

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

N I N E T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 1624

H. P. 1117

House of Representatives, October 28, 1957

The Committee on Judiciary suggested.

HARVEY R. PEASE, Clerk

Presented by Mr. Broderick of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Definition of School Buses.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment; and

Whereas, the present definition of school bus has created uncertainty in interpretation and inability to enforce the law pertaining to school buses; and

Whereas, the following legislation is vitally necessary to prevent accidents involving school buses and thus protect the children traveling thereon; 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:

R. S., c. 22, § 48, amended. The 1st sentence of section 48 of chapter 22 of the Revised Statutes, as amended by section 1 of chapter 85 of the public laws of 1955, is hereby further amended to read as follows:

‘The term “school bus” includes every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or to or from any school activities at a school regularly attended by such children, or privately owned and operated ~~for compensation~~ for the transportation of children to or from **public or private** school or to or from any school activities at a school regularly attended by such children.’

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

SUMMARY STATEMENT

This act strikes out the words "for compensation" from the legal definition of a school bus so that a school bus owned by a private or parochial school and operated without charge will come within the definition for purposes of enforcing the statute which makes it an offense to pass a stopped school bus from either direction while the bus is discharging or taking on passengers.

Under the present law an operator cannot be convicted of this offense if he passes a parochial school bus or a private school bus which is operated without charge.