

Chapter 124

(House Bill 486)

AN ACT concerning

Education – School Buses – Inspections and Length of Operation

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

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

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

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

Article – Education

7–804.

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

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

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

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

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

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

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

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

(3) The school vehicle is equipped with:

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

(ii) An 8 light warning system;

(iii) A left side stop arm;

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

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

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

(4) The State Superintendent grants approval.

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

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

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

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

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

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

Approved by the Governor, April 12, 2011.