

MAINE STATE LEGISLATURE

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L.D. 2159

Date: 4/1/26

(Filing No. H-959)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “*A*” to H.P. 1448, L.D. 2159, “An Act to Require School Buses to Be Equipped with and to Use School Bus Crossing Arms”

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

Sec. 1. 5 MRSA §12004-I, sub-§86-A is enacted to read:

86-A.

Transportation: Maine School Transportation Safety Not Authorized 29-A MRSA
School Commission §2313
Transportation

Sec. 2. 29-A MRSA §2302, sub-§1-A, as enacted by PL 2019, c. 413, §2, is amended to read:

1-A. School bus crossing arms. A school bus ~~of model year 2021 or newer~~ must be equipped with a school bus crossing arm.

Sec. 3. 29-A MRSA §2304, sub-§2, as amended by PL 2023, c. 423, §1, is further amended by enacting at the end a new first blocked paragraph to read:

If the door is open and a passenger is on board, the school bus may not be in motion.

Sec. 4. 29-A MRSA §2306-A is enacted to read:

§2306-A. Required use of school bus crossing arm

1. Required use. The operator of a school bus equipped with a school bus crossing arm shall activate the school bus crossing arm while the school bus is stopped to receive or discharge passengers. The operator of a school bus equipped with a school bus crossing arm may not unnecessarily stop where there is a physical barrier that prevents the school bus crossing arm from extending safely.

COMMITTEE AMENDMENT

ROS

1 2. Prohibition; disable school bus crossing arm. The school bus operator may not
2 disable the school bus crossing arm unless there is a physical barrier that prevents the
3 school bus crossing arm from extending safely.

4 **Sec. 5. 29-A MRSA §2308, sub-§1,** as enacted by PL 1993, c. 683, Pt. A, §2 and
5 affected by Pt. B, §5, is amended to read:

6 **1. Receiving or discharging passengers.** A school bus operator shall activate
7 flashing lights at least 100 feet before a stop is made to receive or discharge passengers.
8 These lights must be continually displayed until after the bus has received or discharged
9 passengers. The red signal lights, stop arm and school bus crossing arm must be activated
10 and in use while receiving or discharging passengers.

11 **Sec. 6. 29-A MRSA §2312** is enacted to read:

12 **§2312. Violation**

13 A violation of this subchapter or the rules adopted by the Commissioner of Education
14 pursuant to section 2311 is a traffic infraction unless otherwise specified within this
15 subchapter.

16 **Sec. 7. 29-A MRSA §2313** is enacted to read:

17 **§2313. Maine School Transportation Safety Commission**

18 The Maine School Transportation Safety Commission, referred to in this section as "the
19 commission," is established by Title 5, section 12004-I, subsection 86-A and operates in
20 accordance with this section.

21 **1. Members.** The commission consists of at least 9 members as follows:

- 22 A. The Commissioner of Public Safety or the commissioner's designee;
- 23 B. The Commissioner of Education or the commissioner's designee;
- 24 C. The head of the school safety center within the Department of Education;
- 25 D. Two members from a statewide organization dedicated to pupil transportation who
26 must be:
 - 27 (1) The organization's board president; and
 - 28 (2) The organization's board vice president;
- 29 E. The Commissioner of Transportation or the commissioner's designee;
- 30 F. A member designated by the Commissioner of Education who is currently serving
31 as a transportation director for a school administrative unit;
- 32 G. A representative of a statewide organization representing school administrative
33 units; and
- 34 H. A representative from the school safety center within the Department of Education
35 with expertise in pupil transportation.

36 **2. Commission invitees.** The commission may invite additional individuals to
37 participate as members of the commission, including, but not limited to, the Secretary of
38 State or the secretary's designee. An invitee may be designated as a voting council member
39 at the commission's discretion.

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3. Duties. The commission shall annually:

A. Review current statutes, rules and regulations related to safety standards, protocols and school bus driver training and ensure clear communication of these requirements to all school administrative units;

B. Produce an updated set of best practices for school bus safety and disseminate it to all school administrative units;

C. Identify changes or improvements needed in school transportation rules to ensure the safety and well-being of all students, staff and drivers;

D. Identify school bus safety features that can be installed, upgraded or replaced, including door antipinch sensors and school bus crossing arms;

E. Encourage and assist school administrative units in the effective communication of school bus safety information to students and families;

F. Confirm that school administrative units have a process to complete, on a biannual basis, school bus safety training checklists;

G. Identify training needs for bus drivers and a mechanism for this training to be provided to all school administrative units; and

H. Review any other information the commission determines is necessary for school transportation safety.

4. Meetings. The commission shall meet at least once a year.

5. Chair. The members of the commission shall elect from among the membership a chair. The chair continues to hold the office until a successor is elected.

6. Report. By February 1, 2027, and annually thereafter, the commission shall submit a report of its activities, any other facts and compliance issues regarding school bus safety and any recommended legislation to the joint standing committees of the Legislature having jurisdiction over transportation matters and education and cultural affairs. If the report includes recommended legislation, the joint standing committee of the Legislature having jurisdiction over transportation matters may report out a bill related to the report.

Sec. 8. Department of Education, Maine School Safety Center program, Other Special Revenue Funds account established. The State Controller shall establish within the Department of Education a nonlapsing Other Special Revenue Funds account within the Maine School Safety Center program, which is funded through a transfer from the available balance of the Maine Budget Stabilization Fund pursuant to section 10.

