

HOUSE No. 2203

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act establishing safety standards for 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:

1 Section 7B of the General Laws, as appearing in the 2006 Official Edition, is hereby
2 amended by inserting, after the word, “operation” on line 71, the following: All Type I and Type
3 II school buses that are fully operational and in service on or after January first Two Thousand
4 and Six shall be equipped with white, flashing strobe lights. All Type I and Type II school buses
5 that are fully operational and in service prior to January first Two Thousand Six shall be
6 equipped with white, flashing strobe lights on or prior to January first Two Thousand and Eight.

7 SECTION 2. Section 7B of chapter 90 is hereby further amended by adding after the
8 word “seated” in line 143, the following:—“and, no later than twelve months from the effective
9 date of this act, a three-point lap and shoulder restraint system with retracting belts which is
10 properly adjusted and fastened according to the manufacturer’s instructions shall be worn by
11 every child riding as a passenger in said bus, and prior to said date if such bus is equipped with a
12 safety restraint system, no child shall ride as a passenger in such bus unless such child is wearing
13 such restraint system which is properly adjusted and fastened according to the manufacturer’s
14 instructions.”

15 SECTION 3. Said section 7B of chapter 90 is hereby further amended by adding after the
16 word “year” in line 254, the following:—; (18) Every school bus may, prior to twelve months
17 from the effective date of the act, and shall, after twelve months from the effective date of the
18 act, be equipped with a three point lap and shoulder restraint system with retracting belts for each
19 permanent seating accommodation approved by the National Highway Transportation Safety
20 Administration and installed in compliance with the United States motor vehicle D.O.T. safety
21 standards, which shall be fastened about each passenger at all times during vehicle operation.

22 SECTION 4. Section 7I of chapter 90 is hereby amended by adding after the word
23 “seated” in line 5, the following:—and, after twelve months from the effective date of the act, a
24 three point shoulder and lap safety restraint system with retracting belts which is properly
25 adjusted and fastened according to the manufacturer’s instructions shall be worn by every child
26 riding as a passenger in said bus, and prior to said date if such bus is equipped with a safety
27 restraint system, no child shall ride as a passenger in such bus unless such child is wearing a
28 three point lap belt and shoulder restraint system which is properly adjusted and fastened
29 according to the manufacturer’s instructions.

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

32 SECTION 6. Section 4 of Chapter 175E of the General Laws is hereby amended by
33 adding at the end thereof the following section:—(f) for motor vehicle insurance rates for school
34 buses, the commissioner shall develop and promulgate a schedule of appropriate reductions in
35 premium charges to account for the decreased risk of injury associated with the installation of a
36 three-point lap and shoulder restraint system approved by the National Highway transportation

37 Safety Administration in any such bus so equipped. Said schedule shall be implemented no later
38 than twelve months from effective date of this act and shall contemplate reductions sufficient to
39 equal any costs associated with the installation of such a restraint system over a seven year
40 period.

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

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