

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 286

(Senator Edwards)

Judicial Proceedings

Vehicle Laws - School Vehicles - Definition

This bill expands the definition of a “school vehicle” to include 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 and (2) meets standards and requirements for registration as a Type I or a Type II school vehicle in Maryland, within Title 11 of the Transportation Article.

Fiscal Summary

State Effect: None. Motor Vehicle Administration (MVA) revenues and expenditures related to vehicle registrations are not significantly affected.

Local Effect: The bill may provide additional flexibility needed to accelerate the acquisition by some local school systems of a limited number of additional vehicles. However, the bill does not require additional education transportation expenditures. Local revenues are not affected.

Small Business Effect: The bill is not estimated to have a meaningful impact on the sale and distribution of school vehicles in the State.

Analysis

Current Law: A “school vehicle” is any motor vehicle that is used regularly for the exclusive transportation of children, students, or teachers for educational purposes or in connection with a school activity and is either a “Type I school vehicle” or a “Type II school vehicle,” with specified exceptions. A “Type I school vehicle” is designed and constructed to carry passengers and is either of the body-on chassis type construction or

the integral type construction. It has a gross vehicle weight (GVW) exceeding 15,000 pounds and provides at least 13 inches of seating space per passenger. A Type I school vehicle does not include any bus operated by a common carrier under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself. (A “school bus” is a Type I school vehicle.) A “Type II school vehicle” is defined in a similar manner, except that it has a GVW of 15,000 pounds or less and does not exclude buses operated by common carriers.

A “school type vehicle” operated on a regular daily basis to transport students attending kindergarten through grade 12 must be registered and display distinctive “school bus” registration plates. A school type vehicle otherwise operated to transport persons for educational purposes or maintained by an educational institution as part of a transportation system must be registered, but may be registered under provisions of the law that are not specific to school vehicles.

Manufacturers or distributors of Type I and Type II buses, or dealers of Type II buses that are to be sold or distributed in the State, must certify to MVA that all vehicles they sell or distribute are in full compliance with school vehicle standards established under COMAR. Also, the manufacturer of the vehicle body must post a metal plate or self-adhesive label in the area above the driver’s seating position certifying that the body construction of the vehicle complies with school vehicle standards established under COMAR. The plate or label must display the body number or serial number for the vehicle followed by “MD.” There is no provision of COMAR or statute that explicitly prohibits certification of a Type I or Type II school vehicle that is originally titled in another state, if the vehicle meets all other certification requirements.

Background: Local school systems in Maryland use approximately 7,200 school vehicles to transport students to and from public schools. Over 50% of these vehicles are owned by the local school system. In five counties (Baltimore, Frederick, Montgomery, Prince George’s, and Talbot) over 90% of school vehicles are owned by the local school system. **Appendix 1** shows the number of school vehicles in operation in Maryland and the percent owned by the local school system. The purchase price of school vehicles ranges considerably. A new Type I vehicle presently costs approximately \$100,000; a new Type II vehicle presently costs approximately \$60,000.

The Maryland State Department of Education (MSDE) advises that several states in the eastern United States allow the purchase of out-of-state school vehicles (including Connecticut, Delaware, New Jersey, North Carolina, Pennsylvania, Virginia, and West Virginia), yet in practice few out-of-state purchases are made in these states.

Local Fiscal Effect: By expanding the definition of a school vehicle, the bill may prompt some local school systems to purchase, lease, or contract for a small number of out-of-state buses that meet, or are retrofitted to meet, Maryland standards. MSDE advises that because school vehicle specifications vary among states, and because of the particular set of standards in place in Maryland, local school systems will likely incur considerable costs in order to retrofit these vehicles to meet Maryland standards. According to MSDE there is a surplus of available used Type I vehicles within the State and that, of the 7,200 Type I and Type II vehicles, less than 1% are Type II vehicles. Therefore, the bill may only have a significant impact on the acquisition of the relatively few vehicles that are consistent with the definition of Type II vehicles.

Additional Information

Prior Introductions: None.

Cross File: HB 284 (Delegate Beitzel) - Environmental Matters.

Information Source(s): Baltimore City; Harford, Montgomery, and Talbot counties; Maryland State Department of Education; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2013
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Appendix 1 – Number of School Vehicles in Maryland

County	County Owned	Private Contract	Total	% County Owned
Allegany	21	95	116	18.1%
Anne Arundel	56	450	506	11.1%
Baltimore City	48	315	363	13.2%
Baltimore	769	81	850	90.5%
Calvert	0	199	199	0.0%
Caroline	11	42	53	20.8%
Carroll	5	298	303	1.7%
Cecil	10	147	157	6.4%
Charles	0	275	275	0.0%
Dorchester	8	47	55	14.5%
Frederick	354	0	354	100.0%
Garrett	0	66	66	0.0%
Harford	99	361	460	21.5%
Howard	0	434	434	0.0%
Kent	0	36	36	0.0%
Montgomery	1,124	0	1,124	100.0%
Prince George's	1,093	13	1,106	98.8%
Queen Anne's	13	78	91	14.3%
St. Mary's	16	181	197	8.1%
Somerset	0	34	34	0.0%
Talbot	42	0	42	100.0%
Washington	116	70	186	62.4%
Wicomico	0	123	123	0.0%
Worcester	0	73	73	0.0%
Total	3,785	3,418	7,203	52.5%

Source: Maryland State Department of Education