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By: **Delegate Cadden**

Introduced and read first time: February 23, 1998

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **School Vehicles - Transportation of Students**

3 FOR the purpose of altering the definition of "school vehicle"; requiring that students  
4 in public and nonpublic schools in the State be transported to and from school  
5 and child care facilities in school buses; allowing the use of school vehicles and  
6 motor coaches that meet certain criteria for school-related activities; exempting  
7 certain students who use public transportation to attend school; requiring school  
8 buses that allow students to enter and exit on a roadway to meet certain federal  
9 standards and State laws; granting the owners of certain motor vehicles a period  
10 of 3 years to bring the motor vehicles into compliance with the provisions of this  
11 Act; and generally relating to the transportation of students who attend the  
12 public and nonpublic schools in the State.

13 BY repealing and reenacting, with amendments,  
14 Article - Transportation  
15 Section 11-154  
16 Annotated Code of Maryland  
17 (1992 Replacement Volume and 1997 Supplement)

18 BY adding to  
19 Article - Education  
20 Section 7-808  
21 Annotated Code of Maryland  
22 (1997 Replacement Volume and 1997 Supplement)

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

25 **Article - Transportation**

26 11-154.

27 (a) "School vehicle" means[, except as provided in subsection (b) of this  
28 section,] any motor vehicle that[:

1 (1) Is used regularly for the exclusive transportation of children,  
 2 students, or teachers for educational purposes or in connection with a school activity;  
 3 and

4 (2) Is] IS either:

5 [(i)] (1) A Type I school vehicle, as defined in this subtitle; or

6 [(ii)] (2) A Type II school vehicle, as defined in this subtitle.

7 (b) "School vehicle" does not include[:

8 (1) A] A privately owned vehicle while it is carrying members of its  
 9 owner's household and not operated for compensation[; or

10 (2) A vehicle that is registered as a Class M (multipurpose) vehicle under  
 11 § 13-937 of this article or a Class A (passenger) vehicle under § 13-912 of this article  
 12 and used to transport children between one or more schools or licensed child care  
 13 centers or to and from designated areas that are approved by the Administration if:

14 (i) The vehicle is designed for carrying 15 persons or less, including  
 15 the driver;

16 (ii) The children are permitted to embark or exit the vehicle only at  
 17 a school or child care center or a designated area approved by the Administration;

18 (iii) The owner has obtained vehicle liability insurance or other  
 19 security as required by Title 17 of this article; and

20 (iv) The vehicle is equipped with proper seat belts or safety seats so  
 21 as to permit each child to be secured in a seat belt or a safety seat as required by §§  
 22 22-412.2 and 22-412.3 of this article].

23 **Article - Education**

24 7-808.

25 (A) EXCEPT FOR STUDENTS IN BALTIMORE CITY WHO ARE TRANSPORTED BY  
 26 PUBLIC TRANSPORTATION, ALL ELEMENTARY AND SECONDARY SCHOOL STUDENTS  
 27 WHO ATTEND PUBLIC OR NONPUBLIC SCHOOLS IN THE STATE:

28 (1) SHALL BE TRANSPORTED ON A SCHOOL BUS AS DEFINED IN § 11-173  
 29 OF THE TRANSPORTATION ARTICLE TO AND FROM SCHOOL OR A CHILD CARE  
 30 FACILITY; AND

31 (2) MAY BE TRANSPORTED ON A SCHOOL BUS, IN A SCHOOL VEHICLE AS  
 32 DEFINED IN § 11-174 OF THE TRANSPORTATION ARTICLE, OR AS PROVIDED IN  
 33 SUBSECTION (D) OF THIS SECTION, TO AND FROM SCHOOL-RELATED ACTIVITIES.

1 (B) A SCHOOL BUS THAT ALLOWS STUDENTS TO ENTER AND EXIT ON A  
2 ROADWAY SHALL MEET FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND SHALL  
3 COMPLY WITH STATE LAW AND REGULATIONS ADOPTED BY THE MOTOR VEHICLE  
4 ADMINISTRATION WITH RESPECT TO A SCHOOL BUS.

5 (C) UNLESS PROHIBITED BY FEDERAL LAW, IF A MOTOR VEHICLE THAT IS NOT  
6 IN COMPLIANCE WITH THE PROVISIONS OF THIS SECTION WAS USED BY A PUBLIC OR  
7 PRIVATE SCHOOL OR A CHILD CARE FACILITY TO TRANSPORT STUDENTS TO OR  
8 FROM THE SCHOOL OR THE CHILD CARE FACILITY OR TO OR FROM A  
9 SCHOOL-RELATED ACTIVITY BEFORE JULY 1, 1998, THE OWNER OF THE MOTOR  
10 VEHICLE HAS UNTIL JULY 1, 2001 TO BRING THE MOTOR VEHICLE INTO COMPLIANCE  
11 WITH THE PROVISIONS OF THIS SECTION.

12 (D) A MOTOR COACH THAT MEETS THE APPLICABLE U.S. DEPARTMENT OF  
13 TRANSPORTATION STANDARDS AND HAS NOT BEEN MODIFIED AFTER ITS ORIGINAL  
14 MANUFACTURE:

15 (1) MAY BE USED FOR SCHOOL-RELATED ACTIVITIES; AND

16 (2) MAY NOT BE USED TO TRANSPORT SCHOOL CHILDREN TO AND FROM  
17 SCHOOL.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 1998.