

SENATE BILL 155

F1, R6, R7

7lr1348

By: **Senators Brochin, Kagan, Kelley, and Peters**

Introduced and read first time: January 16, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **School Vehicles – Seat Belts – Requirements**

3 FOR the purpose of requiring certain school vehicles in the State to be equipped with
4 certain seat belts; providing for the application of certain requirements relating to
5 seat belts on school vehicles; making certain stylistic and conforming changes;
6 providing for a delayed effective date; and generally relating to the use of seat belts
7 in school vehicles.

8 BY repealing and reenacting, without amendments,
9 Article – Transportation
10 Section 11–153, 11–154, 11–173, and 11–174
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2016 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 22–412 and 22–412.1
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2016 Supplement)

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

20 **Article – Transportation**

21 11–153.

22 “School bus” means a Type I school vehicle, as defined in this subtitle.

23 11–154.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(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.

(b) "School vehicle" does not include:

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

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

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

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

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

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

11–173.

(a) "Type I school vehicle" means a school vehicle that:

(1) Is designed and constructed to carry passengers;

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

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

(b) “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.

11–174.

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

(1) Is designed and constructed to carry passengers;

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

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

22–412.

(A) IN THIS SECTION, “SEAT BELT” MEANS ANY BELT, STRAP, HARNESS, OR LIKE DEVICE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION DOES NOT APPLY TO A MOTORCYCLE, TRUCK, TAXICAB, OR BUS.

(2) THIS SECTION APPLIES TO A BUS THAT IS A SCHOOL VEHICLE.

[(a)] (C) [Every] SUBJECT TO SUBSECTION (E) OF THIS SECTION, EVERY motor vehicle registered in this State and manufactured or assembled after June 1, 1964, shall be equipped with two sets of seat belts on the front seat of the vehicle.

[(b)] (D) Every motor vehicle registered in this State and manufactured or assembled with a rear seat after June 1, 1969, shall be equipped with two sets of seat belts on the rear seat of the vehicle.

(E) (1) EVERY SCHOOL VEHICLE REGISTERED IN THE STATE AND PURCHASED ON OR AFTER JULY 1, 2018, REGARDLESS OF THE DATE THE SCHOOL VEHICLE WAS MANUFACTURED OR ASSEMBLED, SHALL BE EQUIPPED WITH SEAT BELTS FOR EVERY SEAT ON THE SCHOOL VEHICLE.

(2) THE SEAT BELTS REQUIRED UNDER THIS SUBSECTION SHALL BE EITHER:

(I) 3-POINT SEAT BELTS; OR

(II) INTEGRATED TODDLER SEAT BELTS.

1 **[(c)] (F)** A person may not sell or offer for sale any vehicle in violation of this
2 section.

3 **[(d)]** For the purpose of this section only, “motor vehicle” does not include any
4 motorcycle other than an autocyce, bus, truck, or taxicab.

5 **(e)** For the purpose of this section only, “seat belt” means any belt, strap, harness,
6 or like device.]

7 **[(f)] (G)** A seat belt may not be sold or offered for sale for use in connection with
8 the operation of a motor vehicle in this State after June 1, 1964, unless it meets applicable
9 federal motor vehicle safety standards.

10 22–412.1.

11 Every motor vehicle that is used by nursery schools, camps, day nurseries, or child
12 care centers for children with an intellectual disability to transport children shall be
13 equipped with seat belts for each seat and shall be subject to any other regulations adopted
14 by the Administration[, unless the motor vehicle:

15 (1) Is a Type I school vehicle; or

16 (2) Was formerly registered as a Type I school vehicle].

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2018.