

SENATE BILL 755

F1, R2

0lr3007

By: **Senator Gallion**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Harford County – Liability of School Bus Contractors**

3 FOR the purpose of establishing that an entity operating a school bus under a contract with
4 the Harford County Board of Education to provide student transportation services
5 may not be held liable beyond the limits of the Harford County Board of Education’s
6 insurance coverage through the Maryland Association of Boards of Education in any
7 suit that arises from a vehicular accident or an act or omission of an officer, a
8 director, or an employee of the entity, except if the act or omission constitutes gross
9 negligence, reckless, willful, or wanton misconduct, or intentionally tortious conduct;
10 providing for the application of this Act; and generally relating to student
11 transportation services in Harford County.

12 BY adding to

13 Article – Education

14 Section 7–810

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2019 Supplement)

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

19 **Article – Education**

20 **7–810.**

21 **(A) THIS SECTION APPLIES ONLY IN HARFORD COUNTY.**

22 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ENTITY**
23 **OPERATING A SCHOOL BUS UNDER A CONTRACT WITH THE HARFORD COUNTY**
24 **BOARD OF EDUCATION TO PROVIDE STUDENT TRANSPORTATION SERVICES MAY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 NOT BE HELD LIABLE BEYOND THE LIMITS OF THE HARFORD COUNTY BOARD OF
2 EDUCATION'S INSURANCE COVERAGE THROUGH THE MARYLAND ASSOCIATION OF
3 BOARDS OF EDUCATION IN ANY SUIT THAT ARISES FROM:

4 (I) A VEHICULAR ACCIDENT; OR

5 (II) AN ACT OR OMISSION OF AN OFFICER, A DIRECTOR, OR AN
6 EMPLOYEE OF THE ENTITY.

7 (2) THE LIMITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION
8 DOES NOT APPLY IF THE ACT OR OMISSION CONSTITUTES:

9 (I) GROSS NEGLIGENCE;

10 (II) RECKLESS, WILLFUL, OR WANTON MISCONDUCT; OR

11 (III) INTENTIONALLY TORTIOUS CONDUCT.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2020.