

[(b)](C) (1) Except as otherwise provided in this subsection and subject to federal law, in Allegany County, school buses may not be used to transport students to or from school for longer than 1 hour or over a distance of more than 45 miles, whichever takes a shorter period of time.

(2) In Allegany County, school buses may be used to transport students to or from school for longer than 1 hour or over a distance of more than 45 miles if the student participates in:

(i) Vocational-technical programs;

(ii) Education of handicapped children programs under the federal Individuals with Disabilities Act; or

(iii) Education of the blind and deaf programs.

(D) (1) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION, IN CALVERT COUNTY THE COUNTY BOARD MAY PROVIDE TRANSPORTATION TO AND FROM SCHOOL ON A PUBLIC SCHOOL BUS FOR A STUDENT WHO ATTENDS A NONPUBLIC SCHOOL.

(2) TRANSPORTATION OFFERED BY THE CALVERT COUNTY BOARD UNDER THIS SECTION SHALL BE OFFERED TO A STUDENT ATTENDING A NONPUBLIC SCHOOL:

(I) IF THERE IS SUFFICIENT CAPACITY ON THE SCHOOL BUS;

(II) IF THE STUDENT RESIDES ON, ALONG, OR NEAR A PUBLIC HIGHWAY IN THE COUNTY ON WHICH A PUBLIC SCHOOL BUS OR CONVEYANCE OPERATES;

(III) IF THE STUDENT RESIDES IN THE PUBLIC SCHOOL TRANSPORTATION DISTRICT SERVED BY THE PUBLIC SCHOOL BUS; ~~AND~~

(IV) ONLY ON THE ROUTES, SCHOOL DAYS, AND HOURS OF TRANSPORTATION THAT COINCIDE WITH THE ROUTES, SCHOOL DAYS, AND HOURS OF TRANSPORTATION FOR STUDENTS ATTENDING PUBLIC SCHOOLS IN THE COUNTY; AND

(V) IN THE CASE OF A STUDENT WHO ATTENDS A NONPUBLIC SCHOOL THAT IS NOT ON THE PUBLIC SCHOOL BUS ROUTE, ONLY TO THE PUBLIC SCHOOL ON THE ROUTE WHICH IS NEAREST TO THE NONPUBLIC SCHOOL.

(3) THE CALVERT COUNTY BOARD IS NOT RESPONSIBLE FOR THE SAFETY OF ANY NONPUBLIC SCHOOL STUDENT WHO IS TRANSPORTED ON A PUBLIC SCHOOL BUS UNDER THIS SUBSECTION AFTER THE STUDENT IS DISCHARGED FROM THE PUBLIC SCHOOL BUS, AND THE BOARD MAY NOT BE HELD LIABLE IN ANY CIVIL ACTION ARISING FROM AN ACT OR OMISSION THAT OCCURS AFTER THE STUDENT IS DISCHARGED FROM THE PUBLIC SCHOOL BUS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1995.