

HOUSE BILL 23

R7, F1

(71r0637)

ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by ~~Delegate Lam~~ Delegates Lam and Beitzel

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – School Vehicles – Definition**

3 FOR the purpose of altering the definition of “school vehicle” to include certain vehicles
4 that meet certain standards and requirements, were originally titled in another state
5 and used to transport children, students, and teachers in that state, and are used
6 only for transporting children to and from a certain program; and generally relating
7 to school vehicles.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 11–154

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2016 Supplement)

13 BY repealing and reenacting, without amendments,

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.

Italics indicate opposite chamber/conference committee amendments.



1 Article – Transportation
 2 Section 11–173 and 11–174
 3 Annotated Code of Maryland
 4 (2012 Replacement Volume and 2016 Supplement)

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

7 **Article – Transportation**

8 11–154.

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

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

13 (2) Is [either]:

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

15 (ii) A Type II school vehicle, as defined in this subtitle; OR

16 **(III) A VEHICLE THAT:**

17 **1. WAS ORIGINALLY TITLED IN ANOTHER STATE AND**
 18 **USED TO TRANSPORT CHILDREN, STUDENTS, OR TEACHERS FOR EDUCATIONAL**
 19 **PURPOSES OR IN CONNECTION WITH A SCHOOL ACTIVITY IN THAT STATE;**

20 ~~**2. MEETS THE STANDARDS AND REQUIREMENTS**~~
 21 ~~**ESTABLISHED BY THE ADMINISTRATION FOR REGISTRATION AS A TYPE II SCHOOL**~~
 22 ~~**VEHICLE AS DEFINED IN THIS SUBTITLE;**~~

23 ~~**3. 2. COMPLIES WITH REGULATIONS ON TRANSPORTING**~~
 24 ~~**CHILDREN ENROLLED IN THE FEDERALLY FUNDED HEAD START PROGRAM**~~
 25 ~~**ADOPTED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN**~~
 26 ~~**SERVICES; AND**~~

27 ~~**4. 3. IS USED ONLY FOR TRANSPORTING CHILDREN TO AND**~~
 28 ~~**FROM A HEAD START PROGRAM.**~~

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

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

3 (2) A vehicle that is registered as a Class M (multipurpose) vehicle under
4 § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this article and
5 used to transport children between one or more schools or licensed child care centers or to
6 and from designated areas that are approved by the Administration if:

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

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

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

13 (iv) The vehicle is equipped with proper seat belts or safety seats so
14 as to permit each child to be secured in a seat belt or a safety seat as required by §§
15 22–412.2 and 22–412.3 of this article.

16 11–173.

17 (a) “Type I school vehicle” means a school vehicle that:

18 (1) Is designed and constructed to carry passengers;

19 (2) Is either of the body–on–chassis type construction or integral type
20 construction; and

21 (3) Has a gross vehicle weight of more than 15,000 pounds and provides a
22 minimum of 13 inches of seating space per passenger.

23 (b) “Type I school vehicle” does not include any bus operated by a common carrier
24 under the jurisdiction of a State, regional, or federal regulatory agency or operated by the
25 agency itself.

26 11–174.

27 “Type II school vehicle” means a school vehicle that:

28 (1) Is designed and constructed to carry passengers;

29 (2) Is either of the body–on–chassis type construction or integral type
30 construction; and

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1 (3) Has a gross vehicle weight of 15,000 pounds or less and provides a
2 minimum of 13 inches of seating space per passenger.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.