SENATE BILL 159

R7, F1 4lr0764
CF HB 133

By: **Senators Edwards and Mathias**
Introduced and read first time: January 13, 2014
Assigned to: Judicial Proceedings

A BILL ENTITLED

AN ACT concerning

Vehicle Laws – School Vehicles – Definition

FOR the purpose of altering the definition of "school vehicle" to include certain vehicles that meet certain standards and requirements, were originally titled in another state and used to transport children, students, and teachers in that state, and are used only for transporting children to and from a certain program or day care facility; and generally relating to school vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–154
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–173 and 11–174
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

11–154.

(a) "School vehicle" means, except as provided in subsection (b) of this section, any motor vehicle that:

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(1) Is used regularly for the exclusive transportation of children, students, or teachers for educational purposes or in connection with a school activity; and

(2) Is **[**either**]**:

(i) A Type I school vehicle, as defined in this subtitle; **[**or**]**

(ii) A Type II school vehicle, as defined in this subtitle**; OR**

(III) A VEHICLE THAT:

1. WAS ORIGINALLY TITLED IN ANOTHER STATE AND USED TO TRANSPORT CHILDREN, STUDENTS, OR TEACHERS FOR EDUCATIONAL PURPOSES OR IN CONNECTION WITH A SCHOOL ACTIVITY IN THAT STATE;

2. MEETS THE STANDARDS AND REQUIREMENTS ESTABLISHED BY THE ADMINISTRATION FOR REGISTRATION AS A TYPE II SCHOOL VEHICLE AS IS DEFINED IN THIS SUBTITLE;

3. COMPLIES WITH THE STANDARDS UNDER 45 C.F.R. 1310 (HEAD START TRANSPORTATION) FOR TRANSPORTING CHILDREN ENROLLED IN THE FEDERALLY FUNDED HEAD START PROGRAM; AND

4. IS USED ONLY FOR TRANSPORTING CHILDREN TO AND FROM A HEAD START PROGRAM OR LICENSED DAY CARE FACILITY.

(b) "School vehicle" does not include:

(1) A privately owned vehicle while it is carrying members of its owner's household and not operated for compensation; or

(2) A vehicle that is registered as a Class M (multipurpose) vehicle under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this article and used to transport children between one or more schools or licensed child care centers or to and from designated areas that are approved by the Administration if:

(i) The vehicle is designed for carrying 15 persons or less, including the driver;

(ii) The children are permitted to embark or exit the vehicle only at a school or child care center or a designated area approved by the Administration;

(iii) The owner has obtained vehicle liability insurance or other security as required by Title 17 of this article; and

(iv) The vehicle is equipped with proper seat belts or safety seats so as to permit each child to be secured in a seat belt or a safety seat as required by §§ 22–412.2 and 22–412.3 of this article.

11–173.

(a) "Type I school vehicle" means a school vehicle that:

(1) Is designed and constructed to carry passengers;

(2) Is either of the body–on–chassis type construction or integral type construction; and

(3) Has a gross vehicle weight of more than 15,000 pounds and provides a minimum of 13 inches of seating space per passenger.

(b) "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.

11–174.

"Type II school vehicle" means a school vehicle that:

(1) Is designed and constructed to carry passengers;

(2) Is either of the body–on–chassis type construction or integral type construction; and

(3) Has a gross vehicle weight of 15,000 pounds or less and provides a minimum of 13 inches of seating space per passenger.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.