

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)



121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 822

H.P. 599

House of Representatives, February 20, 2003

An Act To Provide Greater Protection for School Children

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KANE of Saco.

Cosponsored by Representatives: CANAVAN of Waterville, CRAVEN of Lewiston, O'BRIEN of Augusta, O'NEIL of Saco.

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

Sec. 1. 20-A MRSA §5401, sub-§17 is enacted to read:

17. Volunteer drivers. To ensure the welfare and safety of students, a superintendent shall conduct a background check on each volunteer driver who transports students on behalf of the school administrative unit for any purpose authorized by this chapter. A superintendent may not permit a volunteer driver to transport students on behalf of the school administrative unit unless the results of a background check provide information to verify that the volunteer driver:

A. Holds a current and valid driver's license for operation of the class of motor vehicle that the driver will use to transport students on behalf of the school administrative unit;

B. Holds a current and valid registration, inspection sticker and insurance coverage for the driver's motor vehicle that is used to transport students on behalf of the school administrative unit;

C. Has not had a license revoked pursuant to Title 29-A, chapter 23, subchapter 5, within the preceding 6-year period;

D. Has not received an operating-under-the-influence conviction, as defined in Title 29-A, section 2401, subsection 9, within the preceding 10-year period; and

E. Has not been convicted in any state or federal court of a criminal offense involving the physical or sexual abuse or exploitation of a child.

SUMMARY

Current law requires that school employees or service providers under contract with a school administrative unit must undergo a criminal history record check. However, current statutes do not require schools to conduct an investigation or verification of a volunteer driver's driving, record or criminal history. This bill requires superintendents of a school administrative unit or a school union to complete a background check on each driver who transports students on behalf of the school administrative unit, including verification of the driver's driving record, criminal history and other relevant information.