

# HOUSE . . . . . No. 2405

By Representative Walsh of Boston and Senator McGee, joint petition of Martin J. Walsh and Thomas M. McGee for legislation to promote safety in the transportation of students. Public Safety and Homeland Security.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

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  
2 appearing in the 2000 Official Edition, is hereby amended by adding  
3 after the word “seated” in line 16, the following:— and, as of two  
4 years after the effective date of this act, lap-shoulder belts, which are  
5 properly adjusted and fastened according to the manufacturer’s  
6 instructions shall be worn by every child riding as a passenger in  
7 said bus, and prior to said date if such bus is equipped with a  
8 restraint system, no child shall ride as a passenger in such bus unless  
9 such child is wearing such restraint system which is properly  
10 adjusted and fastened according to the manufacturer’s instructions.

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

1 SECTION 3. Said section 7B of said chapter 90, as so appearing,  
2 is hereby further amended by adding after the word “year” in line  
3 130, the following:— ; (19) Every school bus may, prior to two  
4 years after the effective date of this act, and shall, as of two years  
5 after the effective date of this act, be equipped with a lap-shoulder  
6 belt system for each permanent seating accommodation approved by  
7 the National Highway Transportation Safety Administration and  
8 installed in compliance with United States motor vehicle D.O.T.

9 safety standards, which shall be fastened about each passenger at all  
10 times during vehicle operation.

1 SECTION 4. Section 7L of said chapter 90, as so appearing, is  
2 hereby amended by adding after the word “seated” in line 5, the  
3 following:— and, as of two years after the effective date of this act,  
4 a lap-shoulder belt system with which is properly adjusted and fas-  
5 tened according to the manufacturer’s instructions shall be worn by  
6 every child riding as a passenger in said bus, and prior to said date if  
7 such bus is equipped with a safety restraint system, no child shall  
8 ride as a passenger in such bus unless such child is wearing a three  
9 point lap and shoulder restraint system which is properly adjusted  
10 and fastened according to the manufacturer’s instructions.

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

1 SECTION 6. Section 4 of chapter 175E, of the General Laws, as  
2 appearing in the 2000 Official Edition, is hereby amended by adding  
3 the following section at the end thereof:—

4 (f) For motor vehicle insurance rates for school buses, the com-  
5 missioner shall develop and promulgate a schedule of appropriate  
6 reductions in premium charges to account for the decreased risk of  
7 injury associated with the installation of a lap-shoulder belt system  
8 approved by the National Highway Transportation Safety Adminis-  
9 tration in any such bus so equipped. The schedule shall be promul-  
10 gated prior to two years after the effective date of this act, provided  
11 that an owner of any school bus so equipped prior to the promulga-  
12 tion of said schedule may apply to the commissioner and receive an  
13 appropriate reduction in the premium charge.

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