

HOUSE BILL 486

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11r2127

By: **Delegates Conway, Cane, and McDermott**

Introduced and read first time: February 7, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Education – School Buses – Inspections and Length of Operation**

3 FOR the purpose of authorizing certain school bus inspections to be valid in certain
4 counties under certain circumstances; repealing the termination date for a
5 provision of law that alters the length of time a school bus may be operated in
6 Somerset County, Wicomico County, and Worcester County; and generally
7 relating to school bus inspections and the length of operation of school buses in
8 certain counties.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 7–804
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2010 Supplement)

14 BY repealing and reenacting, with amendments,
15 Chapter 420 of the Acts of the General Assembly of 2003, as amended by
16 Chapter 576 of the Acts of the General Assembly of 2006
17 Section 2

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

20 **Article – Education**

21 7–804.

22 (a) In this section, “school vehicle” has the meaning stated in § 11–154 of the
23 Transportation Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) Except as provided in paragraphs (2) and (3) of this subsection,
2 unless it fails to meet the applicable school bus and motor vehicle safety standards, a
3 school vehicle may be operated for 12 years.

4 (2) (i) In Caroline, Dorchester, Somerset, Talbot, Wicomico, and
5 Worcester counties, unless it fails to meet the applicable school bus and motor vehicle
6 safety standards, a school vehicle may be operated for 15 years.

7 (ii) A school vehicle operating under subparagraph (i) of this
8 paragraph shall be maintained as provided in subsection (c) of this section.

9 (3) Any school vehicle in operation or accepted before July 1, 2004, or
10 under contract to be purchased before July 1, 2004, that meets the specifications of the
11 Department and of the Motor Vehicle Administration for transit style school vehicles
12 may be operated for 15 years.

13 (c) Notwithstanding the 12-year limitation in subsection (b)(1) of this
14 section, a school vehicle may be operated for additional years if:

15 (1) The school vehicle is maintained under a preventive maintenance
16 plan approved by the Motor Vehicle Administration and the Automotive Safety
17 Enforcement Division of the Department of State Police that includes an inspection at
18 the end of the 12th year and a minimum of 2 inspections by the Motor Vehicle
19 Administration each year thereafter;

20 (2) Any structural repairs to the school vehicle necessitated by
21 accident, metal fatigue, or any other cause are certified by an independent expert
22 approved by the Motor Vehicle Administration to meet or exceed the manufacturer's
23 original manufacturing standards;

24 (3) The school vehicle is equipped with:

25 (i) The body originally placed on the chassis by the
26 manufacturer;

27 (ii) An 8 light warning system;

28 (iii) A left side stop arm;

29 (iv) A fire-retardant driver's seat;

30 (v) Fire-retardant barriers in the case of a school vehicle with a
31 front engine; and

32 (vi) A fire-retardant rear seating area in the case of a school
33 vehicle with a rear engine; and

34 (4) The State Superintendent grants approval.

1 **(D) IF A SCHOOL VEHICLE PASSES AN INSPECTION THAT IS REQUIRED**
2 **UNDER SUBSECTION (C)(1) OF THIS SECTION:**

3 **(1) THE INSPECTION SHALL BE VALID IN THE COUNTY IN WHICH**
4 **THE INSPECTION WAS COMPLETED; AND**

5 **(2) IF OWNERSHIP OF THE SCHOOL VEHICLE IS TRANSFERRED TO**
6 **A PERSON WHO OPERATES THE SCHOOL VEHICLE IN A COUNTY IN WHICH**
7 **SCHOOL VEHICLES ARE AUTHORIZED UNDER SUBSECTION (B)(2) OF THIS**
8 **SECTION TO BE OPERATED FOR 15 YEARS, THE INSPECTION SHALL BE VALID IN**
9 **THAT COUNTY FOR THE LENGTH OF TIME THAT THE INSPECTION WOULD HAVE**
10 **BEEN VALID IN THE COUNTY WHERE THE INSPECTION WAS COMPLETED.**

11 **Chapter 420 of the Acts of 2003, as amended by Chapter 576 of the Acts of**
12 **2006**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2003. [It shall remain effective for a period of 8 years and, at the end of June
15 30, 2011, with no further action required by the General Assembly, this Act shall be
16 abrogated and of no further force and effect.]

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2011.