
By: **Chairman, Ways and Means Committee (By Request - Departmental - Education)**

Introduced and read first time: January 28, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - School Vehicles - Length of Operation**

3 FOR the purpose of revising the types of school vehicles that may be operated for a
4 certain length of time under certain circumstances; defining a term; providing
5 for the effective date of certain provisions of this Act; providing for the
6 termination of certain provisions of this Act; and generally relating to the
7 operation of school vehicles.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 7-804
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 7-804
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2003 Supplement)
18 (As enacted by Chapter 420 of the Acts of the General Assembly of 2003)

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

21 **Article - Education**

22 7-804.

23 (A) IN THIS SECTION, "SCHOOL VEHICLE" HAS THE MEANING STATED IN §
24 11-154 OF THE TRANSPORTATION ARTICLE.

25 [(a)] (B) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3)
26 of this subsection, unless it fails to meet the applicable school bus and motor vehicle

1 safety standards, a [conventional school bus] SCHOOL VEHICLE may be operated for
2 12 years.

3 (2) In Somerset, Wicomico, and Worcester Counties, unless it fails to
4 meet the applicable school bus and motor vehicle safety standards, a [conventional
5 school bus] SCHOOL VEHICLE may be operated for 15 years.

6 (3) ANY SCHOOL VEHICLE IN OPERATION OR ACCEPTED BEFORE JULY 1,
7 2004, OR UNDER CONTRACT TO BE PURCHASED BEFORE JULY 1, 2004, THAT MEETS
8 THE SPECIFICATIONS OF THE DEPARTMENT AND OF THE MOTOR VEHICLE
9 ADMINISTRATION FOR TRANSIT STYLE SCHOOL VEHICLES MAY BE OPERATED FOR 15
10 YEARS.

11 [(b)] (C) Notwithstanding the 12-year limitation in subsection [(a)(1)] (B)(1)
12 of this section, a [conventional school bus] SCHOOL VEHICLE may be operated for
13 additional years if:

14 (1) The [bus] SCHOOL VEHICLE is maintained under a preventive
15 maintenance plan approved by the Motor Vehicle Administration and the Automotive
16 Safety Enforcement Division of the Department of State Police that includes an
17 inspection at the end of the 12th year and a minimum of 2 inspections by the Motor
18 Vehicle Administration each year thereafter;

19 (2) Any structural repairs to the [bus] SCHOOL VEHICLE necessitated
20 by accident, metal fatigue, or any other cause are certified by an independent expert
21 approved by the Motor Vehicle Administration to meet or exceed the manufacturer's
22 original manufacturing standards;

23 (3) The [bus] SCHOOL VEHICLE is equipped with:

24 (i) The body originally placed on the [bus] chassis by the
25 manufacturer;

26 (ii) An 8 light warning system;

27 (iii) A left side stop arm;

28 (iv) A fire-retardant driver's seat;

29 (v) Fire-retardant barriers in the case of a [bus] SCHOOL VEHICLE
30 with a front engine; and

31 (vi) A fire-retardant rear seating area in the case of a [bus]
32 SCHOOL VEHICLE with a rear engine; and

33 (4) The State Superintendent grants approval.

34 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
35 read as follows:

1

Article - Education

2 7-804.

3 (A) IN THIS SECTION, "SCHOOL VEHICLE" HAS THE MEANING STATED IN §
4 11-154 OF THE TRANSPORTATION ARTICLE.

5 [(a)] (B) (1) [Unless] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
6 SUBSECTION, UNLESS it fails to meet the applicable [school bus] SCHOOL VEHICLE
7 and motor vehicle safety standards, a [conventional school bus] SCHOOL VEHICLE
8 may be operated for 12 years.

9 (2) ANY SCHOOL VEHICLE IN OPERATION OR ACCEPTED BEFORE JULY 1,
10 2004, OR UNDER CONTRACT TO BE PURCHASED BEFORE JULY 1, 2004, THAT MEETS
11 THE SPECIFICATIONS OF THE DEPARTMENT AND OF THE MOTOR VEHICLE
12 ADMINISTRATION FOR TRANSIT STYLE SCHOOL VEHICLES MAY BE OPERATED FOR 15
13 YEARS.

14 [(b)] (C) Notwithstanding the 12-year limitation in subsection [(a)] (B)(1) of
15 this section, a [conventional school bus] SCHOOL VEHICLE may be operated for
16 additional years if:

17 (1) The [bus] SCHOOL VEHICLE is maintained under a preventive
18 maintenance plan approved by the Motor Vehicle Administration and the Automotive
19 Safety Enforcement Division of the Department of State Police that includes an
20 inspection at the end of the 12th year and a minimum of 2 inspections by the Motor
21 Vehicle Administration each year thereafter;

22 (2) Any structural repairs to the [bus] SCHOOL VEHICLE necessitated
23 by accident, metal fatigue, or any other cause are certified by an independent expert
24 approved by the Motor Vehicle Administration to meet or exceed the manufacturer's
25 original manufacturing standards;

26 (3) The [bus] SCHOOL VEHICLE is equipped with:

27 (i) The body originally placed on the [bus] chassis by the
28 manufacturer;

29 (ii) An 8 light warning system;

30 (iii) A left side stop arm;

31 (iv) A fire-retardant driver's seat;

32 (v) Fire-retardant barriers in the case of a [bus] SCHOOL VEHICLE
33 with a front engine;

34 (vi) A fire-retardant rear seating area in the case of a [bus]
35 SCHOOL VEHICLE with a rear engine; and

36 (4) The State Superintendent grants approval.

1 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act
2 shall take effect on the taking effect of the termination provision specified in Section
3 2 of Chapter 420 of the Acts of the General Assembly of 2003. If that termination
4 provision takes effect, Section 1 of this Act shall be abrogated and of no further force
5 and effect. This Act may not be interpreted to have any effect on that termination
6 provision.

7 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions
8 of Section 3 of this Act, this Act shall take effect July 1, 2004.