

SENATE BILL 40

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HB 937/98 - CGM

1999 Regular Session
9lr0128

(PRE-FILED)

By: **Chairman, Judicial Proceedings Committee (Departmental -
Transportation)**

Requested: July 27, 1998

Introduced and read first time: January 13, 1999

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles - School Buses - Loading and Unloading of Passengers**

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

15 BY repealing and reenacting, with amendments,
16 Article - Transportation
17 Section 16-402(a)(5), 21-706, and 22-228
18 Annotated Code of Maryland
19 (1998 Replacement Volume and 1998 Supplement)

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

22 **Article - Transportation**

23 16-402.

24 (a) After the conviction of an individual for a violation of Article 27, § 388, §
25 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
26 local authority, points shall be assessed against the individual as of the date of
27 violation and as follows:

1 (5) Failing to stop for a school vehicle with ACTIVATED alternately
2 flashing red [warning] lights2 points

3 21-706.

4 (a) If a school vehicle has stopped on a roadway and is operating the
5 alternately flashing red [warning] lights specified in § 22-228 of this article, the
6 driver of any other vehicle meeting or overtaking the school vehicle shall stop at least
7 20 feet from the rear of the school vehicle, if approaching the school vehicle from its
8 rear, or at least 20 feet from the front of the school vehicle, if approaching the school
9 vehicle from its front.

10 (b) If a school vehicle has stopped on a roadway and is operating the
11 alternately flashing red [warning] lights specified in § 22-228 of this article, the
12 driver of any other vehicle meeting or overtaking the school vehicle may not proceed
13 until the school vehicle resumes motion or the alternately flashing [warning] RED
14 lights are deactivated.

15 (c) This section does not apply to the driver of a vehicle on a divided highway,
16 if the school vehicle is on a different roadway THAT IS SEPARATED FROM THE
17 ROADWAY ON WHICH THE DRIVER IS DRIVING BY:

18 (1) AN INTERVENING UNPAVED SPACE;

19 (2) A CURB OR RAISED ISLAND; OR

20 (3) A BARRIER.

21 22-228.

22 (a) (1) (i) The Administrator may adopt regulations for lighting
23 equipment, special warning devices, markings, and identification to be used by school
24 vehicles.

25 (ii) Regulations adopted under this paragraph shall be consistent
26 with the provisions of the Maryland Vehicle Law.

27 (2) (i) A school vehicle REGISTERED IN THE STATE shall be equipped
28 with an [8-lamp] 8-LIGHT system of alternately flashing [signal lamps] LIGHTS.

29 (ii) [The equipment requirement of this paragraph applies only to:

30 1. Any school vehicle manufactured on or after January,
31 1985, that is registered in this State; and

32 2. Any school vehicle registered in this State on or after July
33 1, 1996, regardless of its date of manufacture.

34 (iii) The [8-lamp] 8-LIGHT safety system of alternately flashing
35 [warning] lights shall meet the standards contained in the SAE (Society of
36 Automotive Engineers) Standard J887 (May 1982), and shall consist of 2 amber

1 [lamps] LIGHTS and 2 red [lamps] LIGHTS at the rear of the vehicle, and 2 amber
2 [lamps] LIGHTS and 2 red [lamps] LIGHTS at the front of the vehicle.

3 (3) A school vehicle may be equipped with a white flashing light installed
4 on the roof of the vehicle.

5 (4) School vehicles shall be marked and identified as provided in, and
6 school vehicle lighting equipment and special warning devices shall conform with, the
7 regulations adopted by the Administrator.

8 (b) Except as provided in subsection (e) of this section, a person may not
9 operate any alternately flashing [warning signal] LIGHT on any school vehicle except
10 when the school vehicle is stopping or stopped on a roadway for the purpose of
11 receiving or discharging passengers.

12 (c) As to any school vehicle, whenever the vehicle is not being operated on a
13 highway for the transportation of children, students, or teachers for educational
14 purposes or in connection with a school activity:

15 (1) The alternately flashing [warning] lights shall be deactivated; and

16 (2) The words "school bus" at the front and rear of the vehicle shall be
17 covered or otherwise concealed.

18 (d) Except as otherwise provided in this section, every school vehicle driver
19 shall put in operation alternately flashing [warning signals] AMBER LIGHTS not less
20 than 100 feet before bringing the vehicle to a full stop for the purpose of receiving or
21 discharging passengers, AND PLACE INTO OPERATION THE ALTERNATELY FLASHING
22 RED LIGHTS UPON STOPPING.

23 (e) (1) This subsection applies only to a school vehicle being driven on the
24 same roadway as another school vehicle in the act of loading or unloading passengers.

25 (2) Except as otherwise provided in this section, every school vehicle
26 driver shall put in operation THE alternately flashing [warning signals] LIGHTS
27 when [stopping, after] approaching from the rear or the front, within 100 feet of
28 another school vehicle in the act of loading or unloading passengers ON THE
29 ROADWAY.

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

32 (i) That has been designated for the purpose of receiving or
33 discharging passengers by a school vehicle; and

34 (ii) Whose location has been approved FOR USE AS A LOADING
35 ZONE by either the [superintendent of schools in the local school system in which the
36 loading is located] LOCAL EDUCATION AGENCIES, the Department of State Police, or
37 the local police department, in cooperation with the State Highway Administration,
38 OR LOCAL TRAFFIC ENGINEERING AGENCY, [where] AS applicable.

1 (2) LOCATIONS APPROVED FOR USE AS A LOADING ZONE SHALL BE
2 INTENDED EXCLUSIVELY FOR PASSENGERS RESIDING ON THE SAME SIDE OF THE
3 ROADWAY AS THE LOADING ZONE.

4 (3) It is the policy of this State to encourage the establishment and use of
5 loading zones for school vehicles, WHERE APPROPRIATE.

6 [~~(3)~~] (4) Where [a] AN APPROVED loading zone is available, a school
7 vehicle driver, unless otherwise required for safety, may not stop on the roadway for
8 the purpose of receiving or discharging passengers, but shall use the loading zone for
9 this purpose.

10 (5) A SCHOOL VEHICLE DRIVER MAY NOT RECEIVE AND DISCHARGE
11 PASSENGERS AT ANY OFF-ROADWAY LOCATION OTHER THAN AN APPROVED
12 LOADING ZONE.

13 (6) NOTWITHSTANDING THE REQUIREMENTS OF SUBSECTION (D) OF
14 THIS SECTION, THE USE OF ALTERNATELY FLASHING LIGHTS IS PROHIBITED AT A
15 LOADING ZONE BUS STOP.

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