SENATE DOCKET, NO. 722 FILED ON: 1/17/2013

SENATE . . . . . No. 1147

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*
Michael F. Rush	*Norfolk and Suffolk*
Cynthia S. Creem	*First Middlesex and Norfolk*

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SENATE . . . . . No. 1147

By Mr. McGee, a petition (accompanied by bill, Senate, No. 1147) of Thomas M. McGee, Michael F. Rush and Cynthia S. Creem for legislation to promote safety in the transportation of students. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1218* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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.

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

SECTION 3. Said section 7B of said chapter 90, as so appearing, is hereby further amended by adding after the word "year" in line 130, the following:— ; (19) Every school bus may, prior to two years after the effective date of this act, and shall, as of two years after the effective date of this act, be equipped with a lap-shoulder belt system for each permanent seating accommodation approved by the National Highway Transportation Safety Administration and

installed in compliance with United States motor vehicle D.O.T. safety standards, which shall be fastened about each passenger at all times during vehicle operation.

SECTION 4. Section 7L of said chapter 90, as so appearing, is hereby amended by adding after the word “seated” in line 5, the following:— and, as of two years after the effective date of this act, a lap-shoulder belt system with 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 a three point lap and shoulder restraint system which is properly adjusted and fastened according to the manufacturer’s instructions.

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

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

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