

Bill No. CS for SB 334

Amendment No.     

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
---------------	----------------	--------------

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

.  
.  
.  
.  
.

Senator Cowin moved the following amendment:

**Senate Amendment (with title amendment)**

On page 6, between lines 19 and 20,

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

Bill No. CS for SB 334

Amendment No. \_\_\_\_

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

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

Bill No. CS for SB 334

Amendment No. \_\_\_\_

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

(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 13, 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;