

HOUSE BILL 727

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9lr2777
CF 9lr2778

By: **Delegates Eckardt, Haddaway, Smigiel, Sossi, and Walkup**

Introduced and read first time: February 10, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Caroline County – School Buses – Length of Operation**

3 FOR the purpose of altering the length of time a school bus may be operated in
4 Caroline County; providing for the effective date of certain provisions of this
5 Act; providing for the termination of certain provisions of this Act; and generally
6 relating to the length of time a school bus may be operated in Caroline County.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 7–804
10 Annotated Code of Maryland
11 (2008 Replacement Volume)

12 BY repealing and reenacting, with amendments,
13 Article – Education
14 Section 7–804
15 Annotated Code of Maryland
16 (2008 Replacement Volume)
17 (As enacted by Chapters 637 and 638 of the Acts of the General Assembly of
18 2008)

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 § 11–154 of the
24 Transportation Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) Except as provided in paragraphs (2) and (3) of this subsection,
2 unless it fails to meet the applicable school bus and motor vehicle safety standards, a
3 school vehicle may be operated for 12 years.

4 (2) (i) In **CAROLINE**, Dorchester, Somerset, Wicomico, and
5 Worcester counties, unless it fails to meet the applicable school bus and motor vehicle
6 safety standards, a school vehicle may be operated for 15 years.

7 (ii) A school vehicle operating under subparagraph (i) of this
8 paragraph shall be maintained as provided in subsection (c) of this section.

9 (3) Any school vehicle in operation or accepted before July 1, 2004, or
10 under contract to be purchased before July 1, 2004, that meets the specifications of the
11 Department and of the Motor Vehicle Administration for transit style school vehicles
12 may be operated for 15 years.

13 (c) Notwithstanding the 12-year limitation in subsection (b)(1) of this
14 section, a school vehicle may be operated for additional years if:

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

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

24 (3) The school vehicle is equipped with:

25 (i) The body originally placed on the chassis by the
26 manufacturer;

27 (ii) An 8 light warning system;

28 (iii) A left side stop arm;

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

30 (v) Fire-retardant barriers in the case of a school vehicle with a
31 front engine; and

32 (vi) A fire-retardant rear seating area in the case of a school
33 vehicle with a rear engine; and

34 (4) The State Superintendent grants approval.

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

3 **Article – Education**

4 7–804.

5 (a) In this section, “school vehicle” has the meaning stated in § 11–154 of the
6 Transportation Article.

7 (b) (1) Except as provided in paragraphs (2) and (3) of this subsection,
8 unless it fails to meet the applicable school bus and motor vehicle safety standards, a
9 school vehicle may be operated for 12 years.

10 (2) (i) In **CAROLINE**, Somerset, Wicomico, and Worcester counties,
11 unless it fails to meet the applicable school bus and motor vehicle safety standards, a
12 school vehicle may be operated for 15 years.

13 (ii) A school vehicle operating under subparagraph (i) of this
14 paragraph shall be maintained as provided in subsection (c) of this section.

15 (3) Any school vehicle in operation or accepted before July 1, 2004, or
16 under contract to be purchased before July 1, 2004, that meets the specifications of the
17 Department and of the Motor Vehicle Administration for transit style school vehicles
18 may be operated for 15 years.

19 (c) Notwithstanding the 12–year limitation in subsection (b)(1) of this
20 section, a school vehicle may be operated for additional years if:

21 (1) The school vehicle is maintained under a preventive maintenance
22 plan approved by the Motor Vehicle Administration and the Automotive Safety
23 Enforcement Division of the Department of State Police that includes an inspection at
24 the end of the 12th year and a minimum of 2 inspections by the Motor Vehicle
25 Administration each year thereafter;

26 (2) Any structural repairs to the school vehicle necessitated by
27 accident, metal fatigue, or any other cause are certified by an independent expert
28 approved by the Motor Vehicle Administration to meet or exceed the manufacturer’s
29 original manufacturing standards;

30 (3) The school vehicle is equipped with:

31 (i) The body originally placed on the chassis by the
32 manufacturer;

33 (ii) An 8 light warning system;

- 1 (iii) A left side stop arm;
- 2 (iv) A fire-retardant driver's seat;
- 3 (v) Fire-retardant barriers in the case of a school vehicle with a
4 front engine; and
- 5 (vi) A fire-retardant rear seating area in the case of a school
6 vehicle with a rear engine; and
- 7 (4) The State Superintendent grants approval.

8 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
9 take effect on the taking effect of the termination provision specified in Section 2 of
10 Chapters 637 and 638 of the Acts of the General Assembly of 2008. If that termination
11 provision takes effect, Section 1 of this Act shall be abrogated and of no further force
12 and effect. This Act may not be interpreted to have any effect on that termination
13 provision.

14 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the provisions
15 of Section 3 of this Act, this Act shall take effect October 1, 2009.