

SENATE BILL 288

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R6

1998 Regular Session
8r0085
CF 8r0688

By: **Senator Ruben (By Request)**

Introduced and read first time: February 4, 1998

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - School Buses - Seat Belts**

3 FOR the purpose of requiring a school bus purchased after a certain date by a
4 noncollegiate educational institution or a local school board of education, and
5 used to transport children in the State, to be equipped with certain seat belts or
6 other appropriate restraining devices; requiring the Motor Vehicle
7 Administration to adopt regulations establishing standards for seat belts or
8 other appropriate restraining devices required under this Act; requiring the
9 Motor Vehicle Administration to establish a program to equip in-use school
10 buses with seat belts or other appropriate restraining devices within a certain
11 period of time; prohibiting, after a certain date, the use of a school bus to
12 transport children in the State if the school bus is not equipped with seat belts
13 or other appropriate restraining devices; and generally relating to school bus
14 equipment.

15 BY adding to
16 Article - Education
17 Section 2-206(l) and 7-805.1
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 1997 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article - Transportation
22 Section 11-153 and 11-173
23 Annotated Code of Maryland
24 (1992 Replacement Volume and 1997 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article - Transportation
27 Section 22-412.1
28 Annotated Code of Maryland
29 (1992 Replacement Volume and 1997 Supplement)

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

3 **Article - Education**

4 2-206.

5 (L) A SCHOOL BUS, AS DEFINED IN § 11-153 OF THE TRANSPORTATION
6 ARTICLE, THAT A NONCOLLEGIATE EDUCATIONAL INSTITUTION PURCHASES ON OR
7 AFTER JULY 1, 1998, SHALL COMPLY WITH § 22-412.1 OF THE TRANSPORTATION
8 ARTICLE.

9 7-805.1.

10 A SCHOOL BUS, AS DEFINED IN § 11-153 OF THE TRANSPORTATION ARTICLE,
11 THAT A COUNTY BOARD OF EDUCATION PURCHASES ON OR AFTER JULY 1, 1998,
12 SHALL COMPLY WITH § 22-412.1 OF THE TRANSPORTATION ARTICLE.

13 **Article - Transportation**

14 11-153.

15 "School bus" means a Type I school vehicle, as defined in this subtitle.

16 11-173.

17 (a) "Type I school vehicle" means a school vehicle that:

18 (1) Is designed and constructed to carry passengers;

19 (2) Is either of the body-on-chassis type construction or integral type
20 construction; and

21 (3) Has a gross vehicle weight of more than 10,000 pounds and provides
22 a minimum of 13 inches of seating space per passenger.

23 (b) "Type I school vehicle" does not include any bus operated by a common
24 carrier under the jurisdiction of a State, regional, or federal regulatory agency or
25 operated by the agency itself.

26 22-412.1.

27 (A) Every motor vehicle that is used by nursery schools, camps, day nurseries,
28 or day care centers for retarded children to transport children and that is not
29 regulated as a "school bus" under this article, shall be equipped with seat belts for
30 each seat and shall be subject to such other regulations as may be prescribed by the
31 Administration.

1 (B) (1) A SCHOOL BUS THAT IS PURCHASED ON OR AFTER JULY 1, 1998, AND
2 USED TO TRANSPORT CHILDREN SHALL BE EQUIPPED WITH SEAT BELTS OR OTHER
3 APPROPRIATE RESTRAINING DEVICES FOR EACH SEAT.

4 (2) THE ADMINISTRATION SHALL ADOPT REGULATIONS ESTABLISHING
5 STANDARDS FOR SEAT BELTS AND RESTRAINING DEVICES REQUIRED UNDER THIS
6 SECTION.

7 (C) (1) THE ADMINISTRATION SHALL ESTABLISH A PROGRAM TO EQUIP
8 IN-USE SCHOOL BUSES PURCHASED BEFORE JULY 1, 1998 WITH SEAT BELTS OR
9 OTHER APPROPRIATE RESTRAINING DEVICES IN ACCORDANCE WITH THE
10 ADMINISTRATION'S REGULAR SCHOOL BUS MAINTENANCE SCHEDULE.

11 (2) AFTER JULY 1, 2003, A SCHOOL BUS MAY NOT BE USED TO
12 TRANSPORT CHILDREN IN THE STATE UNLESS THE SCHOOL BUS IS EQUIPPED WITH
13 SEAT BELTS OR OTHER APPROPRIATE RESTRAINING DEVICES FOR EACH SEAT.

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