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Uploaded by: Christian Gobel

Position: FAV

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

**Senate Judicial Proceedings Committee  
March 22, 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.<sup>1</sup> 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 every 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.<sup>2</sup>

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<sup>1</sup> Md. Code Regs. 11.19.05.01(A).

<sup>2</sup> 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.<sup>3</sup> Even now, in the middle of the school year school districts struggle to fill bus driver vacancies.<sup>4</sup>

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.**

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<sup>3</sup> 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/>;

<sup>4</sup> 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 Testimony\_Judicial Proceedings Committee\_SSH.**

Uploaded by: Renee M Harris

Position: FAV

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

—  
SPEAKER PRO TEM  
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Economic Matters Committee

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**THE MARYLAND HOUSE OF DELEGATES**  
ANNAPOLIS, MARYLAND 21401

**TESTIMONY FOR JUDICIAL PROCEEDINGS**

**CHAIR SMITH**  
**VICE CHAIR WALDSTREICHER**

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

**SUPPORT**

**March 22, 2023**

Good Afternoon Chair Smith and Vice Chair Waldstreicher and members of Judicial Proceedings Committee. 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. HB71 unanimously (137 – 0) passed the House on March 2, 2023.

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 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 - School Vehicle Drivers - LOI\_FINAL\_**

Uploaded by: Patricia Westervelt

Position: INFO

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March 22, 2023

The Honorable William C. Smith  
Chair, Senate Judicial Proceedings Committee  
2 East, Miller Senate Office Building  
Annapolis, MD 21401

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

Dear Chair Smith 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 William C. Smith  
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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,

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Motor Vehicle Administration  
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Maryland Department of Transportation  
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