
By: **Delegates Finifter, Benson, Muse, C. Davis, Shriver, Conroy, Perry,
Bobo, Pendergrass, Patterson, Faulkner, Pitkin, C. Mitchell, and
Morhaim**

Introduced and read first time: February 13, 1998
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Transportation of School Students**

3 FOR the purpose of establishing certain seating capacity requirements for public
4 school buses; specifying certain requirements for the transportation of students
5 on school buses; requiring a school bus driver to notify the county board of
6 education in the event that the school bus is required, under certain
7 circumstances, to be out of compliance with the requirements of this Act;
8 requiring the county board to correct the situation within a certain period of
9 time under certain circumstances; providing for certain funding for this Act;
10 requiring the State Board of Education to adopt certain regulations; providing
11 for a delayed effective date for certain provisions of this Act; and generally
12 relating to the transportation of students on public school buses.

13 BY adding to
14 Article - Education
15 Section 7-808
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1997 Supplement)

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

20 **Article - Education**

21 7-808.

22 (A) THE SCHOOL BUS SEATING CAPACITY PER 39-INCH SCHOOL BUS SEAT IS:

23 (1) THREE PRIMARY SCHOOL STUDENTS;

24 (2) TWO SECONDARY SCHOOL STUDENTS; OR

25 (3) ONE PRIMARY SCHOOL STUDENT AND ONE SECONDARY SCHOOL
26 STUDENT.

1 (B) EXCEPT AS REQUIRED TO COMPLY WITH SUBSECTION (C) OF THIS
2 SECTION:

3 (1) EACH STUDENT SHALL BE SEATED ENTIRELY WITHIN THE
4 CONFINES OF A SCHOOL BUS SEAT WHILE THE SCHOOL BUS IS IN MOTION;

5 (2) THE NUMBER OF STUDENTS ON A SEAT MAY NOT EXCEED THE
6 CAPACITY PROVIDED IN SUBSECTION (A) OF THIS SECTION; AND

7 (3) A SCHOOL BUS DRIVER MAY NOT PERMIT ANY STUDENT TO STAND IN
8 THE BUS WHILE THE BUS IS IN MOTION.

9 (C) NOTWITHSTANDING THE SEATING CAPACITY LIMITATION IN SUBSECTION
10 (A) OF THIS SECTION, A SCHOOL BUS DRIVER SHALL PICK UP ANY STUDENT AT A
11 DESIGNATED SCHOOL BUS STOP ALONG THE SCHOOL BUS ROUTE OR AT THE
12 STUDENT'S SCHOOL IF FAILURE TO DO SO WOULD RESULT IN LEAVING THE STUDENT
13 ON THE SIDE OF A ROAD OR AT THE STUDENT'S SCHOOL.

14 (D) A SCHOOL BUS DRIVER SHALL NOTIFY THE COUNTY BOARD OF THE
15 COUNTY IN WHICH THE SCHOOL BUS OPERATES IF COMPLIANCE WITH SUBSECTION
16 (C) OF THIS SECTION REQUIRES THE BUS TO BE OUT OF COMPLIANCE WITH
17 SUBSECTION (B)(1), (2), OR (3) OF THIS SECTION.

18 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE
19 COUNTY BOARD SHALL CORRECT NONCOMPLIANCE WITHIN 72 HOURS OF BEING
20 NOTIFIED UNDER SUBSECTION (D) OF THIS SECTION.

21 (2) IF NONCOMPLIANCE OCCURS AT THE BEGINNING OF A SCHOOL
22 YEAR, THE COUNTY BOARD SHALL CORRECT THE NONCOMPLIANCE WITHIN 30
23 CALENDAR DAYS AFTER THE BEGINNING OF THE SCHOOL YEAR.

24 (F) THE STATE BOARD SHALL ADOPT REGULATIONS NECESSARY FOR THE
25 IMPLEMENTATION OF THIS SECTION.

26 SECTION 2. AND BE IT FURTHER ENACTED, That any funding necessary to
27 carry out the provisions of this Act shall be provided in the transportation aid to
28 education budget of the State Board of Education. The funding provisions in this
29 section shall take effect July 1, 1999.

30 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of
31 this Act, this Act shall take effect July 1, 1998.