

HOUSE BILL 1428

R7
HB 934/09 – ENV

0lr3474
CF SB 727

By: **Delegates Walker, V. Turner, and Valderrama**

Introduced and read first time: February 24, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – School Buses – Prohibition on Permitting Sitting on Floor or**
3 **Standing**

4 FOR the purpose of prohibiting a person who is responsible for pupils on a school bus
5 from permitting any pupil to stand while the bus is in motion; prohibiting a
6 person who is responsible for pupils on a school bus from permitting any pupil
7 to sit on the floor of the school bus; establishing that this Act does not apply
8 during a certain period of time at the beginning of a school year for public
9 schools or, under certain circumstances, in an emergency; making certain
10 conforming changes; and generally relating to a prohibition on permitting pupils
11 to sit on the floor or stand on a school bus.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 21–1118
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2009 Supplement)

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

19 **Article – Transportation**

20 21–1118.

21 (a) The driver of a school bus:

22 (1) Is responsible for its operation; and

23 (2) May not drive it into any roadway without first stopping and
24 determining that there is no danger from any other vehicle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The person responsible for any pupils on a school bus is:

2 (1) The teacher on the bus; or

3 (2) If a teacher is not present, the driver.

4 [(c) A person responsible for pupils on a school bus may not permit the
5 number of standing pupils to exceed one pupil for each part of the aisle that is
6 bounded on both sides by forward facing seats.

7 (d) A person responsible for pupils on a school bus may not permit any pupil
8 to stand if the school bus is equipped only with lengthwise or a combination of
9 lengthwise and forward facing seats.]

10 (c) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
11 SUBSECTION, A PERSON RESPONSIBLE FOR PUPILS ON A SCHOOL BUS MAY NOT
12 PERMIT ANY PUPIL TO STAND WHILE THE BUS IS IN MOTION.

13 (2) THIS SUBSECTION DOES NOT APPLY DURING:

14 (i) THE FIRST 10 SCHOOL DAYS OF A SCHOOL YEAR FOR
15 PUBLIC SCHOOLS AS DEFINED IN § 1-201 OF THE EDUCATION ARTICLE; OR

16 (ii) AN EMERGENCY, IF PERMITTING A PUPIL TO STAND
17 WHILE A SCHOOL BUS IS IN MOTION IS NECESSARY IN ORDER TO TRANSPORT
18 PUPILS TO A SAFE LOCATION.

19 [(e) (D) A person responsible for pupils on a school bus may not permit any
20 pupil to stand in front of the stanchion and guardrail.

21 [(f) (E) A person responsible for pupils on a school bus may not permit any
22 pupil to operate the front door opening mechanism, except in an emergency.

23 [(g) (F) A person responsible for pupils on a school bus may not require OR
24 PERMIT any pupil to sit on the floor.

25 [(h) (G) Except for the driver and any fuel station attendant, a person may
26 not occupy a school bus while it is being supplied with fuel.

27 [(i) (H) Either the driver or an adult aide assigned to each school vehicle
28 that is used to transport handicapped children shall be certified as having successfully
29 completed a first aid-safety course approved by the Department of Education.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2010.

