

# 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)

---

---

ONE HUNDRED AND EIGHTH LEGISLATURE

---

---

**Legislative Document**

**No. 1232**

H. P. 1017

House of Representatives, March 23, 1977

On Motion of Mr. Carroll of Limerick, referred to Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Morton of Farmington.

---

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

---

**AN ACT to Clarify the Statutory Provisions Concerning the Legal Capacity  
of a School Bus.**

---

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

Whereas, there is confusion in the law as to the seat requirements on school buses; and

Whereas, state law enforcement officials are summoning school bus drivers to court on strict interpretation of the law; and

Whereas, this interpretation precludes full utilization of school buses and will require additional buses which was not the intent of the legislation; 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29 MRSA § 2014, sub-§ 1, as last repealed and replaced by PL 1975, c. 768, § 3, is repealed and the following enacted in its place:

1. Seating. All school buses shall conform to the following seating requirements.

A. The seating capacity specified by the manufacturer shall be determined by dividing the linear width of each seat by 13 and then rounding the quotient down to the nearest whole number.

B. The maximum seating capacity for students attending grades 9 through 12, or any combination of students attending grades kindergarten through 12, shall be 85% of the manufacturer's specified seating capacity.

C. The maximum seating capacity for grades kindergarten through 8 shall be the manufacturer's specified seating capacity.

D. There shall be no auxiliary seating accommodations such as temporary or jump seats.

E. Effective September 1, 1977, all seats shall face the front of the bus and shall be divided by a center aisle which is at least 12 inches wide.

F. The seating capacity shall be displayed on each school bus in a manner prescribed by the Commissioner of Educational and Cultural Services.

**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 bill is to clarify the legal capacity of a school bus.