

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 433

H.P. 287

House of Representatives, February 4, 2025

An Act Relating to Requirements for School Bus Drivers

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DRINKWATER of Milford.
Cosponsored by Senator GUERIN of Penobscot and
Representatives: DILL of Old Town, EDER of Waterboro, GRIFFIN of Levant, GUERRETTE
of Caribou, HALL of Wilton, HEPLER of Woolwich, LIBBY of Auburn, MASON of Lisbon.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §2303, sub-§1, ¶D**, as enacted by PL 1993, c. 683, Pt. A, §2
3 and affected by Pt. B, §5, is amended to read:

4 D. Is Except to the extent of an applicable federal waiver, is qualified as a driver under
5 the motor carrier safety regulations of the United States Department of Transportation,
6 Federal Highway Administration, if that person or that person's employer is subject to
7 those regulations;

8 **Sec. 2. 29-A MRSA §2303, sub-§1, ¶E**, as enacted by PL 1993, c. 683, Pt. A, §2
9 and affected by Pt. B, §5, is amended to read:

10 E. Passes an examination of the person's ability to operate the specific vehicle that will
11 be driven as a school bus or a vehicle of comparable type. For purposes of this
12 paragraph, a vehicle of comparable type does not include a combination vehicle
13 consisting of a truck tractor and semitrailer;

14 **Sec. 3. Secretary of State to seek waivers.** The Secretary of State shall seek from
15 the United States Department of Transportation, Federal Motor Carrier Safety
16 Administration under 49 United States Code, Section 31315 a waiver of the engine
17 compartment component of the pre-trip vehicle inspection skills testing requirement in 49
18 Code of Federal Regulations, Section 383.113(a)(1)(i), known as "the under-the-hood"
19 component, for commercial driver's license applicants seeking the school bus and
20 passenger endorsements, as well as a waiver of the requirement in 49 Code of Federal
21 Regulations, Section 383.133(c)(1) that the State administer this portion of the pre-trip
22 vehicle inspection skills test in accordance with a Federal Motor Carrier Safety
23 Administration pre-approved examiner manual. The Secretary of State may seek additional
24 waivers of requirements that the Secretary of State determines are unnecessary for
25 operation of a school bus in this State. As long as those requirements continue to apply to
26 school bus operators in this State, the Secretary of State shall seek renewals of waivers
27 received. The Secretary of State shall report to the Joint Standing Committee on
28 Transportation by December 3, 2025 on the progress in obtaining the waivers, as well as
29 any related changes in federal law or regulations that may be pending or have taken place.

30 SUMMARY

31 This bill clarifies the law governing school bus operator endorsements. It provides that
32 the endorsement is contingent on the applicant meeting certain federal requirements only
33 if there is no waiver of those requirements in place. It also clarifies that the requirement
34 that the applicant pass an examination of the person's ability to operate a vehicle of
35 comparable type to a school bus does not include an ability to operate a combination vehicle
36 consisting of a truck tractor and semitrailer.

37 The bill also directs the Secretary of State to seek from the United States Department
38 of Transportation, Federal Motor Carrier Safety Administration a waiver of the engine
39 compartment component of the pre-trip vehicle inspection skills testing requirement in 49
40 Code of Federal Regulations, Section 383.113(a)(1)(i), known as "the under-the-hood"
41 component, for commercial driver's license applicants seeking the school bus and
42 passenger endorsements, as well as a waiver of the requirement in 49 Code of Federal
43 Regulations, Section 383.133(c)(1) that the State administer this portion of the pre-trip

1 vehicle inspection skills test in accordance with a Federal Motor Carrier Safety
2 Administration pre-approved examiner manual. The Secretary of State may seek additional
3 waivers of requirements that the Secretary of State determines are unnecessary for
4 operation of a school bus in this State. The Secretary of State is directed to report to the
5 Joint Standing Committee on Transportation by December 3, 2025 on the progress in
6 obtaining the waivers, as well as any related changes in federal law or regulations that may
7 be pending or have taken place.