations for the week, the average number of violations per bus, and the average number of violations per weekday.

Violations per Week			
Week	Total Violations	Average per Bus	Average per Weekday
Apr/17/16 - Apr/23/16	165	41.2	33.0
Apr/24/16 - Apr/30/16	128	31.5	25.2
May/1/16 - May/7/16	164	32.8	32.8
May/8/16 - May/14/16	171	34.2	34.2
May/15/16 - May/21/16	88	17.6	17.6

MEMORANDUM

March 17, 2017

TO: County Council

FROM: <sup>CH</sup> Craig Howard, Senior Legislative Analyst

SUBJECT: **Public Hearing/Action -- Supplemental Appropriation to the FY17 Operating Budget, Montgomery County Public Schools Entrepreneurial Activities Fund, \$1,500,000 for the School Bus Safety Camera Program**

Today the County Council will hold a public hearing and consider action on a supplemental appropriation to the FY17 Operating Budget of the Montgomery County Public Schools (MCPS) Entrepreneurial Activities Fund in the amount of \$1,500,000 for the School Bus Safety Camera Program. The source of funds is the School Bus Safety Camera Program citation revenue in the County Government General Fund.

The Board of Education requested this appropriation on January 10, 2017 (transmittal attached on ©5-7). A draft appropriation resolution is attached at ©3-4. The County Executive recommends approval (©1-2). The Council introduced this resolution on February 28.

As authorized by the Board of Education on March 26, 2016, MCPS entered into:

- A contract with Force Multiplier Solutions, Inc. (FXS) to provide a comprehensive school bus safety system to MCPS; and
- A memorandum of understanding with Montgomery County Government to set forth the parties' respective obligations for effective implementation of the School Bus Safety Camera Program.

This increase is needed because the contract between MCPS and FXS and the memorandum of understanding with the County stipulate that all revenue generated from citation fines are to be transferred from the County General Fund to the MCPS Entrepreneurial Activities Fund to enable MCPS to compensate FXS until such time that FXS recovers its capital investment. The joint Public Safety and Education Committee held a worksession on July 11, 2016 to review the school bus safety camera program, including MCPS' contract with FXS and the planned payment structure.

The appropriation will give MPCPS the authority to spend a maximum ceiling of \$1.5 million in FY17, however the County will only transfer the actual amount of citation revenue received.

**Council staff recommends approval of the supplemental appropriation request.**



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

2017 FEB 14 PM 2:17

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

## MEMORANDUM

February 9, 2017

TO: Roger Berliner, President, County Council

FROM: Isiah Leggett, County Executive *Timothy L. Finamore (acting)*

SUBJECT: Supplemental Appropriation #17-407 to the FY17 Operating Budget  
Montgomery County Public Schools  
Entrepreneurial Activities Fund  
School Bus Safety Camera Program, \$1,500,000

I am recommending a supplemental appropriation to the FY17 Operating Budget of the Montgomery County Public Schools (MCPS) Entrepreneurial Activities Fund in the amount of \$1,500,000 for the School Bus Safety Camera Program. This appropriation will fund contractual payments to the vendor, Force Multiplier Solutions, Inc. (FXS), for its capital investment for the BusGuard™ System, including the cost of equipment and operating costs.

This increase is needed because the contract between MCPS and FXS and the memorandum of understanding with the County stipulate that all revenue generated from citation fines are to be transferred from the County General Fund to the MCPS Entrepreneurial Activities Fund to enable MCPS to compensate FXS for the BusGuard™ System until such time that FXS recovers its capital investment. An agreement has not yet been reached between the County and FXS regarding revenue sharing of citation fines after FXS recovers its costs.

This appropriation will give MCPS the authority to spend a maximum ceiling of \$1,500,000 in FY17, however the County will only transfer the actual amount of citation revenue received.

