

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(EMERGENCY)
FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2177

H. P. 1996

House of Representatives, February 4, 1976

Referred to Committee on Transportation. Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order S. P. 635 as amended. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Jensen of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

**AN Act Concerning Transit District Buses Used for
Elementary Pupil Transportation.**

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, transit district drivers presently often leave elementary school students stranded without transportation because of the present statute governing school buses; and

Whereas, emergency conditions arise from time to time due to weather, traffic and other factors which cause an increased number of young school children to require transportation to and from school; and

Whereas, the Legislature when enacting the present statute did not intend for it to be construed in such a way as to actually reduce and impair the safety level of elementary school children; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

29. MRSA § 2014, sub-§ 1, 1st sentence, as enacted by PL 1973, c. 780, § 4, is amended to read:

No vehicle shall be operated as a school bus for secondary students unless a minimum of 13 inches of seating space is provided for each child and there shall be no auxiliary seating accommodations such as temporary or folding jump seats. In regular city transit vehicles where normal adult seating exceeds 13 inches per passenger, the seating capacity for elementary school children, may, if necessary, exceed the adult capacity by 20%.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this Act is to enhance pupil safety by allowing a variance in transit district bus seating capacity for small children where the loading factor is unstable. Strict adherence to the 13-inch requirement of the present law often results in small children being left at bus stops or at school when they could be accommodated safely by amending the law.