

HB71_MSEA_Gobel_FAV.pdf

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Position: FAV

**Testimony in Support of House Bill 71
Motor Vehicles – School Vehicle Drivers – Medical Examinations**

**Environment and Transportation Committee
February 2, 2023**

**Christian Gobel
Government Relations**

The Maryland State Education Association supports HB 71. House Bill 71 aids in solving the bus driver shortage by providing flexibility regarding when a school vehicle driver must undergo a required medical examination in connection with their employment. MSEA applauds Speaker Pro Tem Sample-Hughes efforts to address the school bus driver shortage and welcomes further legislation to enhance our education workforce.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

Current Maryland regulations require school vehicle drivers to undergo medical examinations prior to their employment and annually to certify their fitness for duty.¹ HB 71 preserves the requirement that individuals must undergo a medical examination prior to commencing their employment but allows employers the option to either require a medical examination annually or once very two years for their school vehicle drivers. This change comports with standards established by the U.S. Department of Transportation, which treat DOT physical exams for operators of commercial motor vehicles as valid for up to twenty-four months, subject to certain exceptions.²

¹ Md. Code Regs. 11.19.05.01(A).

² 49 C.F.R. § 391.45(b).



We support efforts by policymakers to address the school bus driver shortage in Maryland, which unfortunately persists. At the beginning of the 2022-2023 school year, numerous school districts reported shortages of bus drivers.³ Even now, in the middle of the school year school districts struggle to fill bus driver vacancies.⁴

MSEA also supports legislation, whether in this bill or a separate bill, that would require employers to shoulder the cost of initial medical examinations for job-applicants seeking to become bus drivers. Initial medical examinations vary in cost and not all prospective employers are willing to pay this cost for their potential employees. Removing this cost barrier would be an additional tool to recruit individuals to become bus drivers.

MSEA will continue to support lawmakers and policies that aim to create a sustainable pipeline for the education workforce. Education support professionals, including school bus drivers, should have job opportunities that provide them with a living wage, decent benefits, a secure retirement, and the ability to join a union.

We urge the committee to issue a Favorable Report on House Bill 71.

³ John Gonzalez, ABC 7 News, *MCPS parents frustrated with busing issues as district faces driver shortage* (October 27, 2022), <https://wjla.com/news/local/montgomery-county-public-schools-bus-canceled-routes-uncovered-no-drivers-mcps-electric-buses-transportation-students-parents-frustrated-concerned-driver-shortage-maryland>; Ava-Joye Burnett, CBS Baltimore, *Bus driver shortages have led to student overcrowding in some Baltimore-area school districts* (August 30, 2022), <https://www.cbsnews.com/baltimore/news/bus-driver-shortages-have-led-to-student-overcrowding-in-some-baltimore-area-school-districts/>;

⁴ Anne Arundel County Public Schools, *2022 – 2023 Staff Vacancies Weekly Update* (Jan. 25, 2023), <https://www.aacps.org/site/handlers/filedownload.ashx?moduleinstanceid=35277&dataid=94967&FileName=Staff%20Vacancies%20Weekly%20Update%201-25-2023.pdf>.

HB71-School Vehicle Drivers-FAV.pdf

Uploaded by: Cindy Smalls

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Patrick Moran - President

Testimony HB71 School Vehicle Drivers-Medical Examination
Ways and Means Committee
February 2, 2023
Support

AFSCME Maryland representing state, county and municipal and Higher Education employees stand in supports of HB 71 which requires a school vehicle driver to pass an appropriate medical examination before employment and once during each 2 years of employment.

AFSCME representing school bus drivers in Prince George's and Baltimore County are currently required to go through a medical examination before being hired and each year as required by the counties. Requiring bus drivers to go under a medical examination it not only important but necessary to protect the safety for our kids but for our bus drivers as well.

The school years continue to be marked by severe transportation problems across US school districts and the bus driver shortages are getting worse, with some describing the situation as severe. But while school bus driver shortages are more pronounced than in years past, they are hardly new. Prior to the pandemic, staffing shortages were causing our members to do double-work. We must address the understaffing issues concerning school bus driver shortages in Maryland by increasing pay and finding ways to attract drivers to the profession. In Baltimore County, the school board has found ways to assist drivers with paying for the cost of taking the medical examination before hiring and other certification that is needed.

We thank Delegate Sample-Hughes for her bill which we believe is a good commons sense bill aim to protect our kids in Maryland but the drivers who transport them each day.

