HOUSE BILL 196

R6, R5 (PRE–FILED)

By: Delegates Taveras, Guyton, Hill, and Kaufman

Requested: October 31, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation and Ways and Means

A BILL ENTITLED

1	AN	ACT	concerning

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Motor Vehicles - School Buses - Seat Belts

- 3 FOR the purpose of requiring the public school safety education program to include student 4 instruction concerning school bus safety and the proper use of seat belts on school 5 buses; prohibiting certain persons from allowing pupils to stand in a school bus while 6 the school bus is in motion; requiring school buses purchased after a certain date to 7 be equipped with seat belts in a certain manner; requiring school buses in operation 8 on a certain date to have seat belts installed by a certain date; prohibiting a person 9 from operating a school bus that is equipped with seat belts unless the person and 10 each occupant are restrained by a seat belt; and generally relating to the use of seat 11 belts in school buses.
- 12 BY repealing and reenacting, with amendments,
- 13 Article Education
- 14 Section 7–410
- 15 Annotated Code of Maryland
- 16 (2022 Replacement Volume and 2023 Supplement)
- 17 BY repealing and reenacting, without amendments,
- 18 Article Transportation
- 19 Section 11–153 and 11–173
- 20 Annotated Code of Maryland
- 21 (2020 Replacement Volume and 2023 Supplement)
- 22 BY repealing and reenacting, with amendments,
- 23 Article Transportation
- 24 Section 21–1118, 22–412, and 22–412.3
- 25 Annotated Code of Maryland
- 26 (2020 Replacement Volume and 2023 Supplement)



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(b)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 1 2 That the Laws of Maryland read as follows: 3 **Article - Education** 7–410. 4 5 (A) Each public school shall have a program of safety education that is organized 6 and administered under the bylaws, rules, and regulations of the State Board. 7 THE PROGRAM OF SAFETY EDUCATION REQUIRED UNDER SUBSECTION (B) 8 (A) OF THIS SECTION SHALL INCLUDE STUDENT INSTRUCTION ON SCHOOL BUS SAFETY AND THE PROPER USE OF SEAT BELTS ON SCHOOL BUSES. 9 10 **Article – Transportation** 11 11-153."School bus" means a Type I school vehicle, as defined in this subtitle. 12 13 11-173."Type I school vehicle" means a school vehicle that: 14 (a) (1) Is designed and constructed to carry passengers; 15 16 Is either of the body-on-chassis type construction or integral type (2)17 construction; and 18 (3)Has a gross vehicle weight of more than 15,000 pounds and provides a 19 minimum of 13 inches of seating space per passenger. 20 "Type I school vehicle" does not include any bus operated by a common carrier 21under the jurisdiction of a State, regional, or federal regulatory agency or operated by the 22agency itself. 23 21-1118.24(a) The driver of a school bus: 25(1) Is responsible for its operation; and 26 May not drive it into any roadway without first stopping and

determining that there is no danger from any other vehicle.

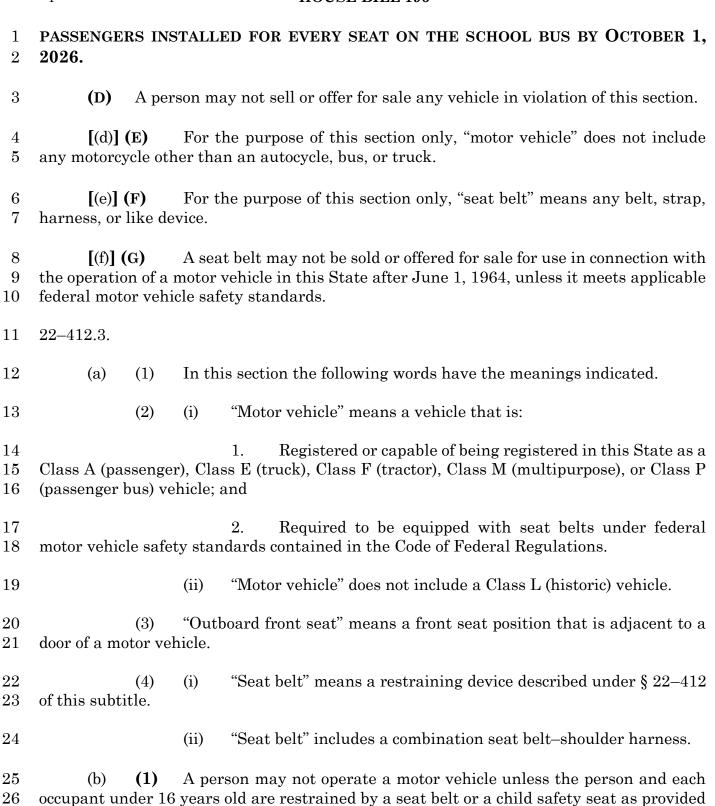
The person responsible for any pupils on a school bus is:

- 1 (1) The teacher on the bus; or
- 2 (2) If a teacher is not present, the driver.
- 3 (c) [A person responsible for pupils on a school bus may not permit the number 4 of standing pupils to exceed one pupil for each part of the aisle that is bounded on both 5 sides by forward facing seats.
- 6 (d) A person responsible for pupils on a school bus may not permit any pupil to stand if the school bus is equipped only with lengthwise or a combination of lengthwise and forward facing seats.
- 9 (e) A person responsible for pupils on a school bus may not permit any pupil to stand in front of the stanchion and guardrail] A PERSON RESPONSIBLE FOR PUPILS ON A SCHOOL BUS MAY NOT ALLOW ANY PUPIL TO STAND WHILE THE SCHOOL BUS IS IN MOTION.
- [(f)] (D) A person responsible for pupils on a school bus may not [permit]

