

SENATE NO. 1395

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

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

11 SECTION 3. Said section 7B of said chapter 90, as so appearing, is hereby further amended by adding
12 after the word “year” in line 130, the following:— ; (19) Every school bus may, prior to two years
13 after the effective date of this act, and shall, as of two years after the effective date of this act, be

14 equipped with a lap-shoulder belt system for each permanent seating accommodation approved by the
15 National Highway Transportation Safety Administration and installed in compliance with United
16 States motor vehicle D.O.T. safety standards, which shall be fastened about each passenger at all times
17 during vehicle operation.

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

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

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

35 equipped prior to the promulgation of said schedule may apply to the commissioner and receive an
36 appropriate reduction in the premium charge.

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