Sec. 9. Department of Education, Maine School Safety Center program, Other Special Revenue Funds account; limitations. The nonlapsing Other Special Revenue Funds account within the Maine School Safety Center program established pursuant to section 8 may be used only for one-time funding to a school administrative unit that retrofits its school buses with school bus crossing arms in compliance with the Maine Revised Statutes, Title 29-A, section 2302, subsection 1-A or antipinch sensors. A school administrative unit that retrofits its school buses with school bus crossing arms on or after March 1, 2026 and has not received funds from the State for this purpose may request reimbursement for one-time funding to cover the expenses of retrofitting the school buses. A school administrative unit may not request reimbursement for retrofitting its school buses

ROS

1 with antipinch sensors prior to receiving funding under section 11. For the purposes of this
2 section, "antipinch sensors" means technology to prevent the front, right side door of a
3 school bus from closing on a person's limb or other body part.

4 **Sec. 10. Transfer from Maine Budget Stabilization Fund; Department of**
5 **Education, Maine School Safety Center program.** Notwithstanding any provision
6 of law to the contrary, on or before June 30, 2026, the State Controller shall transfer
7 \$5,921,640 from the Maine Budget Stabilization Fund within the Department of
8 Administrative and Financial Services to the Department of Education, Maine School
9 Safety Center program, Other Special Revenue Funds account.

10 **Sec. 11. Appropriations and allocations.** The following appropriations and
11 allocations are made.

12 **EDUCATION, DEPARTMENT OF**
13 **Maine School Safety Center Z293**

14 Initiative: Provides one-time funding for safety measures including retrofitting nearly 1,700
15 Maine school buses with crossing arms and antipinch door sensors.

16	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
17	All Other	\$5,921,640	\$500
18			
19	OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,921,640	\$500

20 **Sec. 12. Effective date.** That section of this Act that amends the Maine Revised
21 Statutes, Title 29-A, section 2302, subsection 1-A takes effect February 15, 2027.'

22 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
23 number to read consecutively.

24 **SUMMARY**

25 This amendment amends the bill in the following ways.

26 1. It clarifies that a school bus is prohibited from being in motion when a school bus
27 door is open and a passenger is on board.

28 2. It removes the provision making a school bus operator's failure to use the school bus
29 crossing arm a Class E crime and instead states that a violation of any laws related to school
30 buses or rules governing their construction, equipment, operation and identification or the
31 transportation of public preschool children is a traffic infraction unless otherwise
32 prescribed by law.

33 3. It requires the operator of a school bus equipped with a school bus crossing arm to
34 not stop unnecessarily where there is a physical barrier that prevents the school bus crossing
35 arm from extending safely.

36 4. It prohibits a school bus operator from disabling the school bus crossing arm, except
37 when there is a physical barrier that prevents the school bus crossing arm from extending
38 safely.

39 5. It establishes the Maine School Transportation Safety Commission, which is
40 required to report by February 1st annually to the joint standing committee of the
41 Legislature having jurisdiction over education and cultural affairs and the joint standing

ROS

COMMITTEE AMENDMENT "A" to H.P. 1448, L.D. 2159

1 committee of the Legislature having jurisdiction over transportation matters. If the report
2 includes recommended legislation, the joint standing committee of the Legislature having
3 jurisdiction over transportation matters may report out a bill related to the report.

4 6. It delays to February 15, 2027 the effective date for all school buses to be equipped
5 with school bus crossing arms. All other provisions of the legislation are effective upon
6 approval.

7 7. It authorizes the State Controller to transfer funds from the Maine Budget
8 Stabilization Fund to implement a program to provide one-time funding to school
9 administrative units for school bus safety measures including retrofitting school buses with
10 school bus crossing arms and antipinch door sensors. It also allows any school
11 administrative unit that retrofits a school bus on or after March 1, 2026 with a school bus
12 crossing arm to be reimbursed by the State for the cost of the retrofitting.

13 **FISCAL NOTE REQUIRED**

14 (See attached)



132nd MAINE LEGISLATURE

LD 2159

LR 2971(02)

An Act to Require School Buses to Be Equipped with and to Use School Bus Crossing Arms

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-959)
Committee: Transportation
Fiscal Note Required: Yes

Fiscal Note

State Mandate - Funded

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	\$0	\$0	\$0	\$0
Appropriations/Allocations				
Other Special Revenue Funds	\$5,921,640	\$500	\$0	\$0
Transfers				
General Fund	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$5,921,640	\$0	\$0	\$0

Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional fines will increase General Fund or other dedicated revenue by minor amounts.

State Mandates

Required Activity	Unit Affected	Local Cost
This bill requires all school buses to be equipped with a school bus crossing arm. School administrative units will need to either purchase new buses or retrofit existing buses in order to meet the requirements of this bill.	School	Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

C "A" (H-959)

Fiscal Detail and Notes

This bill includes a one-time Other Special Revenue Funds allocation to the Department of Education of \$5,921,640 in fiscal year 2025-26 for safety measures including retrofitting nearly 1,700 Maine school buses with crossing arms and anti-pinch door sensors. The bill also includes a transfer of \$5,921,640 in fiscal year 2025-26 from the Budget Stabilization Fund, General Fund account to the Maine School Safety Center, Other Special Revenue Funds account for this purpose. The allocated funds are expected to cover at least 90% of the costs for school administrative units to comply with the requirements of this bill.

Any additional costs to the Departments of Public Safety and Transportation from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.