I recommend that the County Council approve this supplemental appropriation in the amount of \$1,500,000 and specify the source of funds as School Bus Safety Camera Program citation revenue in the County General Government Fund. Appropriation to the MCPS Entrepreneurial Activities fund will not impact Maintenance of Effort (MOE) calculations for FY18.

Roger Berliner, President  
February 9, 2017  
Page 2

I appreciate your prompt consideration of this action.

IL:jdm

Attachment: Supplemental Appropriation #17-407, Request from MCPS

cc: Dr. Jack R. Smith, Superintendent, Montgomery County Public Schools  
Dr. Andrew Zuckerman, Chief Operating Officer, Montgomery County Public Schools  
Mr. Michael Durso, President, Montgomery County Board of Education  
J. Thomas Manger, Chief, Montgomery County Police Department  
Bonnie Kirkland, Assistant Chief Administrative Officer  
Cindy Gibson, Chief of Staff to the Council President

40 2

Resolution No: \_\_\_\_\_

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

**SUBJECT:** Supplemental Appropriation #17-407 to the FY17 Operating Budget  
Montgomery County Public Schools  
Entrepreneurial Activities Fund  
School Bus Safety Camera Program, \$1,500,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. The County Executive has requested the following FY17 Operating Budget appropriation increases for the Montgomery County Public Schools (MCPS) Entrepreneurial Activities Fund:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$1,500,000	\$1,500,000	School Bus Safety Camera Program Citation Fines Revenue – County General Fund

41

3

3. This increase is needed because the contract between MCPS and Force Multiplier Solutions, Inc. (FXS) and the memorandum of understanding with the County stipulate that all revenue generated from citation fines are to be transferred from the County General Fund to the MCPS Entrepreneurial Activities Fund to enable MCPS to compensate FXS for the BusGuard™ System until such time that FXS recovers its capital investment, including costs of equipment and operating costs.
4. An agreement has not yet been reached between the County and FXS regarding revenue sharing of citation fines after FXS recovers its costs.
5. This appropriation will give MCPS the authority to spend a maximum ceiling of \$1,500,000 in FY17, however the County will only transfer the actual amount of citation revenue received.
6. Appropriation of these funds to the MCPS Entrepreneurial Activities Fund will not impact Maintenance of Effort (MOE) calculations for FY18.
7. The County Executive recommends a supplemental appropriation to the FY17 Operating Budget of the Montgomery County Public Schools Entrepreneurial Activities Fund in the amount of \$1,500,000 for the School Bus Safety Camera Program and specifies that the source of funds will be School Bus Safety Camera Program Citation Fines Revenue – County General Fund.
8. Notice of public hearing was given, and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

A supplemental appropriation to the FY17 Operating Budget of the Montgomery County Public Schools Entrepreneurial Activities Fund is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Total</u>	<u>Source of Funds</u>
\$0	\$1,500,000	\$1,500,000	School Bus Safety Camera Program Citation Fines Revenue – County General Fund

This is a correct copy of Council action.

\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

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Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

January 18, 2017

MEMORANDUM

To: The Honorable Isiah Leggett, County Executive  
The Honorable Roger Berliner, President,  
Montgomery County Council

From: Jack R. Smith, Superintendent of Schools

Subject: Transmittal of Board of Education Agenda Item #8.7

Recommended Fiscal Year 2017 Supplemental Appropriation for School Bus Safety Camera Program

BOE Meeting Date: January 10, 2017

Amount: \$1,500,000

Type of Action: Approval

JRS:ND:jp

Attachment

Copy to:  
Ms. Diamond  
Montgomery County Office of Management and Budget

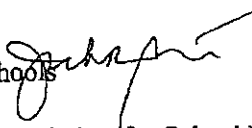
ACTION  
8.7

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

January 10, 2017

MEMORANDUM

To: Members of the Board of Education

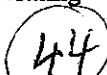

From: Jack R. Smith, Superintendent of Schools 

Subject: Fiscal Year 2017 Supplemental Appropriation for School Bus Safety Camera Program

