

1 A bill to be entitled
2 An act relating to school buses; requiring that
3 buses purchased after a specified date and used
4 in transporting certain students be equipped
5 with safety belts or other restraint system
6 that comply with specified standards; providing
7 an exemption for certain school buses;
8 providing a definition for "school bus" used in
9 the section; requiring passengers to wear
10 safety belts or restraint system; providing
11 immunity of a school district, bus operator,
12 and others for injuries to a passenger caused
13 solely because the passenger was not wearing a
14 safety belt or restraint system; providing
15 immunity to such persons for injury caused by a
16 passenger's dangerous or unsafe use of a safety
17 belt or restraint system; providing certain
18 provisions for implementation; providing an
19 exception to the operation of the act;
20 providing an effective date.

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22 Be It Enacted by the Legislature of the State of Florida:

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24 Section 1. (1)(a) Each school bus that is purchased
25 after December 31, 2000, and used to transport students in
26 grades pre-K through 12 must be equipped with safety belts or
27 with any other restraint system approved by the Federal
28 Government in a number sufficient to allow each student who is
29 being transported to use a separate safety belt or restraint
30 system. These safety belts must meet the standards required
31 under s. 316.614, Florida Statutes. A school bus that was

1 purchased prior to December 31, 2000, is not required to be
2 equipped with safety belts.

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

6 (2) Each passenger on a school bus that is equipped
7 with safety belts or restraint system shall wear a properly
8 adjusted and fastened safety belt at all times while the bus
9 is in operation. The state, the county, a school district, a
10 school employee, a bus driver, a teacher, or a volunteer is
11 not liable for personal injury to a passenger on such a school
12 bus which is caused by the passenger's failure to wear a
13 safety belt.

14 (3) 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
19 solely because the injured party was not wearing a safety
20 belt.

21 (4) The state, the county, a school district, school
22 bus operator under contract with a school district, or an
23 agent or employee of a school district or operator, including
24 a teacher or volunteer serving as a chaperone, is not liable
25 in an action for personal injury by a school bus passenger for
26 an injury caused by another passenger's use or non-use of a
27 safety belt or restraint system in a dangerous or unsafe
28 manner.

29 (5) In implementing the provisions of this section,
30 each school district must prioritize the allocation of buses
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1 equipped with safety belts or restraint system to ensure that
2 elementary schools within the district receive first priority.

3 (1)(d) A school district may enter into agreements to
4 provide transportation pursuant to this section only if the
5 point of origin or termination of the trip is within the
6 district's boundaries.

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

9 Section 2. This act shall take effect upon becoming a
10 law.