

**Department of Legislative Services**

Maryland General Assembly

2002 Session

**FISCAL NOTE**

**Revised**

Senate Bill 111

(Chairman, Judicial Proceedings Committee)

(Departmental – Transportation)

Judicial Proceedings

Commerce and Government Matters

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**Vehicle Laws - Commercial Drivers' Licenses - Special School Bus Endorsement**

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This departmental bill requires all school bus drivers to obtain a special endorsement issued by the Motor Vehicle Administration (MVA) for their commercial driver's license. A school bus endorsement authorized under this bill also qualifies as an endorsement for vehicles designed to transport 16 or more passengers. The bill applies only to individuals applying for a commercial driver's license to drive a school bus on or after the October 1, 2002 effective date.

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**Fiscal Summary**

**State Effect:** The existing commercial driver's skills test for school bus drivers can be altered with existing resources (depending on final federal rule governing test requirements). However, Transportation Trust Fund (TTF) expenditures could increase in FY 2003 only to update the MVA's computer system. Any increase in TTF revenues is assumed to be minimal.

**Local Effect:** The bill is not expected to have a significant impact on local government operations or finances.

**Small Business Effect:** The MVA has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment, as discussed below.

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## Analysis

**Current Law:** A State-issued endorsement of a commercial driver's license is required for operators of double and triple trailers, vehicles designed to transport 16 or more passengers (including the driver), tanks, and vehicles that transport hazardous material. Commercial drivers who now must receive a State endorsement must first complete a skills test tailored to the type of vehicle they will operate. School bus operators must obtain a commercial driver's license and a State-issued endorsement for passenger vehicles. An individual may not drive a school vehicle (school bus) on any highway in this State unless the individual passes an appropriate medical examination and has been issued a commercial driver's license endorsed passenger vehicle.

With the advice of the State Department of Education, the MVA may adopt regulations concerning the qualifications of school vehicle drivers.

**Background:** The MVA advises that the bill is intended to ensure that school bus drivers know proper safety procedures for the loading and unloading of schoolchildren, using emergency exits, and traversing highway rail grade crossings. The MVA anticipates that it would meet the bill's requirements by altering the current commercial driver's license skills test for school bus drivers.

Approximately 13,000 school bus drivers operate in the State. Drivers who have been issued a passenger vehicle endorsement prior to the effective date of the bill or who can provide proof of school bus driving experience will not be affected. Bus drivers who need to obtain the endorsement must pay \$90 in fees.

According to the MVA, the bill reflects discussions with the School Bus Advisory Committee, county school transportation offices, and private motor coach companies. Under a separate agreement among these parties, the counties would have the option to test drivers, rather than the MVA. If enacted, it would mirror programs in neighboring states such as Virginia and Delaware.

The bill is also intended to comply with the federal Motor Carrier Improvement Act of 1999, which directs the Secretary of the U.S. Department of Transportation to conduct a rulemaking that would establish a special commercial driver's license endorsement for school bus drivers. The Federal Motor Carrier Safety Administration published a proposed rule July 27, 2001 that calls for applicants for a school bus license to meet the same skills requirements that must be met to obtain a passenger vehicle endorsement. The proposed rule also authorizes states to substitute driving experience and a good driving record for the skills test requirement.

**State Fiscal Effect:** TTF revenues would increase to the extent that drivers must pay an additional fee to obtain a special endorsement of their license; however, current drivers will be exempt from this requirement. The MVA advises that it anticipates only a minimal increase in revenues.

The MVA also advises that the bill's requirements would necessitate a change to the driver licensing system by the agency's vendor, who estimates that it would cost \$151,500. The Department of Legislative Services acknowledges the bill may increase computer programming costs, but advises that: (1) several changes to the licensing system may be required pursuant to legislation enacted in 2002; economies of scale need to be pursued to avoid prohibitive costs for every system change needed and (2) the cost estimates provided by the vendor are significantly higher than the estimates given by internal MVA technology staff in previous years.

**Small Business Effect:** Small businesses that provide school bus driving services (including tour companies) will need to ensure that all drivers have endorsements of their commercial driver's licenses. The MVA notes that it intends to allow those services to test drivers through the school system, which would eliminate the inconvenience associated with securing endorsements directly from the MVA. The MVA would oversee county operations to ensure drivers are meeting necessary standards.

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### **Additional Information**

**Prior Introductions:** A similar bill was introduced in the 2001 session as SB 133 and HB 441; they received an unfavorable report from the Judicial Proceedings and the Commerce and Government Matters Committee, respectively.

**Cross File:** HB 322 (Delegates Malone and Moe) – Commerce and Government Matters.

**Information Source(s):** Department of Transportation, Department of Legislative Services

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