

SENATE BILL 123

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1999 Regular Session
9r1280
CF 9r0559

By: **Senator Middleton**

Introduced and read first time: January 22, 1999

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 1999

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws - School Buses - Pick Up and Discharge of Passengers**

3 FOR the purpose of requiring a driver of a school vehicle to stop on the roadway to
4 pick up or discharge passengers under certain circumstances; providing an
5 exception pertaining to loading zones; redefining "loading zones"; modifying
6 provisions relating to school vehicles and alternately flashing lights; making
7 stylistic and technical changes; and generally relating to school vehicles and the
8 boarding and discharging of passengers.

9 BY repealing and reenacting, with amendments,
10 Article - Transportation
11 Section 16-402(a)(5), 21-706, and 22-228
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1998 Supplement)

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

16 **Article - Transportation**

17 16-402.

18 (a) After the conviction of an individual for a violation of Article 27, § 388, §
19 388A, or § 388B of the Code, or of the vehicle laws or regulations of this State or of any
20 local authority, points shall be assessed against the individual as of the date of
21 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 red [warning]
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.

17 22-228.

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

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

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

25 (ii) ~~The equipment requirement of this paragraph applies only to:~~

26 1. ~~Any school vehicle manufactured on or after January,~~
27 ~~1985, that is registered in this State; and~~

28 2. ~~Any school vehicle registered in this State on or after July~~
29 ~~1, 1996, regardless of its date of manufacture.~~

30 (iii) (II) The ~~8-lamp~~ 8-LIGHT safety system of alternately flashing
31 warning lights shall meet the standards contained in the SAE (Society of Automotive
32 Engineers) Standard J887 (May 1982), and shall consist of 2 amber ~~lamps~~ LIGHTS
33 and 2 red ~~lamps~~ LIGHTS at the rear of the vehicle, and 2 amber ~~lamps~~ LIGHTS and 2
34 red ~~lamps~~ LIGHTS at the front of the vehicle.

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

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

4 (b) Except as provided in subsection (e) of this section, a person may not
 5 operate any alternately flashing ~~warning signal~~ LIGHT on any school vehicle except
 6 when the school vehicle is stopping or stopped on a roadway for the purpose of
 7 receiving or discharging passengers.

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

11 (1) The alternately flashing ~~warning~~ lights shall be deactivated; and

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

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

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

21 (2) Except as otherwise provided in this section, every school vehicle
 22 driver shall put in operation THE alternately flashing ~~warning signals~~ LIGHTS when
 23 ~~stopping, after~~ approaching from the rear or the front, within 100 feet of another
 24 school vehicle in the act of loading or unloading passengers ON THE ROADWAY.

25 (f) (1) In this subsection, "loading zone" means an area ~~on or adjacent to:~~

26 (I) THAT IS:

27 1. ON a highway, but not on its THE roadway; FOR USE IN
 28 RECEIVING OR DISCHARGING PASSENGERS RESIDING ON THE SAME SIDE OF THE
 29 HIGHWAY AS THE LOADING ZONE; OR

30 2. NOT ON A HIGHWAY; AND

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

33 (ii) Whose location has been DESIGNATED AND approved by either
 34 the superintendent of schools in the local school system in which the loading ZONE is
 35 located, the Department of State Police, or the local police department, in cooperation
 36 with the State Highway Administration ~~where~~ OR LOCAL TRAFFIC ENGINEERING
 37 AGENCY, AS applicable.

1 (2) It is the policy of this State to encourage the establishment and use of
2 loading zones for school vehicles.

3 (3) Where a loading zone is available, a school vehicle driver, unless
4 otherwise required for safety, may not stop on the roadway for the purpose of
5 receiving or discharging passengers, but shall use the loading zone for this purpose.

6 (G) EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, A DRIVER OF
7 A SCHOOL VEHICLE SHALL STOP ON THE ROADWAY TO:

8 (1) RECEIVE PASSENGERS WHEN TRANSPORTING THEM TO SCHOOL; OR

9 (2) DISCHARGE PASSENGERS WHEN TRANSPORTING THEM FROM
10 SCHOOL.

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