Montgomery County Public Schools (MCPS) is collaborating with the Montgomery County Police Department to implement a school bus safety program for the use of monitoring cameras on all operating school buses to improve student safety and enforce school bus traffic violations (the "School Bus Safety Camera Program"). Drivers in Montgomery County illegally overtake or pass school buses at an alarming rate. In a national survey conducted during the past four years, MCPS bus operators consistently reported 800 to 1,200 drivers illegally overtaking or passing school buses in a single day. Under Maryland law, vehicle owners who illegally overtake or pass stopped school buses may be issued a citation with a fine amount of \$125.

As authorized by the Board of Education on May 26, 2016, MCPS entered into (1) a contract with Force Multiplier Solutions, Inc. (FXS), a firm specializing in security and safety solutions for the school transportation industry, to provide its BusGuard™ System, a comprehensive school bus safety system, to MCPS; and (2) a memorandum of understanding with Montgomery County to set forth the parties' respective obligations for effective implementation of the School Bus Safety Camera Program. The FXS BusGuard™ System is capable of equipping every school bus in MCPS' fleet with interior, exterior, and stop-arm enforcement video cameras with recording and real-time viewing capabilities, live and historical Global Positioning System location reporting, two-way internet communication between each school bus and the MCPS Department of Transportation (DOT), and a panic button for each bus operator to alert DOT of any emergencies. FXS also provides school systems with ongoing maintenance and upgrades for all equipment installed on the school buses. Through a unique business model, where FXS is compensated entirely from the citation fines paid by drivers who illegally overtake or pass stopped school buses, FXS is able to offer its BusGuard™ System at no cost to its clients.

Pursuant to the contract and memorandum of understanding, all revenue generated from citation fines are to be transferred from the County General Fund to the MCPS Entrepreneurial Activities Fund to enable MCPS to compensate FXS for the BusGuard™ System until such time that FXS recovers the cost of its capital investment, including the cost of equipment and operating

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costs. After FXS recovers its capital investment costs, revenue from citation fines will be shared between FXS, MCPS, and Montgomery County. Currently, 99 MCPS school buses are equipped with the BusGuard™ System and approximately 775 citations have been issued. It is anticipated that additional buses will be operating the BusGuard™ System by the end of Fiscal Year (FY) 2017.

Authorization is requested to receive and expend, subject to County Council approval, a FY 2017 supplemental appropriation of the estimated revenue generated from the payment of citation fines in the amount of \$1,500,000 to the MCPS Entrepreneurial Activities Fund for MCPS to compensate FXS for the installation and operation of the BusGuard™ System on MCPS school buses.

#### **Recommended Resolution**

WHEREAS, Pursuant to Board Action dated May 26, 2016, Montgomery County Public Schools entered into a contract with Force Multiplier Solutions Inc. to provide the school system with a comprehensive school bus safety camera system, the BusGuard™ System, at no cost to the school system; and

WHEREAS, Pursuant to Board Action dated May 26, 2016, Montgomery County Public Schools entered into a memorandum of understanding with Montgomery County defining each party's obligations regarding the School Bus Camera Safety Program; and

WHEREAS, The memorandum of understanding states that all fine revenue collected by Montgomery County from vehicle owners who illegally overtake or pass stopped school buses will be transferred to Montgomery County Public Schools for payment to Force Multiplier Solutions, Inc. for its BusGuard™ System until such time that Force Multiplier Solutions Inc. recovers its capital investment, after which, fine revenue will be shared between Force Multiplier Solutions Inc., Montgomery County Schools, and Montgomery County; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, a Fiscal Year 2017 supplemental appropriation of \$1,500,000 to the Montgomery County Public Schools Entrepreneurial Activities Fund for payment to Force Multiplier Solutions Inc. as compensation for the BusGuard™ System; and be it further

Resolved, That a copy of this resolution be forwarded to the county executive, the Montgomery County Police Department, and the County Council; and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

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