

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 189

(Senator Simonaire)

Judicial Proceedings

Environmental Matters

Vehicle Laws - School Buses and Former School Buses - Seat Belts

This bill establishes that a motor vehicle used to transport children by nursery schools, camps, day nurseries, or day care centers for children with developmental disabilities and either designated as a “type I school vehicle” or formerly registered as a “type I school vehicle” is exempt from the requirements to be equipped with seat belts for each seat and be subject to other regulations prescribed by the Motor Vehicle Administration (MVA).

Fiscal Summary

State Effect: None. The bill’s requirements can be handled with existing resources.

Local Effect: None. The bill’s requirements can be handled with existing resources.

Small Business Effect: Potential minimal.

Analysis

Current Law: Every motor vehicle used by nursery schools, camps, day nurseries, or day care centers for children with developmental disabilities that is used to transport children and is not regulated as a school bus must be equipped with seat belts for each seat and be subject to other regulations prescribed by MVA.

Every motor vehicle registered in Maryland and assembled after June 1, 1964, must be equipped with two sets of seat belts in the front seat of the vehicle and, if assembled after June 1, 1969, must have two sets of seat belts on the rear seat of the vehicle. However, for purposes of this requirement, “motor vehicle” does not include any bus, motorcycle, truck, or taxicab.

Except as otherwise specified, a “school vehicle” is one that is used regularly for the exclusive transportation of children, teachers, or students for educational purposes or in conjunction with a school activity, and is either a “type I school vehicle” or a “type II school vehicle.”

A “type I school vehicle” is designed and constructed to carry passengers and is either of the body-on chassis type construction or the integral type construction. It has a gross vehicle weight (GVW) exceeding 15,000 pounds and provides at least 13 inches of seating space per passenger. A type I school vehicle does not include any bus operated by a common carrier under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself. A “school bus” is a type I school vehicle. A “type II school vehicle” is defined in a way similar to the type I school vehicle, except that it has a GVW of 15,000 pounds or less and includes buses operated by common carriers under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself.

Additional Information

Prior Introductions:SB0020 LR0983 2008 JPR

Cross File: None.

Information Source(s):Department of Human Resources, Maryland State Department of Education, Department of Health and Mental Hygiene, Maryland Department of Transportation, Department of Legislative Services

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Analysis by: Evan M. Isaacson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510