

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 190

S. P. 73

In Senate, January 17, 1973

Referred to Committee on Transportation. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Revising the School Bus Law.

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

Sec. 1. R. S., T. 29, § 2011, amended. The last sentence of the first paragraph of section 2011 of Title 29 of the Revised Statutes, as repealed and replaced by section 1 of chapter 113 of the public laws of 1967, is amended to read as follows:

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", **provided that whenever such buses bear a sign and are equipped with flashing lights, as provided in this section, sections 2014 and 2303 shall apply to such buses.**

Sec. 2. R. S., T. 29, § 2011, amended. The last paragraph of section 2011 of Title 29 of the Revised Statutes, as repealed and replaced by section 1 of chapter 113 of the public laws of 1967 and as amended by chapter 214 of the public laws of 1971, is further amended to read as follows:

Any motor vehicle ~~other than 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~~ complying with the uniform school bus standards as to color and no longer used for school purposes or used as a school bus during any part of the current school year may retain such color, but shall not be registered or licensed to operate in this State until all markings and identification which would identify such vehicle as a school bus have been removed and distinguishing lights have been rendered inoperative. **This paragraph shall not apply to 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 unless such buses bare a sign and are equipped with flashing lights as provided in this section, in which cases such buses shall comply with this paragraph.

STATEMENT OF FACT

Recently, a District Court refused to convict a person charged with having passed a bus bearing a sign and equipped with flashing lights, at a time when it was discharging school children, because the bus was operated by a motor carrier having a certificate of public convenience and necessity from the Public Utilities Commission, and was thus not regarded as a "school bus". This amendment recognizes that some buses operated by motor carriers possessing the reference P.U.C. certificate have voluntarily affixed signs and flashing lights to buses used to transport school children, and that when carriers do so, the school children on such buses are entitled to the protection afforded in sections 2014 and 2303 of Title 29.