

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 872

(Delegate Mandel, *et al.*)

Commerce and Government Matters

Transportation - School Vehicles - Safety Standards

This bill requires a vehicle that regularly transports children under age 18 to or from school, a school-related activity, a child care center, or a civic, educational, or recreational activity, including day or summer camp, to conform to federal school bus safety standards. Nonconforming vehicles can be used until October 1, 2007. The bill does not prohibit a common carrier from transporting children in a vehicle designed for 30 or more passengers or prohibit a person from transporting a child in:

- a privately owned vehicle while it is carrying members of the vehicle owner's household and not operated for compensation;
- a licensed taxicab under contract with the new Baltimore City Board of School Commissioners or a privately owned vehicle of a family child care provider; or
- a transportation service under a private contract with a parent or guardian of a child or a person who supervises a child under an out-of home placement program.

With the advice of the Maryland State Department of Education, the Motor Vehicle Administration (MVA) must adopt regulations to carry out the bill's provisions.

Fiscal Summary

State Effect: The bill's requirements for State education and transportation agencies could be met with existing resources.

Local Effect: Potential minimal increase in local school expenditures for student transportation.

Small Business Effect: Potential minimal. The bill provides exceptions for day care providers and other small businesses that transport children under age 18. Any businesses not exempted would face higher costs to replace nonconforming vehicles.

Analysis

Current Law: A multi-purpose or passenger vehicle may be used to transport students between one or more schools, licensed child care centers, or to and from designated areas approved by the MVA if: (1) it is designed for 15 or fewer persons; (2) students are only permitted to enter and exit the vehicle at designated areas; (3) the owner has obtained vehicle liability insurance or other required security; and (4) the vehicle is equipped with the proper seat belts or safety seats. Vehicles used to transport children under the age of 18 to or from a civic, educational, or recreational activity, including a day or summer camp, are not subject to standards set for public school buses.

Background: According to the National Safety Traffic Safety Administration, students are at much greater risk traveling to and from school than at any other time in their school day. The National Transportation Safety Board conducted a special investigation as a result of four fatal accidents in 1998 and 1999 involving nonconforming buses used to transport school children. The safety board found that some school districts, day care centers, Head Start facilities, and contract transportation companies are using vehicles for transportation that meet the federal definition for “bus” but do not meet the federal occupant crash protection standards of school vehicles.

As a result of the report, the safety board recommended that states require all vehicles carrying more than ten passengers and transporting children to and from school and school related activities, including Head Start programs and day care centers, meet the school bus structural standards related to equipment such as emergency exits, windshields, and fuel systems.

Local Fiscal Effect: Most local school systems use only school buses that comply with federal safety standards to transport students. However, four jurisdictions (Baltimore City and Charles, Prince George’s, and Worcester counties) currently use commercial vans to transport students in limited circumstances such as emergencies, special school events, and athletic competition. Of these, only Prince George’s County operates an extensive fleet of publicly owned school buses. In the other jurisdictions, the local school systems rely primarily on private firms to transport students. Accordingly, these local school systems would either have to purchase additional school vehicles at a cost of \$35,000 for Type II vehicles or \$60,000 for Type I vehicles; or extend their current contracts with private school bus operators. It is assumed, however, that the four local

school systems affected by this bill could phase out the use of commercial vans over a five-year period with minimal costs.

State Fiscal Effect: The MVA advises that it would cost approximately \$1,500 for printing and promotional costs associated with the regulations. The Department of Legislative Services advises that these costs could be absorbed with existing resources.

Additional Information

Prior Introductions: A similar bill was introduced as HB 1086 during the 2001 session and was given an unfavorable report by the Commerce and Government Matters Committee.

Cross File: None.

Information Source(s): Maryland Association of Boards of Education, Maryland State Department of Education, Department of Transportation, Department of Legislative Services

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ncs/jr

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