

SENATE BILL 292

F1, R2

(6lr2559)

ENROLLED BILL

— *Education, Energy, and the Environment/Ways and Means* —

Introduced by **Senator Bailey**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **County Boards of Education – Student Transportation – Sunset Repeal and**
3 **Study**

4 FOR the purpose of repealing the termination date of certain provisions of law that
5 authorize a county board of education to provide transportation to and from school
6 for certain students using a vehicle other than a certain type of school vehicle under
7 certain circumstances; ~~authorizing a county board to contract with a certain~~
8 ~~transportation network company if the transportation network operator meets~~
9 ~~certain requirements~~; requiring the State Department of Education, in consultation
10 with county boards and the Motor Vehicle Administration, to study the current
11 regulations for vehicles other than a certain type of school vehicle; and generally
12 relating to vehicles for student transportation and county boards of education.

13 BY repealing and reenacting, with amendments,
14 Chapter 197 of the Acts of the General Assembly of 2021

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Section 3

2 BY repealing and reenacting, with amendments,
3 Chapter 198 of the Acts of the General Assembly of 2021
4 Section 3

5 ~~BY repealing and reenacting, with amendments,~~
6 ~~Article — Education~~
7 ~~Section 7—801~~
8 ~~Annotated Code of Maryland~~
9 ~~(2025 Replacement Volume and 2025 Supplement)~~

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

12 **Chapter 197 of the Acts of 2021**

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2021. [It shall remain effective for a period of 5 years and, at the end of June 30, 2026,
15 this Act, with no further action required by the General Assembly, shall be abrogated and
16 of no further force and effect.]

17 **Chapter 198 of the Acts of 2021**

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2021. [It shall remain effective for a period of 5 years and, at the end of June 30, 2026,
20 this Act, with no further action required by the General Assembly, shall be abrogated and
21 of no further force and effect.]

22 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read~~
23 ~~as follows:~~

24 ~~**Article — Education**~~

25 ~~7—801.~~

26 ~~(a) (1) In this section the following words have the meanings indicated.~~

27 ~~(2) (i) “Nonpublic school” means an elementary or secondary school in~~
28 ~~the State that is not part of the public elementary and secondary education system of this~~
29 ~~State.~~

30 ~~(ii) “Nonpublic school” includes an elementary or secondary school~~
31 ~~in Calvert County that does not receive State aid.~~

1 ~~(3) "Public school bus" includes any other conveyance used to transport~~
2 ~~students to a public school.~~

3 ~~(b) (1) At its own expense, a county governing body may provide~~
4 ~~transportation for public school students in addition to the transportation provided by the~~
5 ~~State.~~

6 ~~(2) In Montgomery County, a fee may not be charged for transporting~~
7 ~~public school students to school from their designated bus stop locations or from school to~~
8 ~~their designated bus stop locations.~~

9 ~~(c) (1) A county board may provide transportation to and from school using a~~
10 ~~vehicle other than a Type I or Type II school vehicle, as defined in § 11-154 of the~~
11 ~~Transportation Article, when a school vehicle cannot reasonably be provided for the~~
12 ~~following public school students:~~

13 ~~(i) Preschool-age students;~~

14 ~~(ii) Students with disabilities;~~

15 ~~(iii) Homeless youth;~~

16 ~~(iv) Children in foster care;~~

17 ~~(v) Students without access to school buses;~~

18 ~~(vi) Students in a nonpublic school placement; or~~

19 ~~(vii) Students in dual enrollment programs, work programs, or other~~
20 ~~educational programs based off the school campus.~~

21 ~~(2) A county board may provide transportation in accordance with this~~
22 ~~subsection to a particular student group that is not listed under paragraph (1) of this~~
23 ~~subsection through a written determination by the county board.~~

24 ~~(3) [The] EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS~~
25 ~~SUBSECTION, THE Department, in consultation with county boards and the Motor Vehicle~~
26 ~~Administration, shall adopt regulations establishing minimum vehicle and driver safety~~
27 ~~standards for transportation provided in accordance with this subsection.~~

