

Title 11
DEPARTMENT OF TRANSPORTATION
Subtitle 19 MOTOR VEHICLE ADMINISTRATION—SCHOOL VEHICLES
11.19.04 School Vehicle Inspection

Authority: Transportation Article, §§12-104(b) and 25-110, Annotated Code of Maryland

Notice of Proposed Action

[17-194-P]

The Administrator of the Motor Vehicle Administration proposes to amend Regulations **.02, .03, .06, .07, and .10** and adopt new Regulation **.11** under **COMAR 11.19.04 School Vehicle Inspection**.

Statement of Purpose

The purpose of this action is to set standards and procedures for the inspection of a school vehicle “head start vehicles” in order to conform to Chapter 696, Senate Bill 341, Acts of 2017.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Tracey C. Sheffield, Regulations Coordinator, Motor Vehicle Administration, 6601 Ritchie Highway N.E., Room 200, Glen Burnie, MD 21062, or call 410-768-7545, or email to tsheffield@mdot.state.md.us, or fax to 410-768-7506.

Comments will be accepted through August 21, 2017. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(3) (text unchanged)

(4) “Head start vehicle” has the meaning defined in Transportation Article, §11-154(a)(2)(iii), Annotated Code of Maryland.

(5) “Head start vehicle inspection” means an annual Type A inspection of a head start vehicle completed by an inspection mechanic at an authorized Maryland State Inspection facility.

(6) “Inspection mechanic” means an individual that is licensed by the Administration or Automotive Safety Enforcement Division to perform vehicle safety inspections on a specific class of vehicles.

[(4)] (7)— [(10)] (13) (text unchanged)

.03 School Vehicle Inspection Procedures.

A. (text unchanged)

B. Type B Inspections.

(1) —(8) (text unchanged)

(9) Minor Defects.

(a) —(d) (text unchanged)

C. Head Start Vehicle Inspection. During each 12-month period, the owner of a head start vehicle shall submit to the Administration a certification that a head start vehicle inspection was completed by an inspection mechanic at an authorized Maryland State Inspection facility.

.06 School Vehicles Manufactured Before April, 1977.

A. Every 12 months the Administration shall schedule three inspections for a school vehicle manufactured before April, 1977. These inspections shall be conducted as follows:

(1) For a Type I or Type II school vehicle:

(a) Two Type B inspections shall be conducted by a [school vehicle inspector] MVA compliance agent; and

[(2)] (b) (text unchanged)

(2) For a head start vehicle:

(a) Two Type B inspections shall be conducted by a MVA compliance agent; and

(b) One head start vehicle inspection shall be conducted by an inspection mechanic at an authorized

Maryland State Inspection facility.

B. Type B Inspection.

(1) (text unchanged)

(2) The vehicle owner's mechanic shall assist the [school vehicle inspector] MVA compliance agent and shall raise the vehicle for performing the inspection.

(3) The results of each Type B inspection shall be recorded by the [school vehicle inspector] MVA compliance agent and witnessed by the owner or his authorized agent.

.07 [Buses] School Vehicles Over 12 Years Old.

A. A school [bus] vehicle over 12 model or calendar years old, after initial registrations:

(1) Shall, at the end of the 12th year, have:

(a) For a Type I or Type II school vehicle, an Inspection certification or a Type A inspection performed [at the end of the 12th year] by an Inspection Mechanic at a licensed State inspection station or a school vehicle inspection station that is certified by the Administration; or

(b) For a head start vehicle, a head start vehicle inspection completed by an inspection mechanic at an authorized Maryland State Inspection facility; and

(2) Is subject to the following annual inspection requirements:

(a) For a Type I or II school vehicle:

(i) One Inspection certification or a Type A inspection conducted by an Inspection Mechanic at a licensed State inspection station or a school vehicle inspection station that is certified by the Administration;

[(b)] (ii) One Type B inspection conducted by an MVA compliance agent; and

[(c)] (iii) One Type B inspection conducted by the owner or the owner's authorized representative: or

(b) For a head start school vehicle:

(i) One head start vehicle inspection completed by an inspection mechanic at an authorized Maryland State Inspection facility;

(ii) One Type B inspection conducted by an MVA compliance agent; and

(iii) One Type B inspection conducted by the owner or the owner's authorized representative.

