

CHAPTER 312  
FORMERLY  
HOUSE BILL NO. 379  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE  
RELATING TO SCHOOL BUSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 14, Chapter 29, § 2901(a) of the Delaware Code by deleting the word “mechanical” between the words “design and” and “operation of” as it appears in the first sentence thereof.

Section 2. Amend Title 21, Chapter 27, § 2708(b)(3) of the Delaware Code by deleting the words “State Board of Education” as they appear therein and replacing with “Department of Education” in place thereof.

Section 3. Amend Title 21, Chapter 41, § 4163(a) by deleting the phrase “carrying any school child” in the first sentence as that phrase appears between the words “bus” and “or”.

Section 4. Amend Title 21, Chapter 41, § 4166(e) by deleting the subparagraph in its entirety and replacing in lieu thereof the following:

“(e) Stopping of school bus. – Whenever practical, a school bus driver shall stop as far to the right as possible to pick up and discharge passengers.”

Section 5. Amend Title 21, Chapter 41, § 4166(f) by deleting the subparagraph in its entirety; and re-designating the subsequent subparagraphs respectively.

Section 6. Amend Title 21, Chapter 43, § 4361 by deleting the phrase “without tire chains on the outside rear wheels of the bus or” as it appears therein.

Section 7. Amend Title 21, Chapter 43 by deleting §§ 4362, 4363, 4364, and 4365 in their entireties.

Section 8. Amend Title 21, Chapter 1, §101(61) by deleting the existing language in its entirety and replacing in lieu thereof the following:

“(61) ‘School bus’ means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events, or any vehicle which meets the regulatory requirements adopted by the Department of Education with the advice of the Division of Motor Vehicles as specified under Title 14, §2901. ‘School bus’ does not include a bus used as a common carrier.”.

Section 9. Amend Title 21, Chapter 26, §2603(29) by deleting the existing language in its entirety and replacing in lieu thereof the following:

“(29) ‘School bus’ means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events, or any vehicle which meets the regulatory requirements adopted by the Department of Education with the advice of the Division of Motor Vehicles as specified under § 2901, Title 14 of the Delaware Code. ‘School bus’ does not include a bus used as a common carrier.”.

Approved June 28, 2010