By: Delegates Cadden, Leopold, Love, Pitkin, Schade, Benson, Rzepkowski, M. Burns, Healey, V. Mitchell, Perry, Snodgrass, Hecht, and Stup<br>Introduced and read first time: February 12, 1998<br>Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 17, 1998

CHAPTER $\qquad$
1 AN ACT concerning

## Motor Vehicles - School Buses - Loading and Unloading of Passengers

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

BY repealing and reenacting, with amendments,
Article - Transportation
Section 16-402(a)(5), 21-706, and 22-228
Annotated Code of Maryland
(1992 Replacement Volume and 1997 Supplement)
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
1 MARYLAND, That the Laws of Maryland read as follows:

## Article - Transportation

2 16-402.
3 (a) After the conviction of an individual for a violation of Article 27, § 388, § 4388 A , or $\S 388$ B of the Code, or of the vehicle laws or regulations of this State or of any 5 local authority, points shall be assessed against the individual as of the date of 6 violation and as follows:
$\qquad$
21-706.
10 (a) If a school vehicle [is stopping or] has stopped on a roadway and is 1 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.

27 22-228.
28 (a) (1) (i) The Administrator may adopt regulations for lighting
29 equipment, special warning devices, markings, and identification to be used by school
30 vehicles.
(ii) Regulations adopted under this paragraph shall be consistent

32 with the provisions of the Maryland Vehicle Law.
33
34 with an 8 -[lamp] LIGHT system of alternately flashing [signal lamps] LIGHTS.
(ii) [The equipment requirement of this paragraph applies only to:

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2 1985, that is registered in this State; and

4 1, 1996, regardless of its date of manufacture.
(4) School vehicles shall be marked and identified as provided in, and school vehicle lighting equipment and special warning devices shall conform with, the regulations adopted by the Administrator.
(b) Except as provided in subsection (e) of this section, a person may not operate any alternately flashing [warning signal] LIGHT on any school vehicle except when the school vehicle is stopping or stopped on a roadway for the purpose of 8 receiving or discharging passengers.
(c) As to any school vehicle, whenever the vehicle is not being operated on a highway for the transportation of children, students, or teachers for educational purposes or in connection with a school activity:
(1) The alternately flashing [warning] lights shall be deactivated; and
(2) The words "school bus" at the front and rear of the vehicle shall be covered or otherwise concealed.
(d) Except as otherwise provided in this section, every school vehicle driver shall put in operation alternately flashing [warning signals] AMBER LIGHTS not less than 100 feet before bringing the vehicle to a full stop for the purpose of receiving or discharging passengers, AND PLACE INTO OPERATION THE ALTERNATELY FLASHING RED LIGHTS UPON STOPPING.
(e) (1) This subsection applies only to a school vehicle being driven on the same roadway as another school vehicle in the act of loading or unloading passengers.
(2) Except as otherwise provided in this section, every school vehicle

34 when [stopping, after] approaching from the rear or the front, within 100 feet of
35 another school vehicle in the act of loading or unloading passengers ON THE
36 ROADWAY.

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37 (f) (1) In this subsection, "loading zone" means an area on or adjacent to a
38 highway, but not on its roadway:

1
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 L(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.

