

Chapter 453

(Senate Bill 369)

AN ACT concerning

Education – School Buses – Fire Safety Standards

FOR the purpose of ~~requiring a school bus to meet certain fire safety criteria; requiring the State Department of Education to adopt certain fire safety regulations for school buses that include certain requirements; requiring certain engine components of certain school buses to meet a certain standard~~ requiring a school bus to be constructed with certain materials that enable it to meet certain criteria; requiring the Motor Vehicle Administration, with the advice of the State Department of Education, to adopt certain regulations; defining a certain ~~terms~~ term; providing for the application of this Act; and generally relating to school bus fire safety standards.

BY adding to

Article – Education
Section 7–808
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 11–153 and 11–154
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

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

Article – Education

7–808.

(A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~(2) “ASTM E 1537 STANDARD TEST METHOD FOR FIRE TESTING OF UPHOLSTERED FURNITURE” MEANS THE CONSENSUS STANDARD TEST METHOD DEVELOPED BY ASTM INTERNATIONAL AND USED TO:~~

~~(I) DETERMINE THE BURNING BEHAVIOR OF UPHOLSTERED FURNITURE THAT IS USED IN A PLACE OCCUPIED BY THE PUBLIC; AND~~

~~(II) MEASURE SPECIFIC FIRE TEST RESPONSES WHEN THE FURNITURE SPECIMEN IS SUBJECTED TO A SPECIFIC FLAMING IGNITION SOURCE UNDER WELL VENTILATED CONDITIONS.~~

~~(3) "SCHOOL, "SCHOOL BUS" HAS THE MEANING STATED IN § 11-153 OF THE TRANSPORTATION ARTICLE.~~

~~(B) A SCHOOL BUS SHALL MEET THE FIRE SAFETY CRITERIA ESTABLISHED UNDER THE ASTM E 1537 STANDARD TEST METHOD FOR FIRE TESTING OF UPHOLSTERED FURNITURE.~~

~~(C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO PROMOTE THE FIRE SAFETY OF SCHOOL BUSES.~~

~~(B) A SCHOOL BUS SHALL BE CONSTRUCTED WITH MATERIALS THAT ENABLE IT TO MEET ALL THE CRITERIA OF THE SCHOOL BUS SEAT UPHOLSTERY FIRE BLOCK TEST ESTABLISHED BY THE NATIONAL SCHOOL TRANSPORTATION SPECIFICATIONS AND PROCEDURES ADOPTED AT THE MOST RECENT NATIONAL CONGRESS ON SCHOOL TRANSPORTATION.~~

~~(C) (1) THE MOTOR VEHICLE ADMINISTRATION, WITH THE ADVICE OF THE DEPARTMENT, SHALL ADOPT REGULATIONS TO PROMOTE FIRE SAFETY STANDARDS OF SCHOOL BUSES.~~

~~(2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REQUIRE THAT A SCHOOL BUS MEET AT LEAST ONE OF THE FOLLOWING REQUIREMENTS WHEN THE TEST METHOD IS CONDUCTED ON A COMPLETE SEAT ASSEMBLY INSIDE A TEST ROOM OR ON THAT MODEL AND TYPE OF SCHOOL BUS:~~

~~(I) THE SEAT ASSEMBLY EXHIBITS A WEIGHT LOSS OF 3 POUNDS OR GREATER DURING THE FIRST 10 MINUTES OF THE TEST; OR~~

~~(II) THE SEAT ASSEMBLY EXHIBITS A HEAT RELEASE RATE OF 80 KILOWATTS OR GREATER.~~

~~(D) EACH PLASTIC COMPONENT CONTAINED IN THE ENGINE COMPARTMENT OF A SCHOOL BUS USED TO TRANSPORT CHILDREN UNDER THE AGE OF 18 IN THIS STATE SHALL MEET A V-0 CLASSIFICATION WHEN TESTED IN~~

~~ACCORDANCE WITH UNDERWRITERS LABORATORIES INC. STANDARDS FOR SAFETY UL 94.~~

Article – Transportation

11-153.

“School bus” means a Type I school vehicle, as defined in this subtitle.

11-154.

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

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

(2) Is either:

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

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

(b) “School vehicle” does not include:

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to any school bus that is procured for use in this State on or after January 1, 2014.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.