

HOUSE BILL No. 2660

By Committee on Transportation

1-30

AN ACT relating to school buses; requiring seat belts.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) In addition to the requirements in federal motor vehicle safety standard no. 222 (49 CFR 571.222), every school bus purchased on and after the effective date of this act, shall be equipped with seat belts of the lap belt type for each seating position on such buses that are in conformity with applicable federal standards. The state board of education shall adopt rules and regulations for the design and installation of seat belts that are in conformity with applicable federal standards.

(b) On and after the effective date of this act, bid specifications for the purchase of any school bus subject to the provisions of this section, shall include the requirement for lap seat belts.

(c) Every passenger on a school bus which is equipped with lap seat belts shall wear a properly adjusted and fastened seat belt that is in conformity with applicable federal standards at all times while the bus is in operation.

(d) Nothing in this section shall make the owner or operator of a school bus liable for failure to properly adjust and fasten a seat belt that is in conformity with applicable federal standards for a passenger who sustains injury as a direct result of a passenger's failure to comply with the requirements established by this section except that nothing in this subsection shall be construed to grant immunity from liability for failure to:

(1) Maintain in operating order any seat belt equipment required by this section; or

(2) comply with any applicable law or rule and regulation concerning seat belt requirement under this section.

(e) Nothing in this section shall require any school bus in operation or purchased prior to the effective date of this act to be retrofitted with lap seat belts as required by this section.

(f) The state board of education shall develop and implement a school bus safety program covering such subjects as loading zone behavior, behavior when boarding, being discharged from and being transported in school buses, and the proper use of seat belts.

1 (g) For the purpose of this section:

2 (1) "Bus" means every motor vehicle, as defined in K.S.A. 8-126, and
3 amendments thereto, which is designed for transporting more than 10
4 passengers in addition to the driver; and

5 (2) "school bus" means every bus designed primarily for the trans-
6 portation of pupils, students or school personnel to or from school or to
7 or from school-related functions or activities. This definition includes
8 every such bus which is owned by a school district, or privately owned
9 and contracted for, leased or hired by a school district, and operated for
10 such transportation, and every such bus which is privately owned and
11 operated for such transportation, but does not include within its meaning
12 any bus designated in paragraph (4) of subsection (c) of K.S.A. 72-8301,
13 and amendments thereto.

14 Sec. 2. This act shall take effect and be in force from and after Jan-
15 uary 1, 2005, and its publication in the statute book.

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