

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 245

(Senator Simonaire)

Judicial Proceedings

Environmental Matters

Vehicle Laws - School Buses and Former School Buses - Seat Belts

This bill establishes that a motor vehicle used to transport children by nursery schools, camps, day nurseries, or day care centers for children with intellectual disabilities, and either designated as a “Type I school vehicle” or formerly registered as a “Type I school vehicle” is exempt from the requirements to be equipped with seat belts for each seat and is not subject to other regulations prescribed by the Motor Vehicle Administration (MVA).

Fiscal Summary

State Effect: None. The bill does not affect State operations or finances.

Local Effect: None. The bill does not materially affect local operations.

Small Business Effect: Potential minimal.

Analysis

Current Law: Every motor vehicle used by nursery schools, camps, day nurseries, or day care centers for children with intellectual disabilities that is used to transport children and is not regulated as a school bus must be equipped with seat belts for each seat and be subject to other regulations prescribed by MVA.

Every motor vehicle registered in Maryland and assembled after June 1, 1964, must be equipped with two sets of seat belts in the front seat of the vehicle and, if assembled after June 1, 1969, must have two sets of seat belts on the rear seat of the vehicle. However,

for purposes of this requirement, “motor vehicle” does not include any bus, motorcycle, truck, or taxicab.

Except as otherwise specified, a “school vehicle” is one that is used regularly for the exclusive transportation of children, teachers, or students for educational purposes or in conjunction with a school activity, and is either a “Type I school vehicle” or a “Type II school vehicle.”

A “Type I school vehicle” is designed and constructed to carry passengers and is either of the body-on chassis type construction or the integral type construction. It has a gross vehicle weight (GVW) exceeding 15,000 pounds and provides at least 13 inches of seating space per passenger. A Type I school vehicle does not include any bus operated by a common carrier under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself. A “school bus” is a Type I school vehicle. A “Type II school vehicle” is defined in a way similar to the Type I school vehicle, except that it has a GVW of 15,000 pounds or less and includes buses operated by common carriers under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself.

Additional Information

Prior Introductions: SB 189 of 2009 passed the Senate and received a hearing in the House Environmental Matters Committee, but no further action was taken. SB 20 of 2008 passed the Senate with amendments and received a hearing in the House Environmental Matters Committee, but no further action was taken.

Cross File: HB 550 (Delegate Norman, *et al.*) – Environmental Matters.

Information Source(s): Department of Health and Mental Hygiene, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - January 29, 2010
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Analysis by: Evan M. Isaacson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510