

# HOUSE BILL 1031

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HB 298/08 – W&M

9lr2620

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By: **Delegate Conaway**

Introduced and read first time: February 13, 2009

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Board of School Commissioners – System of Public School**  
3 **Buses Required**

4 FOR the purpose of requiring the Baltimore City Board of School Commissioners to  
5 establish or contract for a system of public school buses to provide  
6 transportation for certain students in Baltimore City; prohibiting the Board  
7 from providing or contracting for student transportation services in conjunction  
8 with mass transit service provided to the general public in Baltimore City;  
9 authorizing the Board to use a certain transportation grant only for certain  
10 purposes; and generally relating to transportation services provided to certain  
11 students by the Baltimore City Board of School Commissioners.

12 BY repealing and reenacting, with amendments,  
13 Article – Education  
14 Section 5–205  
15 Annotated Code of Maryland  
16 (2008 Replacement Volume)

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

19 **Article – Education**

20 5–205.

21 (a) The State shall distribute grants as provided under this section to the  
22 county boards to provide transportation services for public school students and  
23 disabled children for whom transportation is to be provided under § 8–410 of this  
24 article. Appropriations for student transportation shall be budgeted in a separate  
25 budget category as provided in § 5–101 of this title. If the amount that is appropriated  
26 to a county under this section in a fiscal year is more than the actual cost of providing

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 student transportation services in that county, a county board may apply any excess  
 2 funds to costs of pupil transportation in subsequent years. None of these funds may be  
 3 paid to or claimed by any subdivision, nor may any of these funds be reverted to any  
 4 subdivision. A county board may not transfer State revenues from the student  
 5 transportation category to any other category as a result of this section.

6 (b) For the purpose of calculating the 2004 base grants for student  
 7 transportation to county boards, the following amounts shall be used as the fiscal year  
 8 2003 base grant amounts:

9	(1)	Allegany .....	\$2,838,327
10	(2)	Anne Arundel.....	\$12,716,216
11	(3)	Baltimore City .....	\$10,303,967
12	(4)	Baltimore .....	\$15,715,504
13	(5)	Calvert.....	\$3,294,141
14	(6)	Caroline.....	\$1,580,176
15	(7)	Carroll .....	\$5,738,454
16	(8)	Cecil.....	\$2,997,774
17	(9)	Charles .....	\$5,813,595
18	(10)	Dorchester.....	\$1,465,299
19	(11)	Frederick.....	\$6,620,447
20	(12)	Garrett .....	\$1,886,605
21	(13)	Harford.....	\$7,277,627
22	(14)	Howard.....	\$8,460,292
23	(15)	Kent.....	\$985,359
24	(16)	Montgomery .....	\$18,663,456
25	(17)	Prince George's .....	\$21,018,217
26	(18)	Queen Anne's .....	\$1,952,856
27	(19)	St. Mary's .....	\$3,673,545

1	(20)	Somerset.....	\$1,143,107
2	(21)	Talbot .....	\$981,334
3	(22)	Washington .....	\$3,784,100
4	(23)	Wicomico .....	\$3,001,531
5	(24)	Worcester .....	\$1,856,978

6 (c) (1) In this subsection, “full-time equivalent enrollment” has the  
7 meaning stated in § 5-202 of this subtitle.

8 (2) Subject to the limitations under paragraph (3) of this subsection,  
9 for fiscal year 2004 and every year thereafter the amount of a county’s base grant for  
10 student transportation shall be equal to the amount of the county’s base grant for  
11 student transportation for the previous year increased by the same percentage as the  
12 increase in the private transportation category of the Consumer Price Index for all  
13 urban consumers, for the Washington–Baltimore metropolitan area, as of July of the  
14 fiscal year preceding the year for which the amount is being calculated, plus an  
15 additional amount equal to the product of:

16 (i) The total amount of funds distributed by the State as base  
17 grants for student transportation for the previous fiscal year divided by the statewide  
18 full-time equivalent enrollment for the previous fiscal year; and

19 (ii) The difference between the full-time equivalent enrollment  
20 in a county for the current fiscal year and the full-time equivalent enrollment in the  
21 county for the previous fiscal year, or, if the full-time equivalent enrollment in a  
22 county for the current fiscal year is less than the full-time equivalent enrollment in  
23 the county for the previous fiscal year, zero.

24 (3) The increase in the amount of a base grant for student  
25 transportation that is based on the increase in the private transportation category of  
26 the Consumer Price Index may not be less than 3 percent nor more than 8 percent of  
27 the amount of the grant for the previous year.

28 (d) For each fiscal year, in addition to the base grant for student  
29 transportation provided under subsection (c) of this section, a disabled student  
30 transportation grant shall be distributed to each county board. The amount of the  
31 grant to each board shall be equal to the product of the number of disabled students  
32 requiring special transportation services who are transported by the county board in  
33 the previous fiscal year and:

34 (1) \$600 in fiscal year 2004;

35 (2) \$700 in fiscal year 2005;

- 1 (3) \$800 in fiscal year 2006;
- 2 (4) \$900 in fiscal year 2007; and
- 3 (5) \$1,000 in fiscal year 2008 and each fiscal year thereafter.

4 (e) For the purposes of determining the amount of the grant provided under  
5 subsection (d) of this section, the State Board shall develop a procedure and adopt  
6 regulations for determining the number of disabled students transported in each  
7 jurisdiction in the previous fiscal year.

8 **(F) IN BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL**  
9 **COMMISSIONERS:**

10 **(1) SHALL ESTABLISH OR CONTRACT FOR A SYSTEM OF PUBLIC**  
11 **SCHOOL BUSES TO PROVIDE STUDENT TRANSPORTATION SERVICES**  
12 **EXCLUSIVELY FOR PUBLIC SCHOOL STUDENTS AND DISABLED CHILDREN FOR**  
13 **WHOM TRANSPORTATION IS TO BE PROVIDED UNDER § 8-410 OF THIS ARTICLE;**

14 **(2) MAY NOT, IN CONJUNCTION WITH MASS TRANSIT SERVICE**  
15 **THAT IS PROVIDED TO THE GENERAL PUBLIC IN BALTIMORE CITY, PROVIDE OR**  
16 **CONTRACT FOR STUDENT TRANSPORTATION SERVICES FOR PUBLIC SCHOOL**  
17 **STUDENTS AND DISABLED CHILDREN FOR WHOM TRANSPORTATION IS TO BE**  
18 **PROVIDED UNDER § 8-410 OF THIS ARTICLE; AND**

19 **(3) MAY USE THE GRANT FOR STUDENT TRANSPORTATION**  
20 **PROVIDED UNDER THIS SECTION ONLY FOR THE PURPOSES SPECIFIED IN**  
21 **PARAGRAPH (1) OF THIS SUBSECTION.**

22 **[(f)] (G)** The State Board shall adopt rules and regulations that provide for  
23 the safe operation of the student transportation system of each county board of  
24 education.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2009.