

# HOUSE BILL 73

R1, F5

6lr1318

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By: **Delegates Luedtke, Barkley, Dumais, Fraser-Hidalgo, Frick, Gilchrist, Gutierrez, Hixson, Kaiser, Kelly, Korman, Kramer, A. Miller, Moon, Morales, Platt, Reznik, S. Robinson, Smith, Waldstreicher, and Zucker**

Introduced and read first time: January 14, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Intercounty Connector – Public School Bus – Exemption From Toll**

3 FOR the purpose of exempting a school bus used to transport public school students from  
4 any toll, fee, or other charge for the use of the Intercounty Connector; defining certain  
5 terms; and generally relating to an exemption from tolls for public school buses using  
6 the Intercounty Connector.

7 BY repealing and reenacting, without amendments,

8 Article – Education

9 Section 1–101(k)

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Transportation

14 Section 4–312(a)(2) and 4–321(a)

15 Annotated Code of Maryland

16 (2015 Replacement Volume and 2015 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Transportation

19 Section 4–312(c)

20 Annotated Code of Maryland

21 (2015 Replacement Volume and 2015 Supplement)

22 BY repealing and reenacting, without amendments,

23 Article – Transportation

24 Section 11–153, 11–154, and 11–173

25 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2012 Replacement Volume and 2015 Supplement)

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

**Article – Education**

1–101.

(k) “Public schools” means the schools in the public elementary and secondary education system of this State.

**Article – Transportation**

4–312.

(a) (2) As to all or any part of any transportation facilities project, the Authority may:

(i) Fix, revise, charge, and collect rentals, rates, fees, tolls, and other charges and revenues for its use or for its services; and

(ii) Contract with any person who desires its use for any purpose and fix the terms, conditions, rentals, rates, fees, tolls, or other charges or revenues for this use.

(c) (1) Except as otherwise provided in this subsection, the rentals, rates, fees, tolls, and other charges and revenues are not subject to supervision or regulation by any instrumentality, agency, or unit of this State or any of its political subdivisions.

(2) This subtitle does not permit the exercise of any power or the undertaking of any activity that would conflict with the provisions and limitations of the federal Urban Mass Transportation Act of 1964.

(3) Tolls for the use of the bridge carrying the John F. Kennedy Memorial Highway over the Susquehanna River may not be less than the comparable tolls charged for the use of the Susquehanna River Bridge.

(4) (I) 1. IN THIS PARAGRAPH, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

2. “INTERCOUNTY CONNECTOR” HAS THE MEANING STATED IN § 4–321(A) OF THIS SUBTITLE.

3. “PUBLIC SCHOOL” HAS THE MEANING STATED IN § 1–101(K) OF THE EDUCATION ARTICLE.



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

3 (2) A vehicle that is registered as a Class M (multipurpose) vehicle under  
4 § 13-937 of this article or a Class A (passenger) vehicle under § 13-912 of this article and  
5 used to transport children between one or more schools or licensed child care centers or to  
6 and from designated areas that are approved by the Administration if:

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

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

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

13 (iv) The vehicle is equipped with proper seat belts or safety seats so  
14 as to permit each child to be secured in a seat belt or a safety seat as required by §§  
15 22-412.2 and 22-412.3 of this article.

16 11-173.

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

18 (1) Is designed and constructed to carry passengers;

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

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

23 (b) "Type I school vehicle" does not include any bus operated by a common carrier  
24 under the jurisdiction of a State, regional, or federal regulatory agency or operated by the  
25 agency itself.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2016.