

SECOND REGULAR SESSION

HOUSE BILL NO. 1776

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BOWMAN (Sponsor), BOYKINS, BLAND, WRIGHT-JONES,
HAYWOOD, LOW (39), WALTON, BROWN (50) AND DARROUGH (Co-sponsors).

Read 1st time February 15, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5084L.011

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to school bus safety belts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be
2 known as section 304.052, to read as follows:

**304.052. 1. As used in this section, "school bus" means a commercial motor vehicle,
2 either publicly or privately owned, used to transport preprimary, primary, or secondary
3 school students from home to school, from school to home, or to and from school-sponsored
4 events for educational purposes. The term "school bus" shall not include any:**

5 **(1) Bus operated by a public utility, municipal corporation, or common carrier
6 authorized to conduct local or interstate transportation of passengers when such bus is not
7 traveling a specific school bus route but is:**

8 **(a) On a regularly scheduled route for the transportation of fare-paying
9 passengers; or**

10 **(b) Furnishing charter service for the transportation of persons enrolled as students
11 on field trips or other special trips or in connection with other special events;**

12 **(2) Passenger cars, multipurpose passenger vehicles, and trucks as defined in 49
13 CFR part 571, as amended.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 **2. Each seat on each school bus that is purchased new on or after January 1, 2007,**
15 **or that is purchased with a manufacture date after January 1, 2007, shall be equipped with**
16 **lap-shoulder safety belts on each passenger seat or with any other restraint system**
17 **approved by the federal government, sufficient to allow each student who is being**
18 **transported to use a separate safety belt or restraint system. These safety belts shall meet**
19 **the standards required for lap and shoulder belt protection systems under 49 CFR 571.208,**
20 **as amended.**

21 **3. Each passenger on a school bus that is equipped with safety belts or restraint**
22 **system shall be transported only in designated seating positions and shall wear a properly**
23 **adjusted and fastened safety belt at all times while the bus is in operation. The state, the**
24 **county, a school district, school bus operator under contract with a school district, or an**
25 **agent or employee of a school district or operator, including a teacher or volunteer serving**
26 **as a chaperone, is not liable in an action for personal injury by a school bus passenger or**
27 **other party solely because the injured party was not wearing a safety belt, misused the**
28 **safety belt, or for an injury caused solely by another passenger's use or nonuse of a safety**
29 **belt or restraint system in a dangerous or unsafe manner.**

30 **4. In implementing the provisions of this section, each school district shall prioritize**
31 **the allocation of buses equipped with safety belts or restraint systems to ensure that**
32 **elementary schools within the district receive first priority. A school district may enter into**
33 **agreements to provide transportation under this section only if the point of origin or**
34 **termination of the trip is within the district's boundaries.**

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