

HOUSE BILL 530

R7, F1, F5

3lr2418
CF SB 359

By: **Delegate Pena-Melnyk**

Introduced and read first time: January 30, 2013

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 1, 2013

CHAPTER _____

1 AN ACT concerning

2 **Education – School ~~Vehicle – On Board Attendant~~ Vehicles – Authorized**
3 **Riders**

4 FOR the purpose of ~~prohibiting an individual from serving as a school vehicle~~
5 ~~on board attendant, unless the attendant is a certain employee and is in~~
6 ~~possession of certain identification; authorizing the Motor Vehicle~~
7 ~~Administration to adopt regulations concerning qualifications of school vehicle~~
8 ~~on board attendants with the advice of the State Department of Education~~
9 prohibiting the driver of a school vehicle from allowing certain individuals to
10 board or ride on the school vehicle, subject to certain exceptions; authorizing
11 certain individuals to board or ride on a school vehicle under certain
12 circumstances; and generally relating to ~~school vehicle on board attendants~~
13 riders on school vehicles.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 16–816
17 Annotated Code of Maryland
18 (2012 Replacement Volume)

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

21 **Article – Transportation**

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 16-816.

2 (a) An individual may not drive a school vehicle on any highway in this State
3 unless the individual:

4 (1) Passes an appropriate medical examination; and

5 (2) For driving a school bus, has been issued a commercial driver's
6 license endorsed school bus.

7 ~~(b) AN INDIVIDUAL MAY NOT SERVE AS A SCHOOL VEHICLE ON BOARD
8 ATTENDANT UNLESS THE INDIVIDUAL:~~

9 ~~(1) IS AN EMPLOYEE OF THE LOCAL SCHOOL SYSTEM OR
10 TRANSPORTATION COMPANY THAT OPERATES THE SCHOOL VEHICLE; AND~~

11 ~~(2) IS IN POSSESSION OF PHOTO IDENTIFICATION THAT
12 IDENTIFIES THE LOCAL SCHOOL SYSTEM OR TRANSPORTATION COMPANY THAT
13 EMPLOYS THE INDIVIDUAL AS A SCHOOL VEHICLE ON BOARD ATTENDANT.~~

14 ~~[(b)] (c) (B) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS
15 SECTION, A DRIVER OF A SCHOOL VEHICLE MAY NOT ALLOW AN INDIVIDUAL
16 WHO IS NOT A STUDENT OR SCHOOL EMPLOYEE TO BOARD OR RIDE ON THE
17 SCHOOL VEHICLE.~~

18 (c) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE AS A
19 SCHOOL VEHICLE ATTENDANT IF THE INDIVIDUAL:

20 (1) (i) IS AN EMPLOYEE OF THE LOCAL SCHOOL SYSTEM OR
21 TRANSPORTATION COMPANY THAT OPERATES THE SCHOOL VEHICLE;

22 (ii) IS OTHERWISE AUTHORIZED BY THE LOCAL SCHOOL
23 SYSTEM TO ACT AS A SCHOOL VEHICLE ATTENDANT FOR A CHILD ON THE
24 SCHOOL VEHICLE; OR

25 (iii) IS A NURSE, AIDE, OR OTHER INDIVIDUAL ASSIGNED OR
26 AUTHORIZED TO WORK WITH A STUDENT IN ACCORDANCE WITH THE STUDENT'S
27 INDIVIDUALIZED EDUCATION PLAN, 504 PLAN, OR OTHER STUDENT-SPECIFIC
28 WRITTEN PLAN; AND

29 (2) (i) IS IN POSSESSION OF PHOTO IDENTIFICATION THAT
30 IDENTIFIES THE LOCAL SCHOOL SYSTEM OR TRANSPORTATION COMPANY THAT
31 EMPLOYS THE INDIVIDUAL AS A SCHOOL VEHICLE ATTENDANT; OR

1 **(II) IS IN POSSESSION OF PHOTO IDENTIFICATION OR**
2 **ANOTHER DOCUMENT ISSUED BY THE LOCAL SCHOOL SYSTEM THAT**
3 **AUTHORIZES THE INDIVIDUAL TO ACT AS A SCHOOL VEHICLE ATTENDANT FOR A**
4 **CHILD ON THE SCHOOL VEHICLE.**

5 **(D) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE WITH**
6 **THE WRITTEN PERMISSION OF THE LOCAL SCHOOL SYSTEM.**

7 **(E)** With the advice of the State Department of Education, the
8 Administration may adopt regulations concerning the qualifications of school vehicle
9 drivers ~~AND SCHOOL VEHICLE ON-BOARD ATTENDANTS.~~

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.