# By: Senators King, Benson, Currie, Feldman, Kagan, Lee, Madaleno, Manno, and Raskin

Introduced and read first time: January 21, 2016 Assigned to: Budget and Taxation

## 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
- any toll, fee, or other charge for the use of the Intercounty Connector; defining certain
   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
- 26 (2012 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 1  $\mathbf{2}$ That the Laws of Maryland read as follows: 3 Article – Education 4 1 - 101. $\mathbf{5}$ "Public schools" means the schools in the public elementary and secondary (k) 6 education system of this State. 7 **Article – Transportation** 8 4 - 312.9 (a) As to all or any part of any transportation facilities project, the (2)10 Authority may: 11 Fix, revise, charge, and collect rentals, rates, fees, tolls, and other (i) 12charges and revenues for its use or for its services; and 13(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. 14 15Except as otherwise provided in this subsection, the rentals, rates, fees, (c) (1)16tolls, and other charges and revenues are not subject to supervision or regulation by any 17instrumentality, agency, or unit of this State or any of its political subdivisions. 18 (2)This subtitle does not permit the exercise of any power or the 19undertaking of any activity that would conflict with the provisions and limitations of the 20federal Urban Mass Transportation Act of 1964. 21Tolls for the use of the bridge carrying the John F. Kennedy Memorial (3)22Highway over the Susquehanna River may not be less than the comparable tolls charged 23for the use of the Susquehanna River Bridge. 24IN THIS PARAGRAPH, THE FOLLOWING WORDS HAVE (4) **(I)** 1. 25THE MEANINGS INDICATED. 2. "INTERCOUNTY CONNECTOR" HAS THE MEANING 2627STATED IN § 4–321(A) OF THIS SUBTITLE. 28"PUBLIC SCHOOL" HAS THE MEANING STATED IN 3. 29§ 1–101(K) OF THE EDUCATION ARTICLE.

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1 4. "SCHOOL BUS" HAS THE MEANING STATED IN 2 §11–153 OF THIS ARTICLE.

3 (II) A SCHOOL BUS USED TO TRANSPORT PUBLIC SCHOOL
4 STUDENTS MAY NOT BE SUBJECT TO A TOLL, FEE, OR ANY OTHER CHARGE FOR THE
5 USE OF THE INTERCOUNTY CONNECTOR.

6 (5) Prior to fixing or revising tolls on any part of any transportation 7 facilities project, the Authority shall provide, in accordance with § 2–1246 of the State 8 Government Article, to the Senate Budget and Taxation Committee, Senate Finance 9 Committee, House Appropriations Committee, and House Ways and Means Committee 10 information on the proposed toll charges, including:

11 (i) The annual revenues generated by the toll charges;

- 12 (ii) The proposed use of the revenues; and
- 13 (iii) The proposed commuter discount rates.
- 14 4-321.

(a) In this section, "Intercounty Connector" means the east-west multimodal
highway in Montgomery and Prince George's counties between Interstate 270 and
Interstate 95/U.S. Route 1, as described in the 2005 – 2010 Consolidated Transportation
Plan.

19 11-153.

20 "School bus" means a Type I school vehicle, as defined in this subtitle.

21 11-154.

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

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

- 26 (2) Is either:
- 27 (i) A Type I school vehicle, as defined in this subtitle; or
- 28 (ii) A Type II school vehicle, as defined in this subtitle.
- 29 (b) "School vehicle" does not include:

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, including8 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

(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.

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

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