

**HOUSE . . . . . No. 2633**

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**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 adoption of the accompanying bill:

An Act providing for seatbelts in school buses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/20/2011</i>
<i>Ruth B. Balseer</i>	<i>12th Middlesex</i>	<i>1/31/2011</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>	<i>2/2/2011</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>2/3/2011</i>

**HOUSE . . . . . No. 2633**

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**

**In the Year Two Thousand Eleven**

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:*

1 Section 7B of the General Laws, as appearing in the 2008 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:—

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

13 a passenger in such bus unless such child is wearing such restraint system which is properly  
14 adjusted and fastened according to the manufacturer’s 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:—

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