

MAINE STATE LEGISLATURE

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(Governor's Bill)
SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1916

S. P. 737

In Senate, February 4, 1980

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

MAY M. ROSS, Secretary of the State

Presented by Senator Carpenter of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT Relating to the Licensing of School Bus Operators within 60 Days of Examination and the Timing of Inspections of School Buses by the State Police.

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

Sec. 1. 29 MRSA § 2013, sub-§ 1, ¶ E, as last amended by PL 1975, c. 589, § 22, is further amended to read:

E. Must pass, **prior to the transportation of any school children**, such examination as the Secretary of State shall prescribe to determine his ability to operate the specific vehicle which will be driven as a school bus or any comparable type vehicle. ~~Application for such examination shall be filed within 10 days after commencement of such operation~~ A fee of \$8 shall accompany the application for such examination. The fee for subsequent examinations shall be \$5. **Upon receipt of the application, the Secretary of State shall have 60 days to act upon the examination.**

Sec. 2. 29 MRSA § 2013, sub-§ 2, as enacted by PL 1973, c. 780, § 4, is amended to read:

2. Exception. ~~This~~ **With the exception of paragraph B, this section shall not apply to a substitute or occasional driver who is not regularly employed as a school bus operator and who does not operate a school bus more than 5 days in**

any one school year. **This exception applies only to the transportation of students to and from school.**

The superintendent or chief administrator of the school system or, in the case of privately operated transportation companies, the owner or chief executive shall be responsible for maintaining a record of all substitute or occasional drivers. The record shall include the driver's name, date of birth and the date on which he was engaged in the operation of the school bus. The record shall be available on demand during regular business hours of any officer charged with the responsibility of enforcing this section.

Sec. 3. 29 MRSA § 2017, as repealed and replaced by PL 1975, c. 29, is amended by adding after the first sentence the following new sentence:

In addition, twice during the school year, between September 1st and November 30th and between March 1st and May 31st at a time and place convenient to the appropriate school authorities or owner, each school bus, as defined in this Title, shall be submitted to an inspection conducted by the State Police.

STATEMENT OF FACT

Sections 1 and 2 require a school bus driver to pass an examination prior to actual transportation of school children and to include a system of accountability for the occasional or substitute driver.

Section 3 amends the law concerning inspections of school buses. In addition to the regular inspection of school buses, the Bureau of State Police has been conducting separate biannual inspections of school buses in cooperation with the Department of Educational and Cultural Services since approximately 1965. These inspections serve as further checks of vehicle safety. They also provide a mode of inspection on new legislation that may apply to drivers and the operation of school buses. The State Police inspection is accepted generally with enthusiasm throughout the State. Since this practice is not at this time law, some private owners of school bus fleets have refused to allow their buses to be inspected by officers of the State Police. The stopping of these buses upon the highway for safety inspections with children aboard is an inconvenience to all concerned.