

HOUSE BILL 486

F1

1lr2127

By: **Delegates Conway, Cane, and McDermott**

Introduced and read first time: February 7, 2011

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2011

CHAPTER _____

1 AN ACT concerning

2 **Education – School Buses – Inspections and Length of Operation**

3 FOR the purpose of authorizing certain school bus inspections to be valid in certain
4 counties under certain circumstances; repealing the termination date for a
5 provision of law that alters the length of time a school bus may be operated in
6 Somerset County, Wicomico County, and Worcester County; and generally
7 relating to school bus inspections and the length of operation of school buses in
8 certain counties.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 7–804
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, with amendments,
15 Chapter 420 of the Acts of the General Assembly of 2003, as amended by
16 Chapter 576 of the Acts of the General Assembly of 2006
17 Section 2

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

20 **Article – Education**

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, Talbot, 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 (D) IF A SCHOOL VEHICLE PASSES AN INSPECTION THAT IS REQUIRED
7 UNDER SUBSECTION (C)(1) OF THIS SECTION:

8 (1) THE INSPECTION SHALL BE VALID IN THE COUNTY IN WHICH
9 THE INSPECTION WAS COMPLETED; AND

10 (2) IF OWNERSHIP OF THE SCHOOL VEHICLE IS TRANSFERRED TO
11 A PERSON WHO OPERATES THE SCHOOL VEHICLE IN A COUNTY IN WHICH
12 SCHOOL VEHICLES ARE AUTHORIZED UNDER SUBSECTION (B)(2) OF THIS
13 SECTION TO BE OPERATED FOR 15 YEARS, THE INSPECTION SHALL BE VALID IN
14 THAT COUNTY FOR THE LENGTH OF TIME THAT THE INSPECTION WOULD HAVE
15 BEEN VALID IN THE COUNTY WHERE THE INSPECTION WAS COMPLETED.

16 Chapter 420 of the Acts of 2003, as amended by Chapter 576 of the Acts of
17 2006

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2003. [It shall remain effective for a period of 8 years and, at the end of June
20 30, 2011, with no further action required by the General Assembly, this Act shall be
21 abrogated and of no further force and effect.]

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.