

**HOUSE BILL No. 2008**

By Representative Swanson

1-3

1 AN ACT concerning school buses; relating to seat belts; requiring  
2 installation on new buses.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) In addition to the requirements in federal motor vehicle  
6 safety standard no. 222 (49 CFR 571.222), every school bus purchased on  
7 and after the effective date of this act, shall be equipped with factory-  
8 installed lap-shoulder seat belts, also referred to as a three-point harness  
9 system, for each seating position on such buses that are in conformity with  
10 applicable federal standards.

11 (b) On and after the effective date of this act, bid specifications for  
12 the purchase of any school bus, subject to the provisions of this section,  
13 shall include the requirement for lap-shoulder seat belts.

14 (c) Every passenger on a school bus equipped with seat belts shall  
15 wear a properly adjusted and fastened seat belt that is in conformity with  
16 applicable federal standards at all times while the bus is in operation.

17 (d) Nothing in this section shall make the owner or operator of a  
18 school bus liable for failure to properly adjust and fasten a seat belt that is  
19 in conformity with applicable federal standards for a passenger who  
20 sustains injury as a direct result of a passenger's failure to comply with the  
21 requirements established by this section, except that nothing in this  
22 subsection shall be construed to grant immunity from liability for failure  
23 to:

24 (1) Maintain in operating order any seat belt equipment required by  
25 this section; or

26 (2) comply with any applicable law or rule and regulation concerning  
27 seat belt requirements.

28 (e) Nothing in this section shall require any school bus in operation or  
29 purchased prior to the effective date of this act to be retrofitted with seat  
30 belts as required by this section.

31 (f) The state board of education shall develop and implement a school  
32 bus safety program covering such subjects as loading zone behavior,  
33 behavior when boarding, being discharged from and being transported in  
34 school buses, and the proper use of seat belts.

35 (g) For the purpose of this section:

36 (1) "Bus" means every motor vehicle, as defined in K.S.A. 8-126, and

1 amendments thereto, that is designed for transporting more than 10  
2 passengers in addition to the driver; and

3 (2) "school bus" means every bus designed primarily for the  
4 transportation of pupils, students or school personnel to or from school, or  
5 to or from school-related functions or activities. This definition includes  
6 every such bus owned by a school district, or privately owned and  
7 contracted for, leased or hired by a school district, and operated for such  
8 transportation, and every such bus is privately owned and operated for  
9 such transportation, but does not include within its meaning any bus  
10 designated in K.S.A. 72-8301(c)(4), and amendments thereto.

11 Sec. 2. This act shall take effect and be in force from and after  
12 January 1, 2018, and its publication in the statute book.