

HOUSE BILL 681

R7, F1
HB 133/14 – ENV

6lr0890

By: **Delegates Lam, Beitzel, Barve, Brooks, Buckel, Carr, Chang, Cullison, Ebersole, Glass, Hettleman, Hill, S. Howard, Jalisi, Kipke, Krimm, McKay, McMillan, Morhaim, Pena–Melnyk, Platt, S. Robinson, Shoemaker, Sophocleus, Tarlau, Turner, Valderrama, K. Young, and P. Young**

Introduced and read first time: February 4, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 2016

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – School Vehicles – Definition**

3 FOR the purpose of altering the definition of “school vehicle” to include certain vehicles
4 that meet certain standards and requirements, were originally titled in another state
5 and used to transport children, students, and teachers in that state, and are used
6 only for transporting children to and from a certain program; and generally relating
7 to school vehicles.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 11–154
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 11–173 and 11–174
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – Transportation

11–154.

(a) “School vehicle” means, except as provided in subsection (b) of this section, any motor vehicle that:

(1) Is used regularly for the exclusive transportation of children, students, or teachers for educational purposes or in connection with a school activity; and

(2) Is [either]:

(i) A Type I school vehicle, as defined in this subtitle; [or]

(ii) A Type II school vehicle, as defined in this subtitle; **OR**

(III) A VEHICLE THAT:

1. WAS ORIGINALLY TITLED IN ANOTHER STATE AND USED TO TRANSPORT CHILDREN, STUDENTS, OR TEACHERS FOR EDUCATIONAL PURPOSES OR IN CONNECTION WITH A SCHOOL ACTIVITY IN THAT STATE;

2. MEETS THE STANDARDS AND REQUIREMENTS ESTABLISHED BY THE ADMINISTRATION FOR REGISTRATION AS A TYPE II SCHOOL VEHICLE AS DEFINED IN THIS SUBTITLE;

3. COMPLIES WITH THE STANDARDS UNDER 45 C.F.R. 1310 (HEAD START TRANSPORTATION) FOR TRANSPORTING CHILDREN ENROLLED IN THE FEDERALLY FUNDED HEAD START PROGRAM; AND

4. IS USED ONLY FOR TRANSPORTING CHILDREN TO AND FROM A HEAD START PROGRAM.

(b) “School vehicle” does not include:

(1) A privately owned vehicle while it is carrying members of its owner’s household and not operated for compensation; or

(2) A vehicle that is registered as a Class M (multipurpose) vehicle under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this article and used to transport children between one or more schools or licensed child care centers or to and from designated areas that are approved by the Administration if:

1 (i) The vehicle is designed for carrying 15 persons or less, including
2 the driver;

3 (ii) The children are permitted to embark or exit the vehicle only at
4 a school or child care center or a designated area approved by the Administration;

5 (iii) The owner has obtained vehicle liability insurance or other
6 security as required by Title 17 of this article; and

7 (iv) The vehicle is equipped with proper seat belts or safety seats so
8 as to permit each child to be secured in a seat belt or a safety seat as required by §§
9 22-412.2 and 22-412.3 of this article.

10 11-173.

11 (a) "Type I school vehicle" means a school vehicle that:

12 (1) Is designed and constructed to carry passengers;

13 (2) Is either of the body-on-chassis type construction or integral type
14 construction; and

15 (3) Has a gross vehicle weight of more than 15,000 pounds and provides a
16 minimum of 13 inches of seating space per passenger.

17 (b) "Type I school vehicle" does not include any bus operated by a common carrier
18 under the jurisdiction of a State, regional, or federal regulatory agency or operated by the
19 agency itself.

20 11-174.

21 "Type II school vehicle" means a school vehicle that:

22 (1) Is designed and constructed to carry passengers;

23 (2) Is either of the body-on-chassis type construction or integral type
24 construction; and

25 (3) Has a gross vehicle weight of 15,000 pounds or less and provides a
26 minimum of 13 inches of seating space per passenger.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2016.