

LEGISLATIVE RESEARCH UNIT

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SEAT BELTS ON SCHOOL BUSES

asked on your behalf for information on seat belts in school buses. We describe below the laws of six states that require seat belts in school buses. We also enclose some general information on the topic.

Other States

At least six states' laws require seat belts in school buses.¹ We enclose copies of them. Only one such state (New Jersey) also requires school bus riders to use their seat belts. Table 1 gives details.

Table 1: States Requiring Seat Belts in School Buses

<i>State</i>	<i>Seat belts must be installed</i>	<i>Passengers must use seat belts</i>	<i>effective</i>
California	<input type="checkbox"/>	-	1999
Florida	<input type="checkbox"/>	-	2001
Louisiana	<input type="checkbox"/> ¹	-	2004
New Jersey	<input type="checkbox"/> ²	<input type="checkbox"/>	1992
New York	<input type="checkbox"/> ³	- ⁴	1987
Texas	<input type="checkbox"/> ⁵	-	2007

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Notes

1. Districts' compliance is subject to appropriation of funds.
2. School buses must also have high seatbacks to protect the riders behind seats.
3. Buses must also have increased back padding on seatbacks.
4. Local school boards, after a public hearing, can require riders to use seat belts.
5. Requires a three-point seat belt on school buses bought after August 2010 or school-chartered buses contracted for use after August 2011.

Sources: Cal. Veh. Code, subsec. 27316(a); Fla. Stat. Ann., subsec. 316.6145(1)(a); La. Rev. Stat., sec. 17:164.2; N.J. Stat. Ann., secs. 39:3B-10 and 39:3B-11; N.Y. Veh. & Traf. Law, subsec. 383(5); and N.Y. Educ. Law, subsec. 3635-a(1); Texas Educ. Code, secs. 34.013 and 547.701(e).

A 1992 New Jersey law² requires school buses to be equipped with a lap belt, or another federally approved restraint system, for each seating position.³ Every passenger on a school bus, regardless of age or grade, is to wear a seat belt while it is moving.⁴

In New York, every school bus made for use in the state after July 1, 1987 must have a seat belt and increased back padding for each seat.⁵ Existing buses must be retrofitted with seat belts and increased padding approved by the Commissioner of Transportation.⁶ A local school board after a public hearing can require children to use seat belts on school buses.⁷ The law sets no age or grade requirement, or standards for a local school board's decision.

The Texas law requires a three-point seat belt on school buses bought after August 31, 2010 or school-chartered buses contracted for use after August 31, 2011.⁸ School districts are to report school bus accident data annually to the Texas Education Agency.⁹

A 2007 *Chicago Sun-Times* article stated that Chicago public school buses had been equipped with seat belts since 1975.¹⁰ Evanston/Skokie School District 65 contracts for school buses equipped with seat belts, and encourages students to use them.¹¹ We asked the Chicago Public Schools' General Counsel and the Illinois Association for Pupil Transportation for more information on districts currently using seat belts on buses, but they have not responded. We will forward to you any reply we receive.

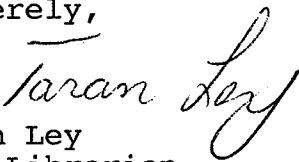
The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) held a public meeting last July 11 in Washington, with a stated purpose "to bring together a roundtable of State and local government policy-makers, school bus and seat manufacturers, pupil

transportation associations, and public interest groups to discuss the issue of seat belts on large school buses."¹² NHTSA issued a notice of proposed rulemaking for comments on or before January 22, 2008. Although the comment period has ended, it typically takes at least 1 year for final rules to be issued (if they are issued).¹³

Three reports from NHTSA are also enclosed for their background information and statistics on school transportation-related crashes.

We hope this information is helpful. Please let us know if we can be of further assistance.

Sincerely,



Taran Ley
Head Librarian

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Enclosures

1. Cal. Veh. Code, sec. 27316.
2. Fla. Stat. Ann., sec. 316.6145.
3. La. Rev. Stat., sec. 17:164.2.
4. N.J. Stat. Ann., secs. 39:3B-10 and 39:3B-11.
5. N.Y. Veh. & Traf. Law, sec. 383 and N.Y. Educ. Law, sec. 3635-a.
6. Tex. Educ. Code Ann., secs. 34.013 and 34.015, and Texas Transp. Code Ann., sec. 547.701.
7. U.S. Department of Transportation, National Highway Traffic Safety Administration, "Seat Belts on School Buses—May 2006" (downloaded from NHTSA Internet site).
8. Hinch et al., "Report to Congress—School Bus Safety: Crashworthiness Research" (April 2002, downloaded from NHTSA Internet site).
9. NHTSA, "School Transportation-Related Crashes" from *Traffic Safety Facts: 2006 Data* (downloaded from NHTSA Internet site).
10. Savage, "School Bus Safety" (excerpt from *Traffic Safety and Public Health: State Legislative Action 2007*), NCSL Transportation Series, no. 32, Dec. 2007, p. 22.

Notes

1. Savage, "School Bus Safety" (excerpt from *Traffic Safety and Public Health: State Legislative Action 2007*), NCSL Transportation Series, no. 32, Dec. 2007, p. 23.
2. 1992 N.J. Laws, ch. 92.

3. N.J. Stat. Ann., sec. 39:3B-10.
4. N.J. Stat. Ann., sec. 39:3B-11.
5. N.Y. Veh. & Traf. Law, subsec. 383(5)(a).
6. N.Y. Veh. & Traf. Law, subsec. 383(5)(b).
7. N.Y. Educ. Law, subsec. 3635-a(1).
8. Texas Transp. Code, subsec. 547.701(e).
9. Texas Educ. Code, subsec. 34.015(b).
10. Nickerson, "No Rule, but Chicago Does It," *Chicago Sun-Times*, July 24, 2007, p. 21.
11. Telephone conversation with Roger Allen, Transportation Manager, Evanston/Skokie School District 65, March 18, 2008.
12. 72 Fed. Register pp. 30739 to 30742 at 30739 (Jun. 4, 2007).
13. Telephone conversation with Charles Hott, Office of Vehicle Standards, U.S. Department of Transportation, National Highway Traffic Safety Administration, March 17, 2008 and "Notice of Proposed Rulemaking (49 CFR 571)" (downloaded from Federal Register Internet site).