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

Amendment No. ____

	Senate CHAMBER ACTION House
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L1	Senator Cowin moved the following amendment:
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L3	Senate Amendment (with title amendment)
L4	On page 6, between lines 17 and 18,
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L6	insert:
L7	Section 5. $(1)(a)$ Each school bus that is purchased
L8	after December 31, 2000, and used to transport students in
L9	grades pre-K through 12 must be equipped with safety belts or
20	with any other restraint system approved by the Federal
21	Government in a number sufficient to allow each student who is
22	being transported to use a separate safety belt or restraint
23	system. These safety belts must meet the standards required
24	under s. 316.614, Florida Statutes. A school bus that was
25	<pre>purchased prior to December 31, 2000, is not required to be</pre>
26	equipped with safety belts.
27	(b) As used in this section, "school bus" means a
28	school bus that is owned, leased, operated, or contracted by a
29	school district.
30	(2) Each passenger on a school bus that is equipped
31	with safety belts or restraint system shall wear a properly
	10:31 AM 04/27/99 1 h1837clc-1119j

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

- (3) The state, the county, a school district, school bus operator under contract with a school district, or an agent or employee of a school district or operator, including a teacher or volunteer serving as a chaperone, is not liable in an action for personal injury by a school bus passenger solely because the injured party was not wearing a safety belt.
- (4) The state, the county, a school district, school bus operator under contract with a school district, or an agent or employee of a school district or operator, including a teacher or volunteer serving as a chaperone, is not liable in an action for personal injury by a school bus passenger for an injury caused by another passenger's use or non-use of a safety belt or restraint system in a dangerous or unsafe manner.
- (5) In implementing the provisions of this section, each school district must prioritize the allocation of buses equipped with safety belts or restraint system to ensure that elementary schools within the district receive first priority.
- (1)(d) A school district may enter into agreements to provide transportation pursuant to this section only if the point of origin or termination of the trip is within the district's boundaries.
- (6) The provisions of this section shall not apply to vehicles as defined in s. 234.051(1)(b), Florida Statutes.

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1 2 (Redesignate subsequent sections.) 3 4 5 ======= T I T L E A M E N D M E N T ========= And the title is amended as follows: 6 7 On page 1, line 11, after the semicolon, 8 9 insert: 10 requiring that buses purchased after a specified date and used in transporting certain 11 students be equipped with safety belts or other 12 restraint system that comply with specified 13 14 standards; providing an exemption for certain school buses; providing a definition for 15 16 "school bus" used in the section; requiring 17 passengers to wear safety belts or restraint system; providing immunity of a school 18 19 district, bus operator, and others for injuries 20 to a passenger caused solely because the 21 passenger was not wearing a safety belt or restraint system; providing immunity to such 22 23 persons for injury caused by a passenger's 24 dangerous or unsafe use of a safety belt or restraint system; providing certain provisions 25 26 for implementation; providing an exception to 27 the operation of the act; 28 29 30 31