

# HOUSE BILL 727

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CF SB 965

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

Introduced and read first time: February 10, 2009

Assigned to: Ways and Means

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Committee Report: Favorable

House action: Adopted

Read second time: March 24, 2009

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## CHAPTER \_\_\_\_\_

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**

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 7-804.

2 (a) In this section, "school vehicle" has the meaning stated in § 11-154 of the  
3 Transportation Article.

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

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

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

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

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

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

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

27 (3) The school vehicle is equipped with:

28 (i) The body originally placed on the chassis by the  
29 manufacturer;

30 (ii) An 8 light warning system;

31 (iii) A left side stop arm;

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

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

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

5 (4) The State Superintendent grants approval.

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

### 8 Article – Education

9 7–804.

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

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

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

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

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

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

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

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

- 1                   (3)    The school vehicle is equipped with:
- 2                           (i)    The body originally placed on the chassis by the  
3 manufacturer;
- 4                           (ii)   An 8 light warning system;
- 5                           (iii)   A left side stop arm;
- 6                           (iv)   A fire-retardant driver's seat;
- 7                           (v)    Fire-retardant barriers in the case of a school vehicle with a  
8 front engine; and
- 9                           (vi)   A fire-retardant rear seating area in the case of a school  
10 vehicle with a rear engine; and
- 11                   (4)    The State Superintendent grants approval.

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.