

Bill No. CS/HB 1837, 1st Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Cowin moved the following amendment:

Senate Amendment (with title amendment)

On page 6, between lines 17 and 18,

insert:

Section 5. (1)(a) Each school bus that is purchased after December 31, 2000, and used to transport students in grades pre-K through 12 must be equipped with safety belts or with any other restraint system approved by the Federal Government in a number sufficient to allow each student who is being transported to use a separate safety belt or restraint system. These safety belts must meet the standards required under s. 316.614, Florida Statutes. A school bus that was purchased prior to December 31, 2000, is not required to be equipped with safety belts.

(b) As used in this section, "school bus" means a school bus that is owned, leased, operated, or contracted by a school district.

(2) Each passenger on a school bus that is equipped with safety belts or restraint system shall wear a properly

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1 adjusted and fastened safety belt at all times while the bus
2 is in operation. The state, the county, a school district, a
3 school employee, a bus driver, a teacher, or a volunteer is
4 not liable for personal injury to a passenger on such a school
5 bus which is caused by the passenger's failure to wear a
6 safety belt.

7 (3) The state, the county, a school district, school
8 bus operator under contract with a school district, or an
9 agent or employee of a school district or operator, including
10 a teacher or volunteer serving as a chaperone, is not liable
11 in an action for personal injury by a school bus passenger
12 solely because the injured party was not wearing a safety
13 belt.

14 (4) The state, the county, a school district, school
15 bus operator under contract with a school district, or an
16 agent or employee of a school district or operator, including
17 a teacher or volunteer serving as a chaperone, is not liable
18 in an action for personal injury by a school bus passenger for
19 an injury caused by another passenger's use or non-use of a
20 safety belt or restraint system in a dangerous or unsafe
21 manner.

22 (5) In implementing the provisions of this section,
23 each school district must prioritize the allocation of buses
24 equipped with safety belts or restraint system to ensure that
25 elementary schools within the district receive first priority.
26 A school district may enter into agreements to provide
27 transportation pursuant to this section only if the point of
28 origin or termination of the trip is within the district's
29 boundaries.

30 (6) The provisions of this section shall not apply to
31 vehicles as defined in s. 234.051(1)(b), Florida Statutes.

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(Redesignate subsequent sections.)

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 1, line 11, after the semicolon,

insert:

requiring that buses purchased after a specified date and used in transporting certain students be equipped with safety belts or other restraint system that comply with specified standards; providing an exemption for certain school buses; providing a definition for "school bus" used in the section; requiring passengers to wear safety belts or restraint system; providing immunity of a school district, bus operator, and others for injuries to a passenger caused solely because the passenger was not wearing a safety belt or restraint system; providing immunity to such persons for injury caused by a passenger's dangerous or unsafe use of a safety belt or restraint system; providing certain provisions for implementation; providing an exception to the operation of the act;