

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1469

H. P. 1068

House of Representatives, March 14, 1967

Reported by Mr. Crosby from the Committee on Transportation. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Revising the Law Relating to School Buses.

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

Sec. 1. R. S., T. 29, § 2011, repealed and replaced. Section 2011 of Title 29 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 2011. School buses; markings; stop at railroad tracks

The term "school bus" includes every motor vehicle with a carrying capacity of 10 or more passengers, 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, nonschool activity within the State for which use of a bus has been approved by the superintending school committee, community school committees or board of directors; school as used in this sentence shall mean either a private or public school. Buses operated by a motor carrier having a certificate of public convenience and necessity issued by the Public Utilities Commission under Title 35, sections 1501 to 1518, which comply with the requirements of the commission shall not be regarded as "school buses."

All school buses with a carrying capacity of over 20 passengers shall bear upon the front and rear thereof a plainly visible sign "School Bus" in letters not less than 8 inches in height which shall be removed or covered when the vehicle is not in use as a school bus, and all school buses with a carrying capacity of 20

passengers or less shall bear upon the front and rear thereof a plainly visible sign "School Bus" in letters not less than 4 inches in height which shall be removed or covered when the vehicle is not in use as a school bus, but these provisions shall not apply to public buses while transporting school children together with regular passengers. Such standard "descriptive signs" shall be furnished at cost by the Department of Education.

No municipality and no person or corporation employed by a municipality to convey children to and from school may use a conveyance which provides less than one linear foot of seating space for each such child.

All motor vehicles used as school buses shall be equipped with 2 doors, one on the right side near the front of the bus to be used for all ordinary exits and entrances; the other to be located in center of rear end of bus or in rear half of left side of bus if engine is so located as to make it impossible to place door in center of rear end.

Any such motor vehicle shall be so constructed that the operator has access to the passenger compartment without leaving the vehicle, and that the exhaust pipe shall extend beyond the external rear of the body of the bus, but not beyond the bumper, and shall be entirely outside of the body, and that the gasoline tank filler, vent and drain openings shall be outside of the bus body.

All school buses shall be equipped with a fire extinguisher of a type and size approved by the laboratories of the National Board of Fire Underwriters. In addition to other lights required by law on each such bus, its front and rear shall be equipped with flashing red lights of a type approved by the Secretary of State. Such flashing red lights shall be turned on by the operator of such bus at least 100 feet before any stop is made to receive or discharge its passengers and shall be continually displayed until after the bus has received or discharged its passengers.

All school buses when carrying children shall come to a full stop before crossing any railroad track or tracks, such stop to be made at a point not more than 50 feet and not less than 10 feet from the nearest rail. The driver thereof shall take such steps as are necessary to ascertain beyond reasonable doubt that no train, engine or car is approaching the crossing before he shall proceed to drive such bus across the track or tracks. The operator of any school bus failing to so stop shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$200 and his permission to operate any school bus shall be suspended by the Secretary of State for a period of not less than 2 years.

School buses with a carrying capacity of over 20 passengers must comply with the Uniform School Bus Standards.

Notwithstanding section 2122, every school bus as defined in this section shall be submitted to an official inspection station during the months of August and February for the purpose of complying with section 2122, concerning adjustment and sufficiency of the required equipment. This inspection shall be conducted by certain specified official inspection stations.

Notwithstanding section 2125, the fee for such inspection shall be \$2.

Sec. 2. R. S., T. 29, § 2014, repealed and replaced. Section 2014 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 2014. Overtaking and passing school buses

The driver of a vehicle on a highway, upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children, shall stop the vehicle before reaching such school bus and said driver shall not proceed until such school bus resumes motion or until signaled by the school bus driver to proceed.

The driver of a vehicle on a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a limited-access highway and the school bus is stopped in a loading zone which is part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.