28 ~~(4) A COUNTY BOARD MAY CONTRACT WITH A TRANSPORTATION~~
29 ~~NETWORK COMPANY THAT DOES NOT MEET THE STANDARDS ESTABLISHED BY THE~~
30 ~~DEPARTMENT UNDER PARAGRAPH (3) OF THIS SUBSECTION, TO TRANSPORT NOT~~
31 ~~MORE THAN TWO STUDENTS SIMULTANEOUSLY, IF THE TRANSPORTATION NETWORK~~
32 ~~OPERATOR;~~

~~(I) MEETS THE STANDARDS ESTABLISHED BY THE PUBLIC SERVICE COMMISSION FOR TRANSPORTATION NETWORK COMPANY OPERATORS;~~

~~(II) SUBMITS TO:~~

~~1. A BACKGROUND CHECK UNDER § 6-113.1 OF THIS ARTICLE; AND~~

~~2. A FINGERPRINT-BASED STATE AND NATIONAL CRIMINAL HISTORY RECORDS CHECK;~~

~~(III) USES A VEHICLE DESIGNED TO SEAT NOT MORE THAN 10 INDIVIDUALS, INCLUDING THE DRIVER; AND~~

~~(IV) MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY THE COUNTY BOARD CONTRACTING WITH THE TRANSPORTATION NETWORK COMPANY.~~

~~(d) (1) Subject to the requirements of paragraph (2) of this subsection, in Calvert County the county board may provide transportation to and from school on a public school bus for a student who attends a nonpublic school.~~

~~(2) Transportation offered by the Calvert County Board under this section shall be offered to a student attending a nonpublic school:~~

~~(i) If there is sufficient capacity on the school bus;~~

~~(ii) If the student resides on, along, or near a public highway in the county on which a public school bus or conveyance operates;~~

~~(iii) If the student resides in the public school transportation district served by the public school bus;~~

~~(iv) Only on the routes, school days, and hours of transportation that coincide with the routes, school days, and hours of transportation for students attending public schools in the county; and~~

~~(v) In the case of a student who attends a nonpublic school that is not on the public school bus route, only to the public school on the route which is nearest to the nonpublic school.~~

~~(3) The Calvert County Board is not responsible for the safety of any nonpublic school student who is transported on a public school bus under this subsection after the student is discharged from the public school bus, and the board may not be held liable in any civil action arising from an act or omission that occurs after the student is discharged from the public school bus.~~

1 SECTION ~~2~~ 2. AND BE IT FURTHER ENACTED, That:

2 (a) The State Department of Education, in consultation with county boards of
3 education and the Motor Vehicle Administration, shall review the regulations adopted
4 under § 7–801(c) of the Education Article, as enacted by Chapters 197 and 198 of the Acts
5 of the General Assembly of 2021, authorizing vehicles other than Type I and Type II school
6 vehicles to transport public school students.

7 (b) In reviewing the regulations, the Department shall examine:

8 (1) the requirements for vehicles other than Type I and Type II school
9 vehicles, including whether they arbitrarily distinguish between different operators of a
10 vehicle, different types of vehicles, and the number of passengers transported;

11 (2) the requirements for the drivers of vehicles other than Type I and Type
12 II school vehicles, including whether they adequately ensure drivers are prepared for
13 transporting public school students; and

14 (3) the regulations adopted by the Public Service Commission for
15 transportation network operators and whether the regulations adopted by the Department
16 can be brought into alignment with those regulations without sacrificing student safety.

17 (c) On or before January 1, 2027, the State Department of Education shall report
18 on the results of its review to the Senate Education, Energy, and the Environment
19 Committee and the House Ways and Means Committee, in accordance with § 2–1257 of the
20 State Government Article.

21 ~~SECTION 4. AND BE IT FURTHER ENACTED, That:~~

22 ~~(a) If the State Department of Education adopts regulations regarding student~~
23 ~~transportation after the review of the regulations adopted under § 7–801(c) of the Education~~
24 ~~Article, as enacted by Chapters 197 and 198 of the Acts of the General Assembly of 2021,~~
25 ~~authorizing vehicles other than Type I and Type II school vehicles to transport public school~~
26 ~~students, Section 2 of this Act shall be abrogated and of no further force and effect.~~

27 ~~(b) The State Department of Education shall notify the Department of Legislative~~
28 ~~Services within 5 days after the effective date of the regulations adopted in accordance with~~
29 ~~subsection (a) of this section.~~

30 SECTION ~~2~~ 5. 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 2026.