HOUSE DOCKET, NO. 2411 FILED ON: 1/20/2011

HOUSE . . . . . No. 2633

The Commonwealth of Massachusetts

PRESENTED BY:

Antonio F. D. Cabral

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing for seatbelts in school buses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Antonio F. D. Cabral	*13th Bristol*
Ruth B. Balser	*12th Middlesex*
Jason M. Lewis	*31st Middlesex*
James J. Dwyer	*30th Middlesex*

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By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 2633) of Antonio F. D. Cabral and others relative to use of seatbelts on school buses. Transportation.

The Commonwealth of Massachusetts

An Act providing for seatbelts in school buses.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 7B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting, after the word, "operation" on line 71, the following: All Type I and Type II school buses that are fully operational and in service on or after January first Two Thousand and Six shall be equipped with white, flashing strobe lights. All Type I and Type II school buses that are fully operational and in service prior to January first Two Thousand Six shall be equipped with white, flashing strobe lights on or prior to January first Two Thousand and Eight.

SECTION 2. Section 7B of chapter 90 is hereby further amended by adding after the word "seated" in line 143, the following:—

"and, no later than twelve months from the effective date of this act, a three-point lap and shoulder restraint system with retracting belts which is properly adjusted and fastened according to the manufacturer's instructions shall be worn by every child riding as a passenger in said bus, and prior to said date if such bus is equipped with a safety restraint system, no child shall ride as a passenger in such bus unless such child is wearing such restraint system which is properly adjusted and fastened according to the manufacturer's instructions."

SECTION 3. Said section 7B of chapter 90 is hereby further amended by adding after the word "year" in line 254, the following:—

; (18) Every school bus may, prior to twelve months from the effective date of the act, and shall, after twelve months from the effective date of the act, be equipped with a three point lap and shoulder restraint system with retracting belts for each permanent seating accommodation approved by the National Highway Transportation Safety Administration and installed in compliance with the United States motor vehicle D.O.T. safety standards, which shall be fastened about each passenger at all times during vehicle operation.

23 SECTION 4. Section 7I of chapter 90 is hereby amended by adding after the word
24 "seated" in line 5, the following:—

25 and, after twelve months from the effective date of the act, a three point shoulder and lap
26 safety restraint system with retracting belts which is properly adjusted and fastened according to
27 the manufacturer's instructions shall be worn by every child riding as a passenger in said bus,
28 and prior to said date if such bus is equipped with a safety restraint system, no child shall ride as
29 a passenger in such bus unless such child is wearing a three point lap belt and shoulder restraint
30 system which is properly adjusted and fastened according to the manufacturer's instructions.

31 SECTION 5. Section 7AA of chapter 90 is hereby amended by adding in line 33 after the
32 word "bus" the words: — ", prior to twelve months from the effective date of the act."

33 SECTION 6. Section 4 of Chapter 175E of the General Laws is hereby amended by
34 adding at the end thereof the following section:—

35 (f) for motor vehicle insurance rates for school buses, the commissioner shall develop and
36 promulgate a schedule of appropriate reductions in premium charges to account for the decreased
37 risk of injury associated with the installation of a three-point lap and shoulder restraint system
38 approved by the National Highway transportation Safety Administration in any such bus so
39 equipped. Said schedule shall be implemented no later than twelve months from effective date of
40 this act and shall contemplate reductions sufficient to equal any costs associated with the
41 installation of such a restraint system over a seven year period.

42 SE CTION 7. Chapter 90 of the General Laws is hereby amended by adding the
43 following section: Section 7DD. No claim for damages shall arise from the failure of a school
44 bus operator to ensure that a passenger of a school bus was wearing the restraint system
45 prescribed by sections 7B, 7I, and 7AA of chapter 90 of the General Laws, provided that
46 instruction in the use of such system and practice in its use is provided to all existing and
47 prospective passengers not less than every six months.

48 SECTION 8. This act shall take effect upon its passage.