

By Senator Wise

5-1136-05

See HB 829

1                                   A bill to be entitled

2           An act relating to school bus safety; creating

3           the Diana Kautz Student Safety Sponsors Act;

4           creating s. 1006.273, F.S.; providing for

5           district school boards to adopt policies for

6           private sponsorship of described seat belt

7           assemblies on school buses; providing for a

8           sponsorship fee; providing for use of moneys

9           collected; providing for signage on the

10          exterior of the school bus acknowledging

11          sponsorship; providing for design, placement,

12          and size of the signage by rule of the State

13          Board of Education; limiting liability of

14          sponsors; amending s. 1006.25, F.S.; requiring

15          sponsor signs to be covered when school buses

16          are transporting passengers who are not school

17          students; revising requirement that students

18          use crash protection system on school bus;

19          amending s. 1006.261, F.S.; requiring sponsor

20          signs to be covered when school buses are used

21          for nonschool purposes; providing an effective

22          date.

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

26           Section 1. This act may be cited as the "Diana Kautz  
27 Student Safety Sponsors Act."

28           Section 2. Section 1006.273, Florida Statutes, is  
29 created to read:

30           1006.273 Crash protection systems; sponsorship.--The  
31 district school board may adopt policies providing for private

1 sponsorship of the installation of crash protection equipment  
2 on school buses pursuant to the provisions of this section.

3 (1)(a) Any person or business entity may sponsor the  
4 installation of seat belt assemblies as described in  
5 subsection (3) on a school bus by paying a fee of \$10,000 per  
6 bus to be sponsored. Proceeds from the collection of the fee  
7 shall be distributed as follows:

8 1. Up to 5 percent may be used to pay the cost of an  
9 advertising agent involved with the transaction.

10 2. Up to 45 percent shall be used to pay for the cost  
11 of the seat belt assemblies and the cost of installation.

12 3. The remaining funds shall be remitted to the state  
13 for deposit into the General Revenue Fund to be used for  
14 transportation purposes.

15 (b) There may be only one business entity sponsor per  
16 school bus. Sponsorships or cosponsorships by individuals  
17 shall be as provided by district school board policy.

18 (2)(a) Upon request by the sponsor, the district  
19 school board shall place signage on the exterior of the school  
20 bus acknowledging the sponsor and, if the sponsor is a  
21 business entity, bearing the logo of the business entity.  
22 However, no sponsor shall be required to have his or her name  
23 or the name of the business entity placed on the school bus.

24 (b) The acknowledgment shall bear the wording "Safety  
25 belts sponsored by" followed by the name of the sponsor.

26 (c) The design, placement, and size of the signage  
27 shall be as prescribed by rule of the State Board of  
28 Education.

29 (3) The school bus must be equipped with a seat belt  
30 assembly that meets the requirements for type 2 seat belt  
31 assemblies established under Federal Motor Vehicle Safety

1 Standard No. 209, 49 C.F.R. s. 571.209, or with any other  
2 pelvic and upper torso restraint system approved by the  
3 Federal Government in a number sufficient to allow each  
4 student who is being transported to use a separate pelvic and  
5 upper torso restraint system.

6 (4) District school board policy under this section  
7 shall provide for sponsorship of the seat belt assembly  
8 installation on new purchases of school buses or for upgrade  
9 of crash protection systems on existing school buses to meet  
10 the seat belt assembly requirements of subsection (3).

11 (5) Sponsorship under this section shall not impose or  
12 imply any duty or responsibility on the sponsor for  
13 installation or use of any seat belt assembly on any school  
14 bus; and, in any action relating to the installation, use,  
15 disuse, or misuse of any seat belt assembly on a school bus,  
16 no liability shall accrue to any person or business entity  
17 because that person or entity is a sponsor of seat belt  
18 assemblies under this section.

19 Section 3. Subsections (3) and (4) of section 1006.25,  
20 Florida Statutes, are amended to read:

21 1006.25 School buses.--School buses shall be defined  
22 and meet specifications as follows:

23 (3) STANDARDS FOR LEASED VEHICLES.--A motor vehicle  
24 owned and operated by a county or municipal transit authority  
25 that is leased by the district school board for transportation  
26 of public school students must meet such standards as the  
27 State Board of Education establishes by rule. A school bus  
28 authorized by a district school board to carry passengers  
29 other than school students must have the words "School Bus"  
30 and any other signs and insignia that mark or designate it as  
31 a school bus and any sign of sponsorship under s. 1006.273

1 covered, removed, or otherwise concealed while such passengers  
2 are being transported.

3 (4) OCCUPANT PROTECTION SYSTEMS.--Students may be  
4 transported only in designated seating positions, except as  
5 provided in s. 1006.22(12), and must use the occupant crash  
6 protection system installed in the vehicle ~~provided by the~~  
7 ~~manufacturer~~, which system must comply with the requirements  
8 of 49 C.F.R. part 571 or with specifications of the State  
9 Board of Education.

10 Section 4. Subsection (3) of section 1006.261, Florida  
11 Statutes, is amended to read:

12 1006.261 Use of school buses for public purposes.--

13 (3) When the buses are used for nonschool purposes  
14 other than the transportation of the transportation  
15 disadvantaged, the flashing red lights and white strobe lights  
16 shall not be used, and the "School Bus" inscriptions on the  
17 front and rear of the buses and any sign of sponsorship under  
18 s. 1006.273 shall be covered or concealed.

19 Section 5. This act shall take effect July 1, 2005.  
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