

BILL: House Bill 750
TITLE: Education – Jobs That Require Driving – Requirements (Drivers Education for Good Jobs Act of 2022)
DATE: February 24, 2022
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Ways and Means
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The Maryland Association of Boards of Education (MABE) supports House Bill 750 to expedite the establishment of a statewide program to provide career and technical education (CTE) for students choosing to pursue careers as drivers of commercial vehicles, including school buses. MABE appreciates that this bill would authorize each local school system to determine whether to allow individuals who have completed the pertinent training and certification and who are at least 19 and a half years of age to be hired as school bus drivers. These are extraordinary times regarding the critical shortages of all categories of school employees, and this is an extraordinary legislative initiative to open an avenue for students, school systems, and bus contractors to fill much needed school bus driver positions.

The COVID-19 pandemic continues to have serious consequences for public school systems across the nation and in Maryland. A priority among the many challenges facing school systems is the critical need to recruit and retain qualified school bus drivers. To be clear, local school systems in accordance with state law and regulations place a high priority on assuring the qualifications of school bus drivers. These go beyond the commercial driver’s license (CDL) requirements to include pre-service and in-service training, criminal history standards, and alcohol and controlled substances testing (COMAR 13A.06.07). However, such standards unavoidably create additional barriers to otherwise qualified CDL drivers. More importantly, qualified CDL drivers and certified bus drivers are generally benefitting from the highly competitive compensation offered by other employers. Again, MABE supports a multifaceted approach to addressing these school bus driver issues while maintaining high driver qualification standards which we firmly believe are in the best interests of students and drivers.

In Maryland, school systems typically have a blend of owned buses driven by school system employees and contracted buses driven by the employees of those contractors. For contractors and school systems alike, qualified bus drivers are in limited supply, and many drivers are raising concerns about health, safety, student behavior, and compensation issues. Local school systems, in partnership with local governments, are taking steps to address these concerns. MABE greatly appreciates the efforts of local governments to provide additional funding and the State efforts to recruit CDL drivers to apply for bus driver jobs.

MABE represents 24 local boards of education with a unified commitment to ensuring student safety in all school-related activities, and especially school bus safety. School bus safety involves a wide array of activities: bus driver training, providing safe bus stops, maximizing student safety through the use of security cameras on buses, enforcing traffic laws for reckless drivers who illegally pass buses, and the design and construction standards of the buses themselves. In these ways local school systems, bus contractors, and local law enforcement agencies work to ensure the safest possible transport of students to and from school.

State regulations provide that each local school system is responsible for the safe operation of their student transportation system, must comply with all state procedures and guidelines, and may adopt policies and procedures which exceed the state's minimum requirements (COMAR 13A.06.07.03). With regard to local administration and operation of the student transportation system, state regulations require that each local system employ a local supervisor of student transportation, and prescribe numerous operational and reporting requirements for the hiring of school vehicle driving instructors, employment qualifications for bus drivers, bus inspections, and routing and scheduling.

State law authorizes the State Board to "adopt rules and regulations that provide for the safe operation of the student transportation system of each county board of education." Pursuant to Section 5-205, the State Board has adopted regulations under COMAR 13A.06.07. The State Board's regulations incorporate by reference several federal regulations regarding bus driver qualifications, as well as cross-referencing numerous provisions of Maryland transportation laws and regulations regarding school vehicles and drivers. The Transportation Article also includes provisions regarding school buses, including definitions, operating standards, and driver qualifications (e.g., Md. Code Ann., Transp. Art. § 11-173, school vehicle definitions; § 16-816, bus driver qualifications; and § 21-1118, bus driver responsibilities).

MABE believes that Maryland's regimen of student transportation standards reflects the State's strong interest in ensuring student safety and the federal government's corresponding regulation of commercial transportation including school vehicles. On the local level, school systems must not only comply with all state and federal safety requirements, but also adopt bus routes, stops, loading zones, and schedules. In this way student transportation presents local school systems with myriad, daily operational challenges.

Regarding House Bill 750, MABE is concerned with the very prescriptive nature of the mandated career pathway to be established by the new CTE Committee established by the Blueprint for Maryland's Future Act. Specifically, MABE requests the removal of the of the last provision of the bill which requires annual goals for the numbers of students obtaining a CDL and bus driver's certification before graduating from high school.

For these reasons, MABE requests a favorable report on House Bill 750 with the amendments described above.