

AUTOFLEX FLEET, INC.,

Appellant,

v.

MONTGOMERY COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR24-11

ORDER

On July 28, 2021, the State Board issued a decision in *Autoflex Fleet, Inc. v. Montgomery Cnty. Bd. of Educ.*, MSBE Op. No. 21-40 (2021), affirming the decision of the Montgomery County Board of Education (“local board”) denying Autoflex Fleet, Inc.’s challenge to the local board’s award of a contract for the provision of a school bus electrification program to Highland Electric Transportation, Inc. On petition for judicial review, the Circuit Court for Montgomery County affirmed the State Board’s decision. *Autoflex Fleet, Inc. v. Montgomery Cnty. Bd. of Educ.*, Case No. 486843V (April 28, 2022). On appeal, the Appellate Court of Maryland vacated the judgment of the Circuit Court for Montgomery County on grounds unrelated to the State Board’s decision and instructed the Circuit Court to remand the matter to the State Board, to in turn remand the matter to the local board for further proceedings consistent with the opinion of the Appellate Court. *In the Matter of Autoflex Fleet, Inc.*, No. 0539, 2024 WL 937124 (Md. App. Ct. March 5, 2024). After denying reconsideration, on June 3, 2024, the Appellate Court of Maryland issued a mandate remanding to the Circuit Court and directing action consistent with the Appellate Court’s opinion. No. 0539, Sept. Term 2022, CSA-REG-0539-2022. On June 6, 2024, the Circuit Court for Montgomery County issued an order vacating its judgment and remanding the matter to the State Board for further remand to the local board. Case No. 486843V.

Accordingly, pursuant to the June 3, 2024, mandate of the Appellate Court of Maryland and the June 6, 2024, order of the Circuit Court for Montgomery County, it is this 25th day of June 2024, by the Maryland State Board of Education,

ORDERED that the appeal referenced above is hereby remanded to the Montgomery County Board of Education for further proceedings consistent with the opinion of the Appellate Court of Maryland.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Clarence C. Crawford
President