

By the Committee on Transportation and Senators Crist, Grant, Horne, Turner, Campbell, Holzendorf, Meadows, Burt, Lee, Forman, Myers, Rossin, Silver, Harris, Dyer, McKay, Ostalkiewicz, Cowin and Klein

306-1960-98

1 A bill to be entitled
2 An act relating to school buses; requiring that
3 buses purchased after a specified date and used
4 in transporting certain students be equipped
5 with safety belts that comply with specified
6 standards; providing an exemption for certain
7 school buses; requiring passengers to wear
8 safety belts; providing immunity of a school
9 district, bus operator, and others for injuries
10 to a passenger caused solely because the
11 passenger was not wearing a safety belt;
12 providing immunity to such persons for injury
13 caused by a passenger's dangerous or unsafe use
14 of a safety belt; providing certain provisions
15 for implementation; providing an effective
16 date.

17

18 Be It Enacted by the Legislature of the State of Florida:

19

20 Section 1. (1) Each school bus that is purchased
21 after December 31, 1999, and used to transport students in
22 grades pre-K through 12 must be equipped with safety belts in
23 a number sufficient to allow each student who is being
24 transported to use a separate safety belt. These safety belts
25 must meet the standards required under section 316.614,
26 Florida Statutes. A school bus that was purchased prior to
27 December 31, 1999, is not required to be equipped with safety
28 belts, and neither the state nor a school district shall be
29 liable for personal injury to a passenger on such a school bus
30 which is caused by the passenger's failure to wear a safety
31 belt.

1 (2) Each passenger on a school bus that is equipped
2 with safety belts shall wear a properly adjusted and fastened
3 safety belt at all times while the bus is in operation.

4 (3) A school district, school bus operator under
5 contract with a school district, or an agent or employee of a
6 school district or operator, including a teacher or volunteer
7 serving as a chaperone is not liable in an action for personal
8 injury by a school bus passenger solely because the injured
9 party was not wearing a safety belt.

10 (4) A school district, school bus operator under
11 contract with a school district, or an agent or employee of a
12 school district or operator, including a teacher or volunteer
13 serving as a chaperone is not liable in an action for personal
14 injury by a school bus passenger for an injury caused by
15 another passenger's use of a safety belt in a dangerous or
16 unsafe manner.

17 (5) In implementing the provisions of this section,
18 each school district must prioritize the allocation of buses
19 equipped with safety belts to ensure that elementary schools
20 within the district receive first priority.

21 Section 2. This act shall take effect upon becoming a
22 law.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 1882

The CS provides that a school bus purchased prior to December 31, 1999, is not required to be equipped with safety belts, and neither the state nor a school district will be liable for an injury to a passenger on such a bus which is caused by a passenger's failure to wear a safety belt.

The CS states that passengers on school buses equipped with safety belts must wear a properly adjusted and fastened belt at all times the bus is in operation.

The CS provides that a school district, school bus operator under contract with the school district, or an agent or employee of a school district or operator is not liable for injuries resulting from not wearing a safety belt. Similarly, school districts and bus operators are not liable for injuries to a bus passenger caused by another passenger's use of a safety belt in a dangerous or unsafe manner.

The CS provides that in implementing this section, school districts must prioritize the allocation of buses equipped with safety belts to ensure that elementary schools within the district receive first priority.