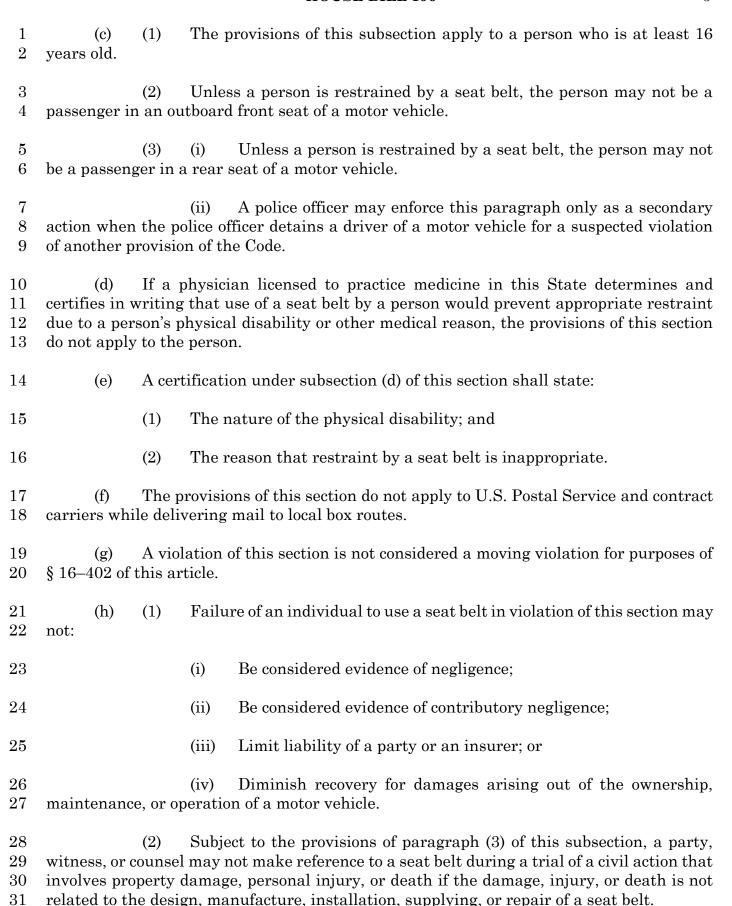
 ALLOW any pupil to operate the front door opening mechanism, except in an emergency.
- 15 **[(g)] (E)** A person responsible for pupils on a school bus may not require any 16 pupil to sit on the floor.
- [(h)] **(F)** Except for the driver and any fuel station attendant, a person may not occupy a school bus while it is being supplied with fuel.
- [(i)] (G) Either the driver or an adult aide assigned to each school vehicle that is used to transport handicapped children shall be certified as having successfully completed a first aid—safety course approved by the Department of Education.
- 22 22-412.
- 23 (a) Every motor vehicle registered in this State and manufactured or assembled 24 after June 1, 1964, shall be equipped with two sets of seat belts on the front seat of the 25 vehicle.
- 26 (b) Every motor vehicle registered in this State and manufactured or assembled with a rear seat after June 1, 1969, shall be equipped with two sets of seat belts on the rear seat of the vehicle.
- 29 (c) (1) EVERY SCHOOL BUS PURCHASED ON OR AFTER OCTOBER 1, 2024, 30 AND REGISTERED IN THE STATE SHALL BE EQUIPPED WITH SEAT BELTS THAT ARE 31 ACCESSIBLE TO PASSENGERS FOR EVERY SEAT ON THE SCHOOL BUS.
- 32 (2) EVERY SCHOOL BUS IN OPERATION BEFORE OCTOBER 1, 2024, 33 AND REGISTERED IN THE STATE SHALL HAVE SEAT BELTS THAT ARE ACCESSIBLE TO

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in § 22–412.2 of this subtitle.



28 (2) A PERSON MAY NOT OPERATE A SCHOOL BUS THAT IS EQUIPPED WITH SEAT BELTS UNLESS THE PERSON AND EACH OCCUPANT ARE RESTRAINED BY 30 A SEAT BELT.



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- 1 (3) (i) Nothing contained in this subsection may be construed to 2 prohibit the right of a person to institute a civil action for damages against a dealer, 3 manufacturer, distributor, factory branch, or other appropriate entity arising out of an 4 incident that involves a defectively installed or defectively operating seat belt.
 - (ii) In a civil action in which 2 or more parties are named as joint tort—feasors, interpleaded as defendants, or impleaded as defendants, and 1 of the joint tort—feasors or defendants is not involved in the design, manufacture, installation, supplying, or repair of a seat belt, a court shall order separate trials to accomplish the ends of justice on a motion of any party.
- 10 (i) The Administration and the Department of State Police shall establish prevention and education programs to encourage compliance with the provisions of this section.
- 13 (j) The Administration shall include information on this State's experience with 14 the provisions of this section in the annual evaluation report on the State's highway safety 15 plan that this State submits to the National Highway Traffic Safety Administration and 16 the Federal Highway Administration under 23 U.S.C. § 402.
- 17 (k) Any person convicted of a violation of this section is subject to a fine of not 18 more than \$50.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 20 October 1, 2024.