
By: **Delegates Clagett, Rosso, Leopold, D'Amato, Busch, Sophocleus, and Cadden**

Introduced and read first time: February 25, 1999

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education - School Buses - Safety Reports**

3 FOR the purpose of requiring the State Department of Education to report to the
4 General Assembly of Maryland annually by a certain date concerning certain
5 injuries sustained on public school buses during the previous academic year;
6 requiring the Department to provide specific information on overcrowded
7 conditions on public school buses and the remedies instituted; requiring the
8 report to have certain State and county components; requiring county boards of
9 education to collect and provide certain information; requiring the Department
10 to adopt regulations; and generally relating to safety on the public school buses
11 operated in the State.

12 BY repealing and reenacting, without amendments,
13 Article - Transportation
14 Section 21-1118
15 Annotated Code of Maryland
16 (1998 Replacement Volume and 1998 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article - Education
19 Section 1-101(c), (d), (f), and (k)
20 Annotated Code of Maryland
21 (1997 Replacement Volume and 1998 Supplement)

22 BY adding to
23 Article - Education
24 Section 7-806.1
25 Annotated Code of Maryland
26 (1997 Replacement Volume and 1998 Supplement)

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

1 **Article - Transportation**

2 21-1118.

3 (a) The driver of a school bus:

4 (1) Is responsible for its operation; and

5 (2) May not drive it into any roadway without first stopping and
6 determining that there is no danger from any other vehicle.

7 (b) The person responsible for any pupils on a school bus is:

8 (1) The teacher on the bus; or

9 (2) If a teacher is not present, the driver.

10 (c) A person responsible for pupils on a school bus may not permit the number
11 of standing pupils to exceed one pupil for each part of the aisle that is bounded on
12 both sides by forward facing seats.

13 (d) A person responsible for pupils on a school bus may not permit any pupil to
14 stand if the school bus is equipped only with lengthwise or a combination of
15 lengthwise and forward facing seats.

16 (e) A person responsible for pupils on a school bus may not permit any pupil to
17 stand in front of the stanchion and guardrail.

18 (f) A person responsible for pupils on a school bus may not permit any pupil to
19 operate the front door opening mechanism, except in an emergency.

20 (g) A person responsible for pupils on a school bus may not require any pupil
21 to sit on the floor.

22 (h) Except for the driver and any fuel station attendant, a person may not
23 occupy a school bus while it is being supplied with fuel.

24 (i) Either the driver or an adult aide assigned to each school vehicle that is
25 used to transport handicapped children shall be certified as having successfully
26 completed a first aid-safety course approved by the Department of Education.

27 **Article - Education**

28 1-101.

29 (c) "County" means a county of this State and includes Baltimore City.

30 (d) "County board" means the board of education of a county and includes the
31 New Baltimore City Board of School Commissioners.

32 (f) "Department" means the State Department of Education.

1 (k) "Public schools" means the schools in the public elementary and secondary
2 education system of this State.

3 7-806.1.

4 (A) THE DEPARTMENT SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF THE
5 STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ANNUALLY BY
6 DECEMBER 31 FOR THE ACADEMIC YEAR THAT ENDED IN JUNE OF THE SAME YEAR.

7 (B) THE DEPARTMENT SHALL REPORT ON THE PUBLIC SCHOOL BUSES IN:

8 (1) THE ENTIRE STATE; AND

9 (2) EACH INDIVIDUAL COUNTY.

10 (C) THE REPORT SHALL CONTAIN THE FOLLOWING SPECIFIC INFORMATION:

11 (1) WITH REGARD TO INJURIES:

12 (I) THE NUMBER OF PUBLIC SCHOOL STUDENTS INJURED ON
13 PUBLIC SCHOOL BUSES DURING THE PREVIOUS ACADEMIC YEAR;

14 (II) THE KINDS OF INJURIES SUSTAINED; AND

15 (III) THE PRIMARY AND SECONDARY FACTORS LEADING TO THE
16 INJURIES; AND

17 (2) WITH REGARD TO SCHOOL BUS CAPACITY:

18 (I) THE TOTAL NUMBER OF PUBLIC SCHOOL BUSES ON WHICH
19 PUPILS WERE REQUIRED TO STAND;

20 (II) THE TOTAL NUMBER OF STUDENTS THAT HAD TO STAND ON
21 THE BUSES;

22 (III) IN EACH INSTANCE, THE REASON THAT STUDENTS WERE
23 STANDING ON THE BUS; AND

24 (IV) IN EACH INSTANCE, THE TIME REQUIRED TO REMEDY THE
25 OVERCROWDED CONDITIONS ON THE BUS; AND

26 (3) THE NUMBER OF DAYS THAT PUBLIC SCHOOL BUSES WERE USED TO
27 TRANSPORT STUDENTS TO THE PUBLIC SCHOOLS.

28 (B) A COUNTY BOARD SHALL COLLECT AND PROVIDE ANY INFORMATION
29 REQUIRED BY THE DEPARTMENT TO FILE THE REPORT.

30 (C) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT ARE NECESSARY TO
31 CARRY OUT THE PROVISIONS OF THIS SECTION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 1999.