

SENATE BILL 129

F3, R2
SB 755/20 – EHE

(PRE-FILED)

11r0874
CF HB 54

By: **Senator Gallion**

Requested: October 7, 2020

Introduced and read first time: January 13, 2021

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 entity’s insurance coverage under the
6 contract with the Harford County Board of Education through the Maryland
7 Association of Boards of Education in any suit that arises from a vehicular accident
8 or an act or omission of an officer, a director, or an employee of the entity, except if
9 the act or omission constitutes gross negligence, reckless, willful, or wanton
10 misconduct, or intentionally tortious conduct; providing for the application of this
11 Act; and generally relating to student 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 2020 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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **BOARD OF EDUCATION TO PROVIDE STUDENT TRANSPORTATION SERVICES MAY**
2 **NOT BE HELD LIABLE BEYOND THE LIMITS OF THE ENTITY'S INSURANCE COVERAGE**
3 **UNDER THE CONTRACT WITH THE HARFORD COUNTY BOARD OF EDUCATION**
4 **THROUGH THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION IN ANY SUIT**
5 **THAT ARISES FROM:**

6 (I) **A VEHICULAR ACCIDENT; OR**

7 (II) **AN ACT OR OMISSION OF AN OFFICER, A DIRECTOR, OR AN**
8 **EMPLOYEE OF THE ENTITY.**

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

11 (I) **GROSS NEGLIGENCE;**

12 (II) **RECKLESS, WILLFUL, OR WANTON MISCONDUCT; OR**

13 (III) **INTENTIONALLY TORTIOUS CONDUCT.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2021.