

HOUSE BILL 23

R7, F1

(7lr0637)

ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by ~~Delegate Lam~~ Delegates Lam and Beitzel

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 **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 2016 Supplement)

13 BY repealing and reenacting, without amendments,

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.



Article – Transportation
Section 11–173 and 11–174
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)

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

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. 2. COMPLIES WITH REGULATIONS ON TRANSPORTING
CHILDREN ENROLLED IN THE FEDERALLY FUNDED HEAD START PROGRAM
ADOPTED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN
SERVICES; AND**~~

~~**4. 3. IS USED ONLY FOR TRANSPORTING CHILDREN TO AND
FROM A HEAD START PROGRAM.**~~

(b) “School vehicle” does not include:

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

3 (2) A vehicle that is registered as a Class M (multipurpose) vehicle under
4 § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this article and
5 used to transport children between one or more schools or licensed child care centers or to
6 and from designated areas that are approved by the Administration if:

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

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

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

13 (iv) The vehicle is equipped with proper seat belts or safety seats so
14 as to permit each child to be secured in a seat belt or a safety seat as required by §§
15 22–412.2 and 22–412.3 of this article.

16 11–173.

17 (a) “Type I school vehicle” means a school vehicle that:

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

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

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

23 (b) “Type I school vehicle” does not include any bus operated by a common carrier
24 under the jurisdiction of a State, regional, or federal regulatory agency or operated by the
25 agency itself.

26 11–174.

27 “Type II school vehicle” means a school vehicle that:

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

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

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

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.