

MAINE STATE LEGISLATURE

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August 14, 1936

To William O. Bailey, Superintendent of Schools
Re: Compulsory Insurance - School Bus

In response to your communication relative to the compulsory insurance law applicable to the conveyance of school pupils, while I cannot give you an official opinion. . . I am pleased informally and unofficially to call your attention to Chapter 122, P. L. 1933, which provides, in effect, that the superintendent of schools in each town shall procure the conveyance of all common school pupils residing in his town, etc., . . . and

"In all cases, conveyance so provided shall conserve the comfort, safety and welfare of the children conveyed and shall be in charge of a responsible driver who shall have control over the conduct of the children conveyed. . .

"Contracts for such conveyance may be made for a period not to exceed 3 years."

In case the town provides for the conveyance of the children in a town bus to be driven by a driver selected by the town, I am of the opinion that in order to protect the town from liability for injury to the scholars while being carried in its bus in charge of a driver, they should procure liability insurance.

In case the town makes a contract with some individual for the conveyance of their scholars, I would recommend that they require the person with whom the contract is made to procure liability insurance sufficient to cover any damages that might be incurred.

Sanford L. Fogg
Deputy Attorney General

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