

MAINE STATE LEGISLATURE

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yes ✓

February 24, 1967

Stanton S. Weed, Director

Motor Vehicle

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Interpretation of the word "school bus".

FACTS:

Westbrook Junior College owns and operates two buses which it uses to transport students from the campus to numerous activities in the City of Portland and elsewhere.

QUESTION:

Does the above-mentioned use of such vehicles by the college cause such vehicles to be classified as school buses?

ANSWER:

No.

A school bus is defined in our statutes in the following manner:

29 M.R.S.A. § 2011

"The term 'school bus' includes every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of children to or from school, or to or from any school activities at a school regularly attended by such children, or privately owned and operated for compensation for the transportation of children to or from school or to or from any school activities at a school regularly attended by such children, or to and from any municipally sponsored, non-school activity within the State for which use of a bus has been approved by the superintending school committee, community school committee or board of directors; school as used in this sentence shall mean either a private or public school. . . ."

February 29⁴, 1967

We believe that the Legislature intended to classify as school buses only those vehicles which are used to transport children of elementary and secondary school age. The statute when read in its entirety manifests a clear legislative concern that children of school age be provided safe passage to and from school and school activities, whether said children are enrolled in public or private schools.

The word "children," if given a broad interpretation, could conceivably include students up to the age of twenty-one years. Words in a statute should be given their normal meaning however, and the word "children" does not generally refer to students enrolled in higher educational institutions.

Nowhere in the statutory definition of school bus is there a reference to vehicles owned and operated by colleges and other institutions of higher learning. We believe that if the Legislature had intended to regulate the use of vehicles which colleges and other institutions of higher learning use for the transportation of their students that the Legislature would have expressly expanded upon the definition of the word "school."

"The word 'schools' is one of broad signification, and sometimes it may appear by the connection in which it is used, to include higher institutions of learning; but ordinarily, and without something to indicate that a wider meaning was intended to be given to the word, it will not be taken to include higher institutions of learning, such as colleges, universities, or institutions for the teaching of trades, professions, or business; and where a street railway was, as a condition to a grant of location,

required to provide pupils in attendance upon the public schools, the state normal school of W., or any school in W., transportation at half price while going to and from school, neither a college nor a business institute in W. could fairly come within the language of the rest." (Emphasis supplied) Murphy v. Worcester Consol. St. Ry. Co., 199 Mass. 279, 85 N.E. 507, 512, 38 Words and Phrases, p. 307.

We conclude that vehicles owned and operated by colleges for the transportation of their students, are not school buses within the meaning of 29 M.R.S.A. § 2011 quoted in part above.

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