

SENATE FILE NO. SF0052

School bus seat belts.

Sponsored by: Senator(s) Jennings and Representative(s)
Wallis

A BILL

for

1 AN ACT relating to school buses; requiring seat belts in
2 school buses as specified; limiting liability; imposing
3 duties upon the department of education; and providing for
4 effective dates.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 21-3-131(b)(iv) and by creating a new
9 subsection (c) and 31-5-1402(a) are amended to read:

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11 **21-3-131. School bus standards; operators; vehicle**
12 **operation; liability limited.**

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14 (b) Each district shall establish and maintain
15 minimum standards for the operation of school buses,
16 including:

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(iv) Passengers ~~in type A school buses equipped with factory installed lap belts~~ shall wear a properly secured lap or seat belt at all times the ~~vehicle~~ school bus is in motion ~~+~~ as follows:

(A) In type A school buses equipped with factory installed lap belts and ordered by a district prior to July 1, 2009, as evidenced by the date specified on the district's purchase order or dealer's factory order;

(B) In all school buses ordered by a district on or after July 1, 2009, as evidenced by the date specified on the district's purchase order or dealer's factory order, and equipped with a factory installed seat belt assembly complying with federal motor vehicle safety standards adopted by the United States department of transportation (49 C.F.R. Part 571, FMVSS no. 222).

(c) Evidence of a person's failure to wear a lap or seat belt as required by paragraph (b)(iv) of this section, or the failure of a school bus operator to require a passenger to wear a lap or seat belt as required under W.S. 31-5-1402(a), shall not be admissible in any civil action.

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2 **31-5-1402. Safety belts required to be used;**
3 **exceptions; reduction in fine.**

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5 (a) Each driver and passenger of a ~~motor~~passenger
6 vehicle operated in this state shall wear, and each driver
7 of a ~~motor~~passenger vehicle shall require that a passenger
8 under twelve (12) years of age shall wear, a properly
9 adjusted and fastened safety belt when the ~~motor~~passenger
10 vehicle is in motion on public streets and highways. Each
11 passenger of a school bus ordered by a school district on
12 or after July 1, 2009, as evidenced by the date specified
13 on the district's purchase order or dealer's factory order,
14 and operated in this state shall wear, and each school bus
15 operator shall require that each passenger shall wear, a
16 seat belt assembly as required under W.S. 21-3-131(b)(iv).
17 Each school bus operator shall wear a lap belt as required
18 under W.S. 21-3-131(b)(iii).

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20 **Section 2.** The department of education shall notify
21 each school district of school bus seat belt assembly
22 requirements imposed under this act, and shall accordingly
23 modify school bus equipment standards promulgated under

1 W.S. 21-13-320 within sufficient time for application to
2 school bus purchases and leases on or after July 1, 2009.

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4 **Section 3.**

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6 (a) Except as provided in subsection (b) of this
7 section, this act is effective July 1, 2009.

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9 (b) Notwithstanding subsection (a) of this section,
10 section 2 of this act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

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15 (END)