

HOUSE BILL 937

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R5

1998 Regular Session
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By: **Delegates Cadden, Leopold, Love, Pitkin, Schade, Benson, Rzepkowski,
M. Burns, Healey, V. Mitchell, Perry, Snodgrass, Hecht, and Stup**

Introduced and read first time: February 12, 1998

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 1998

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles - School Buses - Loading and Unloading of Passengers**

3 FOR the purpose of requiring the Motor Vehicle Administration to assess points for
4 failing to stop for a school vehicle with activated alternately flashing red lights;
5 requiring school vehicles to operate alternately flashing red lights in certain
6 situations; providing that a motor vehicle operator does not need to stop for a
7 school vehicle if there are certain types of separations in the highway; making
8 certain stylistic changes; requiring a school vehicle to put in operation amber
9 colored lights when slowing down to discharge or receive passengers and red
10 colored lights when stopping to discharge or receive passengers; providing for
11 certain limitations on the location of loading zones; prohibiting school vehicle
12 drivers from receiving and discharging passengers at any off-roadway location
13 other than an approved loading zone; clarifying language; and generally relating
14 to the loading and unloading of passengers in school buses.

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 16-402(a)(5), 21-706, and 22-228
18 Annotated Code of Maryland
19 (1992 Replacement Volume and 1997 Supplement)

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

Article - Transportation

16-402.

(a) After the conviction of an individual for a violation of Article 27, § 388, § 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

(5) Failing to stop for a school vehicle with ACTIVATED alternately flashing RED lights 2 points

21-706.

(a) If a school vehicle [is stopping or] has stopped on a roadway and is operating the alternately flashing [warning] RED lights specified in § 22-228 of this article, the driver of any other vehicle meeting or overtaking the school vehicle shall stop at least 20 feet from the rear of the school vehicle, if approaching the school vehicle from its rear, or at least 20 feet from the front of the school vehicle, if approaching the school vehicle from its front.

(b) If a school vehicle [is stopping or] has stopped on a roadway and is operating the alternately flashing [warning] RED lights specified in § 22-228 of this article, the driver of any other vehicle meeting or overtaking the school vehicle may not proceed until the school vehicle resumes motion or the alternately flashing [warning] RED lights are deactivated.

(c) This section does not apply to the driver of a vehicle on a divided highway, if the school vehicle is on a different roadway THAT IS SEPARATED FROM THE ROADWAY ON WHICH THE DRIVER IS DRIVING BY:

- (1) AN INTERVENING UNPAVED SPACE;
(2) A CURB OR RAISED ISLAND; OR
(3) A BARRIER.

22-228.

(a) (1) (i) The Administrator may adopt regulations for lighting equipment, special warning devices, markings, and identification to be used by school vehicles.

(ii) Regulations adopted under this paragraph shall be consistent with the provisions of the Maryland Vehicle Law.

(2) (i) A school vehicle REGISTERED IN THE STATE shall be equipped with an 8-[lamp] LIGHT system of alternately flashing [signal lamps] LIGHTS.

(ii) [The equipment requirement of this paragraph applies only to:

1 (i) That has been designated for the purpose of receiving or
2 discharging passengers by a school vehicle; and

3 (ii) Whose location has been approved FOR USE AS A LOADING
4 ZONE by either the [superintendent of schools in the local school system in which the
5 loading is located] LOCAL EDUCATION AGENCIES, the Department of State Police, or
6 the local police department, in cooperation with the State Highway Administration,
7 OR LOCAL TRAFFIC ENGINEERING AGENCY, [where] AS applicable.

8 (2) LOCATIONS APPROVED FOR USE AS A LOADING ZONE SHALL BE
9 INTENDED EXCLUSIVELY FOR PASSENGERS RESIDING ON THE SAME SIDE OF THE
10 ROADWAY AS THE LOADING ZONE.

11 (3) It is the policy of this State to encourage the establishment and use of
12 loading zones for school vehicles, WHERE APPROPRIATE.

13 [(3)] (4) Where a AN APPROVED loading zone is available, a school
14 vehicle driver, unless otherwise required for safety, may not stop on the roadway for
15 the purpose of receiving or discharging passengers, but shall use the loading zone for
16 this purpose.

17 (5) A SCHOOL VEHICLE DRIVER MAY NOT RECEIVE AND DISCHARGE
18 PASSENGERS AT ANY OFF-ROADWAY LOCATION OTHER THAN AN APPROVED
19 LOADING ZONE.

20 (6) NOTWITHSTANDING THE REQUIREMENTS OF SUBSECTION (D) OF
21 THIS SECTION, THE USE OF ALTERNATELY FLASHING LIGHTS IS PROHIBITED AT A
22 LOADING ZONE BUS STOP.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 1998.