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Date: (Filing No. H- )

**TRANSPORTATION**

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

COMMITTEE AMENDMENT “ ” 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**

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  
19 "the commission," is established by Title 5, section 12004-I, subsection 86-A and operates  
20 in 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.

- 1           **3. Duties.** The commission shall annually:
- 2           A. Review current statutes, rules and regulations related to safety standards, protocols
- 3           and school bus driver training and ensure clear communication of these requirements
- 4           to all school administrative units;
- 5           B. Produce an updated set of best practices for school bus safety and disseminate it to
- 6           all school administrative units;
- 7           C. Identify changes or improvements needed in school transportation rules to ensure
- 8           the safety and well-being of all students, staff and drivers;
- 9           D. Identify school bus safety features that can be installed, upgraded or replaced,
- 10           including door antipinch sensors and school bus crossing arms;
- 11           E. Encourage and assist school administrative units in the effective communication of
- 12           school bus safety information to students and families;
- 13           F. Confirm that school administrative units have a process to complete, on a biannual
- 14           basis, school bus safety training checklists;
- 15           G. Identify training needs for bus drivers and a mechanism for this training to be
- 16           provided to all school administrative units; and
- 17           H. Review any other information the commission determines is necessary for school
- 18           transportation safety.

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

20           **5. Chair.** The members of the commission shall elect from among the membership a

21           chair. The chair continues to hold the office until a successor is elected.

22           **6. Report.** By February 1, 2027, and annually thereafter, the commission shall submit

23           a report of its activities, any other facts and compliance issues regarding school bus safety

24           and any recommended legislation to the joint standing committees of the Legislature

25           having jurisdiction over transportation matters and education and cultural affairs. If the

26           report includes recommended legislation, the joint standing committee of the Legislature

27           having jurisdiction over transportation matters may report out a bill related to the report.

28           **Sec. 8. Department of Education, Maine School Safety Center program,**

29           **Other Special Revenue Funds account established.** The State Controller shall

30           establish within the Department of Education a nonlapsing Other Special Revenue Funds

31           account within the Maine School Safety Center program, which is funded through a transfer

32           from the available balance of the Maine Budget Stabilization Fund pursuant to section 10.

33           **Sec. 9. Department of Education, Maine School Safety Center program,**

34           **Other Special Revenue Funds account; limitations.** The nonlapsing Other Special

35           Revenue Funds account within the Maine School Safety Center program established

36           pursuant to section 8 may be used only for one-time funding to a school administrative unit

37           that retrofits its school buses with school bus crossing arms in compliance with the Maine

38           Revised Statutes, Title 29-A, section 2302, subsection 1-A or antipinch sensors. A school

39           administrative unit that retrofits its school buses with school bus crossing arms on or after

40           March 1, 2026 and has not received funds from the State for this purpose may request

41           reimbursement for one-time funding to cover the expenses of retrofitting the school buses.

42           A school administrative unit may not request reimbursement for retrofitting its school buses

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 <b>OTHER SPECIAL REVENUE FUNDS</b> | <b>2025-26</b> | <b>2026-27</b> |
| 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

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)**