Florida Senate - 2005

By Senator Dockery

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15-674-05
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1	A bill to be entitled
2	An act relating to safety belts on school
3	buses; amending s. 316.6145, F.S.; providing
4	that it is optional rather than mandatory for
5	school districts to purchase and use school
6	buses that are equipped with safety belts or
7	other federally approved restraint systems;
8	deleting a provision relating to elementary
9	schools' receiving first priority in the
10	allocation of school buses equipped with
11	restraint systems; providing for retroactivity;
12	providing an effective date.
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14	Be It Enacted by the Legislature of the State of Florida:
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16	Section 1. Section 316.6145, Florida Statutes, is
17	amended to read:
18	316.6145 School buses; safety belts or other restraint
19	systems required
20	(1)(a) Each school bus that is purchased new after
21	December 31, 2004 2000 , and used to transport students in
22	grades pre-K through 12 \underline{may} must be equipped with safety belts
23	or with any other restraint system approved by the Federal
24	Government in a number sufficient to allow each student who is
25	being transported to use a separate safety belt or restraint
26	system <u>, at the discretion of the school district</u> . These safety
27	belts must meet the standards required under s. 316.614. A
28	school bus that was purchased prior to December 31, 2000, is
29	not required to be equipped with safety belts.
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1 (b) As used in this section, the term "school bus" 2 means a school bus that is owned, leased, operated, or contracted by a school district. 3 4 (2) Each passenger on a school bus that is equipped with safety belts or restraint system shall wear a properly 5 б adjusted and fastened safety belt at all times while the bus 7 is in operation, if such a safety belt or restraint system is 8 provided. The state, the county, a school district, school bus operator under contract with a school district, or an agent or 9 10 employee of a school district or operator, including a teacher or volunteer serving as a chaperone, is not liable in an 11 12 action for personal injury by a school bus passenger solely 13 because the injured party was not wearing a safety belt, if a safety belt is provided. 14 (3) The state, the county, a school district, school 15 bus operator under contract with a school district, or an 16 17 agent or employee of a school district or operator, including 18 a teacher or volunteer serving as a chaperone, is not liable in an action for personal injury by a school bus passenger for 19 an injury caused solely by another passenger's use or nonuse 20 21 of a safety belt or restraint system in a dangerous or unsafe 22 manner, if such a safety belt or restraint system is provided. 23 (4) In implementing the provisions of this section, each school district must prioritize the allocation of buses 2.4 25 equipped with safety belts or restraint system to ensure that 26 elementary schools within the district receive first priority. 27 A school district may enter into agreements to provide 2.8 transportation pursuant to this section only if the point of origin or termination of the trip is within the district's 29 30 boundaries. 31

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SB 734

1	(5) The provisions of This section <u>does</u> shall not
2	apply to vehicles as defined in s. 1006.25(1)(b).
3	Section 2. This act shall take effect July 1, 2005,
4	and applies retroactively to school buses purchased after
5	December 31, 2004.
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8	SENATE SUMMARY
9 10 11	Provides that it is optional rather than mandatory for school districts to purchase, after December 31, 2004, and use school buses that are equipped with safety belts or other federally approved restraint systems. Deletes a provision relating to elementary schools' receiving first
12	priority in the allocation of school buses equipped with restraint systems.
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