

1.30.24 Senate Bill 63 Testimony_FAV.pdf

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Position: FAV

FAVORABLE
Senate Bill 63
Motor Vehicles – School Vehicle Drivers – Medical Examinations

Senate Judicial Proceedings Committee
January 31, 2024

Christian Gobel
Government Relations

The Maryland State Education Association supports Senate Bill 63. Senate Bill 63 requires a school bus driver to pass a medical examination both before employment and once during each two years of employment after commencing employment. Senate Bill 63 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 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 Senate Bill 63 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.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. School districts across the nation,³ and in Maryland,⁴ continue to face challenges recruiting and retaining school bus drivers.

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 Senate Bill 63.

³ Cindy Long, *School Bus Driver Shortage Persists*, National Education Association (Dec. 14, 2023), <https://www.nea.org/nea-today/all-news-articles/school-bus-driver-shortage-persists>.

⁴ Paul Gessler, *What Baltimore-area school districts are doing to work around bus driver shortage*, CBS News Baltimore (Aug. 21, 2023), <https://www.cbsnews.com/baltimore/news/baltimore-area-school-districts-draw-up-plans-to-work-around-bus-driver-shortage/>.

SB63-AFSCME-FAV.pdf

Uploaded by: Cindy Smalls

Position: FAV



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Patrick Moran – President

Testimony Motor Vehicle- School Vehicle Drivers-Medical Examination
Judicial Proceedings
January 30, 2024
Support

Thank you, Chairman Smith, and Vice Chair Waldstreicher for the opportunity to submit testimony on SB 63 which requires a school vehicle driver to pass an appropriate medical examination before employment and once during each 2 years of employment.

It is common for states to mandate that school bus drivers undergo regular medical examinations to ensure they are physically fit and capable of safely operating a school bus. The medical examinations often include assessments of vision, hearing, general health, and other factors that may affect a driver's ability to operate a school bus.

AFSCME Council 3 representing bus drivers in 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 undergo a medical examination is not only important but necessary to protect the safety of our kids and our bus drivers as well.

The school years continue to be marked by severe transportation problems across Maryland 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. Before 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 found ways to assist drivers with paying for the cost of taking the medical examination before hiring and other certifications that are needed.

We should consider 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. SB63, we believe is good common-sense legislation that aims to protect our children, but also the well-being of the school bus driver.

For these reasons urge a Favorable report on SB 63.



SenatorBailey_FAV_SB63.pdf

Uploaded by: Jack Bailey

Position: FAV

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Budget & Taxation Committee



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January 31, 2024

Senate Bill 63 – Motor Vehicles - School Vehicle Drivers - Medical Examinations

Dear Chairman Smith and Members of the Committee,

I am writing to introduce Senate Bill 63. This bill will change the current State requirement for school bus drivers to pass medical examinations from annually up to every two years, with individual school systems retaining the ability to require these examinations more frequently.

As I know we are all aware, one of the most significant problems our local school systems face today is a shortage of qualified bus drivers. Under existing regulations, prospective drivers must undergo a medical examination prior to employment and annually thereafter. This requirement is more stringent than federal requirements, which allow for medical examinations to be valid for up to 24 months. This legislation would make Maryland's state requirements consistent with current federal requirements, as well as those in neighboring states, including Pennsylvania, Delaware, and Virginia.

Importantly, this bill does not mandate local school systems change current practices for certifying bus drivers. It instead allows for increased flexibility that will give local school systems a larger pool of prospective bus drivers to choose from to alleviate current driver shortages without sacrificing student safety.

Senate Bill 63 identical to House Bill 71 as passed unanimously by this Committee last session. I respectfully request a favorable report on Senate Bill 63. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey

2024 SB63 Med Exam - Bailey .pdf

Uploaded by: Steve Nelson

Position: FAV



January 29, 2024

The Honorable William C. Smith, Jr. and Members
Senate Judicial Proceedings Committee
Senate Office Building
Annapolis, MD 21401

Re: Support – SB 63 - Motor Vehicles – School Vehicle Drivers – Medical Examinations

Dear Chairman Smith and Members of the Committee:

The Maryland School Bus Contractors Association (MSBCA) supports **SB63, Motor Vehicles – School Vehicle Drivers – Medical Examinations**. MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions, that own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State. MSBCA remains committed to the safety of the students they transport and considers it a privilege to do so.

As you well know, we are facing a severe school bus driver shortage. This shortage is not limited to Maryland. MSBCA is committed to maintaining the highest standard of health and safety for students and drivers, making Maryland the state to attract the best drivers in the country.

Senate Bill 63 would authorize the MVA to require medical exams for Commercial Driver's License – Class S (CDL-S) licensed school bus driver to have a medical examination before employment and once during each two (2) years of employment. MSBCA believes this bill would continue to allow healthy, properly trained drivers behind the wheels of our school buses here in Maryland, while not sacrificing safety.

MSBCA supports SB 63 and asks for a favorable report. Thank you for your consideration and your commitment to our State.

Sincerely,

Steve Nelson

Steve Nelson, President
1 State Circle, Annapolis, MD 21401
410.268.3099

MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State.

SB0063 - MVA - School Bus Driver Medical Exams_LOI

Uploaded by: Patricia Westervelt

Position: INFO

January 31, 2024

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

Re: Letter of Information – Senate Bill 63 – Motor Vehicles - School Vehicle Drivers - Medical Examinations

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) Motor Vehicle Administration (MVA) offers the following letter of information for the Committee’s consideration on Senate Bill 63.

Senate Bill 63 would require a biennial Medical Examiner’s Certificate (MEC) for Commercial Driver’s License (CDL) holders possessing an S endorsement for school bus operation and additionally require such an exam for drivers of all school vehicles. This would increase the period between when a new MEC must be completed and filed with the MVA from its current requirement of every year for school bus endorsement holders.

The Code of Maryland Regulations (COMAR) has required an annual MEC since the 1980s and differs from the minimum standard of a biennial MEC required of CDL holders by the Federal Motor Carrier Safety Administration (FMCSA). 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 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 Honorable William C. Smith, Jr.
Page Two

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

The Maryland Department of Transportation respectfully requests the Committee consider this information during its deliberations of Senate Bill 63.

Respectfully submitted,

Christine E. Nizer
Administrator
Maryland Motor Vehicle Administration
410-787-7830

Pilar Helm
Director of Government Affairs
Maryland Department of Transportation
410-865-1090