

HOUSE BILL 440

F1, F5, R7

(4lr0857)

ENROLLED BILL

— *Environmental Matters/Judicial Proceedings* —

Introduced by **Delegates Pena–Melnik, Anderson, Barnes, Beidle, Bobo, Braveboy, Carr, Frush, Gilchrist, Glenn, Gutierrez, Harper, Healey, Holmes, Kramer, Lafferty, McMillan, A. Miller, Myers, Niemann, Otto, Reznik, S. Robinson, Simmons, Valderrama, Vitale, A. Washington, and Wilson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Education – School Vehicles – Authorized Riders**

3 FOR the purpose of prohibiting the driver of a school vehicle from allowing certain
4 individuals to board or ride on the school vehicle subject to certain exceptions;
5 authorizing certain individuals to board or ride on a school vehicle under certain
6 circumstances; and generally relating to riders on school vehicles.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 16–816
10 Annotated Code of Maryland

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.

Italics indicate opposite chamber/conference committee amendments.



(2012 Replacement Volume and 2013 Supplement)

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

Article – Transportation

16–816.

(a) An individual may not drive a school vehicle on any highway in this State unless the individual:

(1) Passes an appropriate medical examination; and

(2) For driving a school bus, has been issued a commercial driver's license endorsed school bus.

(B) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, A DRIVER OF A SCHOOL VEHICLE MAY NOT ALLOW AN INDIVIDUAL WHO IS NOT A STUDENT OR SCHOOL EMPLOYEE TO BOARD OR RIDE ON THE SCHOOL VEHICLE.

(C) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE AS A SCHOOL VEHICLE ATTENDANT IF THE INDIVIDUAL:

(1) (I) IS AN EMPLOYEE OF THE LOCAL SCHOOL SYSTEM OR TRANSPORTATION COMPANY THAT OPERATES THE SCHOOL VEHICLE;

(II) IS OTHERWISE AUTHORIZED BY THE LOCAL SCHOOL SYSTEM TO ACT AS A SCHOOL VEHICLE ATTENDANT FOR A CHILD ON THE SCHOOL VEHICLE; OR

(III) IS A NURSE, AN AIDE, OR ANY OTHER INDIVIDUAL ASSIGNED OR AUTHORIZED TO WORK WITH A STUDENT IN ACCORDANCE WITH THE STUDENT'S INDIVIDUALIZED EDUCATION ~~PLAN, 504 PLAN~~ PROGRAM, 504 PLAN UNDER THE FEDERAL REHABILITATION ACT OF 1973, OR OTHER STUDENT-SPECIFIC WRITTEN PLAN; AND

(2) (I) IS IN POSSESSION OF PHOTO IDENTIFICATION THAT IDENTIFIES THE LOCAL SCHOOL SYSTEM OR TRANSPORTATION COMPANY THAT EMPLOYS THE INDIVIDUAL AS A SCHOOL VEHICLE ATTENDANT; OR

(II) IS IN POSSESSION OF PHOTO IDENTIFICATION OR ANOTHER DOCUMENT ISSUED BY THE LOCAL SCHOOL SYSTEM THAT

1 AUTHORIZES THE INDIVIDUAL TO ACT AS A SCHOOL VEHICLE ATTENDANT FOR A
2 CHILD ON THE SCHOOL VEHICLE.

3 (D) AN INDIVIDUAL MAY BOARD AND RIDE ON A SCHOOL VEHICLE WITH
4 THE WRITTEN PERMISSION OF THE LOCAL SCHOOL SYSTEM.

5 [(b)] (E) With the advice of the State Department of Education, the
6 Administration may adopt regulations concerning the qualifications of school vehicle
7 drivers.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.