

1 A bill to be entitled
 2 An act relating to school bus safety equipment; amending
 3 s. 316.6145, F.S.; revising provisions for safety belts or
 4 other restraint system on certain school buses; revising
 5 application of such provisions; removing implementation
 6 and allocation requirements; providing an effective date.

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

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 10 Section 1. Section 316.6145, Florida Statutes, is amended
 11 to read:

12 316.6145 School buses; safety belts or other restraint
 13 systems ~~required~~.--

14 (1)(a) Each school bus that is purchased new after
 15 December 31, 2004 ~~2000~~, and used to transport students in grades
 16 pre-K through 12 may, at the discretion of the district, ~~must~~ be
 17 equipped with safety belts or with any other restraint system
 18 approved by the Federal Government in a number sufficient to
 19 allow each student who is being transported to use a separate
 20 safety belt or restraint system. If provided, such ~~These~~ safety
 21 belts must meet the standards required under s. 316.614. A
 22 school bus that was purchased prior to December 31, 2000, is not
 23 required to be equipped with safety belts.

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

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

29 and fastened safety belt at all times while the bus is in
 30 operation. The state, the county, a school district, school bus
 31 operator under contract with a school district, or an agent or
 32 employee of a school district or operator, including a teacher
 33 or volunteer serving as a chaperone, is not liable in an action
 34 for personal injury by a school bus passenger solely because the
 35 injured party was not wearing a safety belt, if provided.

36 (3) The state, the county, a school district, school bus
 37 operator under contract with a school district, or an agent or
 38 employee of a school district or operator, including a teacher
 39 or volunteer serving as a chaperone, is not liable in an action
 40 for personal injury by a school bus passenger for an injury
 41 caused solely by another passenger's use or nonuse of a safety
 42 belt or restraint system in a dangerous or unsafe manner, if
 43 provided.

44 (4) ~~In implementing the provisions of this section, each~~
 45 ~~school district must prioritize the allocation of buses equipped~~
 46 ~~with safety belts or restraint system to ensure that elementary~~
 47 ~~schools within the district receive first priority.~~ A school
 48 district may enter into agreements to provide transportation
 49 pursuant to this section only if the point of origin or
 50 termination of the trip is within the district's boundaries.

51 (5) The provisions of this section shall not apply to
 52 vehicles as defined in s. 1006.25(1)(b).

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