

MAINE STATE LEGISLATURE

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L.D. 1018

DATE: 5-12-03

(Filing No. H-333)

TRANSPORTATION

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STATE OF MAINE HOUSE OF REPRESENTATIVES 121ST LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 739, L.D. 1018, Bill, "An Act To Clarify and Update the Laws Concerning the Types of Transportation Vehicle Used To Transport Children"

Amend the bill in section 1 by striking out all of subsection 1-A (page 1, lines 6 to 15 in L.D.) and inserting in its place the following:

'1-A. Allowable alternative vehicle. "Allowable alternative vehicle" means a vehicle that:

A. Is designed to carry 10 or more people, including the driver;

B. Meets all the Federal Motor Vehicle Safety Standards of 49 Code of Federal Regulations, Part 571 or as subsequently amended, that are applicable to school buses, except for those provisions pertaining to lamps, reflective devices and associated equipment in 49 Code of Federal Regulations, Part 571.108 and those provisions pertaining to school bus pedestrian safety devices in 49 Code of Federal Regulations, Part 571.131;

C. Meets all the provisions of this Title pertaining to school buses, except for section 2302, subsection 1, paragraphs A to E and G and H; section 2304, subsection 1, paragraphs A to C and E; and section 2308; and

D. Is operated by a full-service transportation provider or urban fixed-route transit provider.'

Further amend the bill by striking out all of section 2 and inserting in its place the following:

COMMITTEE AMENDMENT

2 'Sec. 2. 29-A MRSA §2302, sub-§2, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

4
6 Sec. 3. 29-A MRSA §2309, as enacted by PL 1993, c. 683, Pt.
A, §2 and affected by Pt. B, §5, is repealed and the following
enacted in its place:

8 **§2309. Exemptions**

10 The following, except for allowable alternative vehicles and
12 school buses, are exempt from this subchapter:

14 1. Vehicle used by day care facility. A vehicle designed
16 to carry 15 or fewer passengers, including the driver, used to
18 transport children by a day care facility, except when
transporting children to and from school; and

20 2. Vehicle used for transportation to nonschool-based Head
22 Start facility. Until January 1, 2006 a vehicle designed to
24 carry 15 or fewer passengers, including the driver, used to
transport children to a nonschool-based Head Start facility if
the vehicle was placed in service prior to October 1, 2003.'

26 **SUMMARY**

28 This amendment amends the term "allowable alternate vehicle"
30 and its definition to address an existing conflict between
32 current state and federal regulations regarding transportation
services for school children. This amendment authorizes the
34 limited use of allowable alternative vehicles for school
transportation with specific exemptions from current laws
regarding equipment standards for school buses.

36 This amendment exempts certain vehicles used for the
transport of children to nonschool-based Head Start facilities,
38 but only until January 1, 2006. Alternative allowable vehicles
and school buses are specifically not exempt.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1018

**An Act to Clarify and Update the Laws Concerning the Types of
Transportation Vehicle Used to Transport Children**

LR 0475(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund

Minor revenue decrease - General Fund

Correctional and Judicial Impact Statements

Eliminates certain traffic violations by providing exemptions to certain standards for school buses.