

SENATE No. 1282

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:
<i>Thomas M. McGee</i>	<i>Third Essex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>

SENATE No. 1282

By Mr. McGee, a petition (accompanied by bill, Senate, No. 1282) of Thomas M. McGee, Brian M. Ashe, Steven S. Howitt, Michael F. Rush and other members of the General Court for legislation to promote safety in the transportation of students. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1147 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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:

1 SECTION 1. Section 7B of chapter 90 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by adding after the word “seated” in line 16, the following:-
3 and, as of two years after the effective date of this act, lap-shoulder belts, which are
4 properly adjusted and fastened according to the manufacturer’s instructions shall be worn by
5 every child riding as a passenger in said bus, and prior to said date if such bus is equipped with a
6 restraint system, no child shall ride as a passenger in such bus unless such child is wearing such
7 restraint system which is properly adjusted and fastened according to the manufacturer’s
8 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:-

11 which shall include 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 129, the following:-

14 (19) Every school bus may, prior to two years after the effective date of this act, and
15 shall, as of two years after the effective date of this act, be equipped with a lap-shoulder belt
16 system for each permanent seating accommodation approved by the National Highway
17 Transportation Safety Administration and installed in compliance with United States motor
18 vehicle D.O.T. safety standards, which shall be fastened about each passenger at all times during
19 vehicle operation.

20 SECTION 4. Section 7L of said chapter 90, as so appearing, is hereby amended by
21 adding after the word “seated” in line 5, the following:-

22 and, as of two years after the effective date of this act, a lap-shoulder belt system with
23 which is properly adjusted and fastened according to the manufacturer’s instructions shall be
24 worn by every child riding as a passenger in said bus, and prior to said date if such bus is
25 equipped with a safety restraint system, no child shall ride as a passenger in such bus unless such
26 child is wearing a three point lap and shoulder restraint system which is properly adjusted and
27 fastened according to the manufacturer’s instructions.

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

31 SECTION 6. Section 4 of chapter 175E, of the General Laws, is hereby amended by
32 adding the following section at the end thereof:-

33 (f) For motor vehicle insurance rates for school buses, the commissioner shall develop
34 and promulgate a schedule of appropriate reductions in premium charges to account for the
35 decreased risk of injury associated with the installation of a lap-shoulder belt system approved by
36 the National Highway Transportation Safety Administration in any such bus so equipped. The
37 schedule shall be promulgated prior to two years after the effective date of this act, provided that
38 an owner of any school bus so equipped prior to the promulgation of said schedule may apply to
39 the commissioner and receive an appropriate reduction in the premium charge.

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