

**SENATE . . . . . No. 1332**

**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 to promote safety in the transportation of students.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Thomas M. McGee</i>	<i>Third Essex</i>	
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	<i>1/20/2017</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>1/30/2017</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>1/30/2017</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/30/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/1/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2017</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>2/1/2017</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	<i>2/1/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/2/2017</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/3/2017</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>10/19/2017</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/9/2018</i>

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By Mr. McGee, a petition (accompanied by bill, Senate, No. 1332) of Thomas M. McGee, Kathleen O'Connor Ives, Brendan P. Crighton, 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.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1282 OF 2015-2016.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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An Act to 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.