

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 724

(Senator Benson)

Judicial Proceedings

Motor Vehicles - School Buses - Seat Belts

This bill requires every school bus purchased on or after October 1, 2024, and registered in the State to be equipped with seat belts that are accessible to passengers for every seat on the school bus. Likewise, every school bus in operation before October 1, 2024, must have seat belts that are accessible to passengers installed for every seat on the school bus by October 1, 2026. Local school systems must provide student instruction on school bus safety and the proper use of seat belts on school buses, as part of an existing program of safety education. A person may not operate a school bus that is equipped with seat belts unless the person and each occupant are restrained by a seat belt. A person convicted of a violation of this requirement is subject to a fine of up to \$50. As under current law, “seat belt” is defined as any belt, strap, harness, or like device. Persons responsible for pupils on a school bus may not allow any pupil to stand while the school bus is in motion.

Fiscal Summary

State Effect: Motor Vehicle Administration vehicle inspection costs and State law enforcement costs are not materially affected. State court system costs and fee revenue are not substantially altered.

Local Effect: Local school system expenditures increase statewide by as much as \$38.6 million annually from FY 2025 through 2027, assuming that additional costs associated with required seat belts are covered through both the regular cycle of scheduled annual school bus replacements and retrofitting. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Small businesses that sell and install seat belts may realize increased revenues.

Analysis

Current Law: The driver of a school bus is responsible for operation of the school bus and may not drive it into a 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 the teacher on the bus or, if a teacher is not present, the driver.

A person responsible for pupils on a school bus may not permit (1) the number of standing pupils to exceed one pupil for each part of the aisle that is bounded by forward facing seats or (2) any pupil to stand if the school bus is equipped with any lengthwise seats. A person responsible for pupils on a school bus may not require any pupil to sit on the floor and may not permit any pupil to operate the front door opening mechanism, except in an emergency, or to stand in front of the stanchion and guardrail.

Each public school must have a program of safety education that is organized and administered under bylaws, rules, and regulations of the State Board of Education.

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 (other than an autocycle), or truck. Generally, a person may not operate a motor vehicle unless the person and each occupant under 16 years old are restrained by a seatbelt or a child safety seat, and a person who is at least 16 years old is responsible for being restrained by a seatbelt while being a passenger in a motor vehicle. For persons over 16 years old, a rear seat belt violation is a secondary offense. A person convicted of a violation of this requirement is subject to a fine of up to \$50. However, for purposes of this requirement, a school bus is among classes of vehicles that are exempted.

Local Fiscal Effect: The Maryland State Department of Education (MSDE) advises that it is typical for local school systems to purchase new or replacement school buses in the summer (*i.e.*, between school years). Although the bill does not take effect until October 1, 2024, the bill requires all school buses in the State to be equipped with seat belts by October 1, 2026. Thus, local school systems must bring their school bus fleets into compliance with the bill over three fiscal years (fiscal 2025, 2026, and 2027). This analysis assumes that local school systems will seek to spread the additional costs under the bill out over three fiscal years. Therefore, local expenditures increase beginning in summer 2024.

According to MSDE, new school buses that have seat belts installed for every passenger are approximately \$10,000 more expensive than those without them. Further, both MSDE and several local school systems report that the cost to retrofit existing school buses totals approximately \$20,000.

Approximately 6,528 school buses in the State are anticipated to be affected by the bill's requirements. Given the 12 to 15 year replacement cycles for school buses in each of the 24 local school systems, this estimate assumes that local school systems meet the bill's requirements through a combination of purchasing new vehicles and retrofitting existing buses. The number of school buses is assumed to remain constant over the forecast period.

In total, local school system expenditures are anticipated to increase by \$38.6 million annually from fiscal 2025 through 2027. The cost will be covered by each local school system according to their share of the 6,528 school buses assumed to be affected by the bill. Therefore, cost increases range considerably across local school systems. For example, Prince George's and Baltimore counties may realize \$6.0 million and \$4.7 million in additional expenditures annually over 3 years, while Kent and Somerset counties will each realize approximately \$128,300 and \$198,300 in additional expenditures annually over the 3-year implementation period. Montgomery County reports that it already purchases school buses with seat belts and has done so since 2020; nevertheless, nearly 900 of its buses are currently noncompliant with the bill. Assuming the county would otherwise replace its fleet over a 12-year period with new buses equipped with seat belts, about \$4.0 million in additional expenditures annually are assumed to be incurred from fiscal 2025 to 2027. To the extent additional counties are already purchasing school buses with seat belts, the impact of the bill is less significant. However, the precise number of school buses in the State that are equipped with seat belts consistent with the bill's requirement cannot be determined at this time.

MSDE advises that all local school systems provide some level of school vehicle safety instruction to students. It is assumed that incorporating instruction on seat belt safety will not result in substantial local operational or fiscal effects.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 196 (Delegate Taveras, *et al.*) - Environment and Transportation and Ways and Means.

Information Source(s): Maryland Association of Counties; Judiciary (Administrative Office of the Courts); Maryland State Department of Education; Department of State Police; Maryland Department of Transportation; Baltimore City Public Schools; Baltimore County Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools;

Frederick County Public Schools; Wicomico County Public Schools; St. Mary's County Public Schools; Department of Legislative Services

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