SENATE DOCKET, NO. 1548 FILED ON: 1/21/2011

SENATE . . . . . No. 1218

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. McGee

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 adoption of the accompanying bill:

An Act promote safety in the transportation of students..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas M. McGee	*Third Essex and Middlesex*
Lori A. Ehrlich	*8th Essex*
Cynthia S. Creem	
James B. Eldridge	
Kay Khan	*11th Middlesex*
Denise Provost	*27th Middlesex*
Kathi-Anne Reinstein	*16th Suffolk*

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By Mr. McGee, petition (accompanied by bill, Senate, No. 1218) of Reinstein, Provost, Khan and other members of the General Court for legislation to promote safety in the transportation of students [Joint Committee on Public Safety and Homeland Security].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *957* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act promote safety in the transportation of students..

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

SECTION 1. Section 7B of chapter 90 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by adding after the word "seated" in line 16, the following:— and, as of two years after the effective date of this act, lap-shoulder belts, which are 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 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.

9 SECTION 2. Said section 7B of said chapter 90, as so appearing, is hereby further
10 amended by adding after the word “practices” in line 113, the following:— which shall include
11 instruction in the use of lap-shoulder belts.

12 SECTION 3. Said section 7B of said chapter 90, as so appearing, is hereby further
13 amended by adding after the word “year” in line 130, the following:— ; (19) Every school bus
14 may, prior to two years after the effective date of this act, and shall, as of two years after the
15 effective date of this act, be equipped with a lap-shoulder belt system for each permanent seating
16 accommodation approved by the National Highway Transportation Safety Administration and
17 installed in compliance with United States motor vehicle D.O.T. safety standards, which shall be
18 fastened about each passenger at all times during vehicle operation.

19 SECTION 4. Section 7L of said chapter 90, as so appearing, is hereby amended by
20 adding after the word “seated” in line 5, the following:— and, as of two years after the effective
21 date of this act, a lap-shoulder belt system with which is properly adjusted and fastened
22 according to the manufacturer’s instructions shall be worn by every child riding as a passenger in
23 said bus, and prior to said date if such bus is equipped with a safety restraint system, no child
24 shall ride as a passenger in such bus unless such child is wearing a three point lap and shoulder
25 restraint system which is properly adjusted and fastened according to the manufacturer’s
26 instructions.

27 SECTION 5. Section 7AA of said chapter 90, as so appearing, is hereby amended by
28 adding, in line 11 after the word “bus” the words:— , prior to two years after the effective date of
29 this act, unless such school bus is equipped with a lap-shoulder belt system.

30 SECTION 6. Section 4 of chapter 175E, of the General Laws, as appearing in the 2000
31 Official Edition, is hereby amended by adding the following section at the end thereof:—(f) For
32 motor vehicle insurance rates for school buses, the commissioner shall develop and promulgate a
33 schedule of appropriate reductions in premium charges to account for the decreased risk of injury
34 associated with the installation of a lap-shoulder belt system approved by the National Highway
35 Transportation Safety Administration in any such bus so equipped. The schedule shall be
36 promulgated prior to two years after the effective date of this act, provided that an owner of any
37 school bus so equipped prior to the promulgation of said schedule may apply to the
38 commissioner and receive an appropriate reduction in the premium charge.

39 SECTION 7. No claim for damages shall arise from the failure of a school bus operator
40 to ensure that a passenger of a school bus was wearing the restraint system prescribed by
41 Sections 7B, 7L and 7AA of Chapter 90 of the General Laws.