B. The Type B inspection conducted by the owner or the owner's representative under [§A(2)(c)] §A(2)(a)(iii) or §A(2)(b)(iii) of this regulation shall be conducted and certified as specified in Regulation .03 of this chapter.

C. When a Type B inspection is conducted by a MVA compliance agent under [§A(2)(b)] §A(2)(a)(ii) or §A(2)(b)(ii) of this regulation:

(1) —(3) (text unchanged)

.10 School Vehicle Tag Certification.

A. (text unchanged)

B. After completing the acceptance inspection of a school vehicle, the MVA compliance agent shall:

(1) *If submitting the inspection certification in paper form to the Administration:*

[(1)] (a) —[(2)] (b) (text unchanged)

[(3)] (c) Return one copy of the certification to the Administration's Vehicle Inspection Services Division[.];

or

(2) *Submit electronically to the Administration's Vehicle Inspection Services Division.*

C. —E. (text unchanged)

F. The supervisor or director of transportation of the local school system shall:

(1) *Submit inspection certifications as follows:*

[(1)] (a) *If submitting the inspection certification in paper form to the Administration:*

(i) Issue the inspection certification in strict numbered sequence;

[(2)] (ii) — [(3)] (iii) (text unchanged)

[(4)] (iv) Immediately notify the Administration if any inspection certifications are stolen, lost, or

destroyed; and

[(5) Notify the Administration when any change in the supervisor or director of transportation position is made; and]

[(6)] (v) Make certifications available for audit by the Administration during duty hours of the school system involved[.]; or

(b) *Submit electronically; and*

(2) *Notify the Administration when any change in the supervisor or director of transportation position is made.*

G. The Vehicle Inspection Services Division shall notify the Administration's Vehicle Registration Section not to accept stolen, lost, or destroyed certifications, which the Administration is notified of, under [§F(4)] §F(1)(a)(iv) of this regulation.

H. (text unchanged)

.11 Head Start Vehicle.

Pursuant to Transportation Article, §11-154, Annotated Code of Maryland, school vehicles may be registered in Maryland that were originally titled in another state and used to transport children, students, or teachers for educational purposes or in connection with a school activity in that state. These vehicles shall comply with regulations on transporting children enrolled in the federally funded Head Start program adopted by the United States Department of Health and Human Services. These Vehicles are to be used solely for transporting children to and from a Head Start program.

A. *Head Start Vehicle Owners Shall:*

(1) *Have a head start vehicle inspection conducted for the initial registration and annually thereafter by an inspection mechanic at an authorized Maryland State Inspection facility.*

(2) *Be issued a School Vehicle Tag Certification (Form EP-216) for tags after being acceptance inspected by the Administration for compliance with COMAR Construction Standards 11.19.02.20 Color and Identification (Lettering) in addition to all equipment necessary for Head Start Transportation in the Code of Federal Regulations, Title 45, §1310.*

(3) *Submit a School Vehicle Contract Certification (EP-211) written contract certification to the Administration that the vehicle used for Head Start transportation will only be transporting children to and from a Head Start program.*

(4) *Be issued a Head Start Vehicle registration plate that is centrally issued by the Administration pursuant to Transportation Article, § 13-420, Annotated Code of Maryland, after approval from the School Vehicle Safety Section.*

B. *A head start vehicle shall be constructed with materials that enable it to meet all criteria of the school bus seat upholstery fire block test established by the National School Transportation specifications and procedures adopted at the most recent National Congress on School Transportation.*

CHRISTINE NIZER
Administrator
Motor Vehicle Administration