We urge a Favorable report on HB 71

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

HB 71 FAV

Uploaded by: Delegate Sheree Sample-Hughes

Position: FAV

SHEREE SAMPLE-HUGHES
Legislative District 37A
Dorchester and Wicomico Counties

—
SPEAKER PRO TEM
—

Economic Matters Committee

Rules and Executive
Nominations Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

TESTIMONY FOR ENVIRONMENT & TRANSPORTATION

CHAIR BARVE
VICE CHAIR STEIN

HOUSE BILL 71 – MOTOR VEHICLES – SCHOOL VEHICLE DRIVERS – MEDICAL EXAMINATIONS

SUPPORT

February 1, 2023

Good Afternoon Chair Barve and Vice Chair Stein. I am here today to ask for your support for HB 71 – Motor Vehicles – School Vehicle Drivers – Medical Examinations. HB 71 changes the current State requirements for School Bus Drivers passing medical examinations from annually up to every two years. However, if a jurisdiction chooses to be more restrictive, they retain the ability to do so.

This change will align Maryland State requirements with current Federal requirements, and with those of our neighbors to the north and the south, Pennsylvania, Delaware, and Virginia. In doing so, we will become more competitive in maintaining our school bus drivers in counties such as Garrett, Wicomico, and Worcester that all border States with the proposed requirements already in place. This proposed change comes at a time when the MVA Medical Review Board allows the public to submit complaints, which are then prioritized by the MVA in conjunction with the local school board.

In Maryland, amidst the current Statewide worker shortages; particularly in education, we need our school bus drivers more than ever. HB 71 helps alleviate this post-pandemic shortage by removing a barrier to entry for prospective school bus-drivers and by lessening a burden on current ones. For this reason, I am asking for a favorable report on HB 71. Thank you for your time.

HB0071 - MVA - Medical Exams - LOI_FINAL.pdf

Uploaded by: Patricia Westervelt

Position: INFO

February 2, 2023

The Honorable Kumar P. Barve
Chair, House Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

***RE: Letter of Information – House Bill 71 – Motor Vehicles - School Vehicle Drivers -
Medical Examinations***

Dear Chair Barve and Committee Members:

The Maryland Department of Transportation MDOT takes no position on House Bill 71 but offers the following information for the Committee’s consideration.

House Bill 71 would require a biennial Medical Examiner’s Certificate (MEC) for Commercial Driver’s License (CDL) holders possessing an S endorsement for school bus operation. This would increase the period between when a new MEC must be completed and filed with the MDOT Motor Vehicle Administration (MVA) from its current requirement of every year.

The requirement for the annual MEC has been prescribed in the Code of Maryland Regulations (COMAR) for several decades and differs from the minimum standard of a biennial MEC required of CDL holders by the Federal Motor Carrier Safety Administration (FCMSA). In a survey of 14 other states, including Virginia, the requirement for an annual MEC, or even more frequently, is matched by at least six other states that have an annual exam standard for at least a part of the population endorsed for school bus operation.

However, some of these states, such as Nebraska and Louisiana, require an annual MEC or equivalent medical exam by law but require this of school bus drivers under the authority of the state’s Department of Education. Others, such as Rhode Island, require submission of and enforcement against failure to provide an exam to the local school district “School Bus Safety Office.” California and Connecticut have specific ages for a bus driver at which time an annual, or even more frequent in the case of Connecticut, medical exam is required but only a biennial is until that age has been reached. Finally, states such as Kentucky require an annual exam and the state’s Department of Motor Vehicles enforces the requirement.

Thanks to the new Customer Connect IT system completed in December 2021, the MDOT MVA was able to improve and simplify the process for submitting a required MEC for CDL holders. Now a MEC can be directly uploaded via the online portal instead of submitted by fax or postal mail, and an automated email confirms receipt of the MEC for the customer’s records. The new myMVA profile also allows for greater ease of communication for friendly courtesy reminders of upcoming deadlines for submission of paperwork or renewal requirements along with copies

The Honorable Kumar P. Barve
Page Two

of all correspondence mailed to customers. Customer Connect and myMVA has truly upgraded the customer experience and elevated the premier customer service the MDOT MVA is able to provide Marylanders.

The Maryland Department of Transportation respectfully requests that the Committee consider this information when deliberating House Bill 71.

Respectfully submitted,

Christine E. Nizer
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