

HOUSE BILL 550

R6
SB 189/09 – JPR

0lr2159
CF SB 245

By: **Delegates Norman, George, Jennings, McComas, and McConkey**

Introduced and read first time: February 2, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2010

CHAPTER _____

1 AN ACT concerning

2 ~~School Bus Seat Belt Corrective Language Act~~
3 Vehicle Laws – School Buses and Former School Buses – Seat Belts

4 FOR the purpose of clarifying that a certain type of school vehicle used by certain
5 schools, camps, day nurseries, or day care centers to transport children is not
6 required to be equipped with seat belts and is not subject to certain regulations;
7 establishing that a motor vehicle that formerly was registered as a certain type
8 of school vehicle is not required to be equipped with seat belts and is not subject
9 to certain regulations if it is used by certain schools, camps, day nurseries, or
10 day care centers to transport children; and generally relating to seat belts on
11 school buses.

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 11–154 and 11–173
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2009 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Transportation
19 Section 22–412.1
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2009 Supplement)

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

3 **Article – Transportation**

4 11–154.

5 (a) “School vehicle” means, except as provided in subsection (b) of this
6 section, any motor vehicle that:

7 (1) Is used regularly for the exclusive transportation of children,
8 students, or teachers for educational purposes or in connection with a school activity;
9 and

10 (2) Is either:

11 (i) A Type I school vehicle, as defined in this subtitle; or

12 (ii) A Type II school vehicle, as defined in this subtitle.

13 (b) “School vehicle” does not include:

14 (1) A privately owned vehicle while it is carrying members of its
15 owner’s household and not operated for compensation; or

16 (2) A vehicle that is registered as a Class M (multipurpose) vehicle
17 under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this
18 article and used to transport children between one or more schools or licensed child
19 care centers or to and from designated areas that are approved by the Administration
20 if:

21 (i) The vehicle is designed for carrying 15 persons or less,
22 including the driver;

23 (ii) The children are permitted to embark or exit the vehicle
24 only at a school or child care center or a designated area approved by the
25 Administration;

26 (iii) The owner has obtained vehicle liability insurance or other
27 security as required by Title 17 of this article; and

28 (iv) The vehicle is equipped with proper seat belts or safety seats
29 so as to permit each child to be secured in a seat belt or a safety seat as required by §§
30 22–412.2 and 22–412.3 of this article.

31 11–173.

- 1 (a) "Type I school vehicle" means a school vehicle that:
- 2 (1) Is designed and constructed to carry passengers;
- 3 (2) Is either of the body-on-chassis type construction or integral type
- 4 construction; and
- 5 (3) Has a gross vehicle weight of more than 15,000 pounds and
- 6 provides a minimum of 13 inches of seating space per passenger.
- 7 (b) "Type I school vehicle" does not include any bus operated by a common
- 8 carrier under the jurisdiction of a State, regional, or federal regulatory agency or
- 9 operated by the agency itself.

10 22-412.1.

11 Every motor vehicle that is used by nursery schools, camps, day nurseries, or
12 day care centers for children with an intellectual disability to transport children [and
13 that is not regulated as a "school bus" under this article,] shall be equipped with seat
14 belts for each seat and shall be subject to any other regulations adopted by the
15 Administration, **UNLESS THE MOTOR VEHICLE:**

- 16 (1) **IS A TYPE I SCHOOL VEHICLE; OR**
- 17 (2) **WAS FORMERLY REGISTERED AS A TYPE I SCHOOL VEHICLE.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.