

SENATE BILL 755

F1, R2

0lr3007

By: ~~Senator Gallion~~ **Harford County Senators**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 6, 2020

CHAPTER _____

1 AN ACT concerning

2 **Education – Harford County – Liability of School Bus Contractors**

3 FOR the purpose of establishing that an entity operating a school bus under a contract with
4 the Harford County Board of Education to provide student transportation services
5 may not be held liable beyond the limits of the ~~Harford County Board of Education's~~
6 entity's insurance coverage under the contract with the Harford County Board of
7 Education through the Maryland Association of Boards of Education in any suit that
8 arises from a vehicular accident or an act or omission of an officer, a director, or an
9 employee of the entity, except if the act or omission constitutes gross negligence,
10 reckless, willful, or wanton misconduct, or intentionally tortious conduct; providing
11 for the application of this Act; and generally relating to student transportation
12 services in Harford County.

13 BY adding to

14 Article – Education

15 Section 7–810

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2019 Supplement)

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

20 **Article – Education**

21 **7–810.**

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.



(A) THIS SECTION APPLIES ONLY IN HARFORD COUNTY.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ENTITY OPERATING A SCHOOL BUS UNDER A CONTRACT WITH THE HARFORD COUNTY BOARD OF EDUCATION TO PROVIDE STUDENT TRANSPORTATION SERVICES MAY NOT BE HELD LIABLE BEYOND THE LIMITS OF THE ~~HARFORD COUNTY BOARD OF EDUCATION'S~~ ENTITY'S INSURANCE COVERAGE UNDER THE CONTRACT WITH THE HARFORD COUNTY BOARD OF EDUCATION THROUGH THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION IN ANY SUIT THAT ARISES FROM:

(I) A VEHICULAR ACCIDENT; OR

(II) AN ACT OR OMISSION OF AN OFFICER, A DIRECTOR, OR AN EMPLOYEE OF THE ENTITY.

(2) THE LIMITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF THE ACT OR OMISSION CONSTITUTES:

(I) GROSS NEGLIGENCE;

(II) RECKLESS, WILLFUL, OR WANTON MISCONDUCT; OR

(III) INTENTIONALLY TORTIOUS CONDUCT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.