

Representative Marsha Judkins proposes the following substitute bill:

SCHOOL BUS SAFETY REQUIREMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by requiring a new school bus purchased after June 30, 2020, to be equipped with seatbelts.

Highlighted Provisions:

This bill:

- ▶ requires all new school buses purchased after June 30, 2020, to be equipped with seatbelts for all passengers;
- ▶ exempts certain parties from liability in a personal injury action related to the use, nonuse, or misuse of a seatbelt on a school bus;
- ▶ provides rulemaking authority to the Department of Transportation;
- ▶ creates a grant program for the State Board of Education to award grants to cover the costs of equipping a new school bus with seatbelts;
- ▶ provides rulemaking authority to the State Board of Education;
- ▶ provides a sunset date for the grant program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2020:

- ▶ to the State Board of Education - Minimum School Program - Related to Basic -



26 Pupil Transportation School Bus Safety Grants, as an ongoing appropriation:

- 27 • from the Education Fund, \$2,000,000.

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **41-6a-1301**, as last amended by Laws of Utah 2015, Chapter 412

33 **63I-1-253**, as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and

34 453

35 ENACTS:

36 **53F-5-212**, Utah Code Annotated 1953



38 *Be it enacted by the Legislature of the state of Utah:*

39 Section 1. Section **41-6a-1301** is amended to read:

40 **41-6a-1301. Standards and specifications for lighting and special warning devices**
41 **on school buses.**

42 (1) (a) A school bus shall be equipped with red signal lamps mounted as high and as
43 widely spaced laterally as practicable.

44 (b) The red signal lamps shall display two alternately flashing red lights, located at the
45 same level, to the front and rear of the school bus.

46 (c) The red signal lamps shall be visible at 500 feet in normal sunlight.

47 (2) (a) A school bus shall be equipped with yellow signal lamps mounted near each of
48 the four red signal lamps and at the same level but closer to the vertical centerline of the bus.

49 (b) The yellow signal lamps shall display two alternately flashing yellow lights to the
50 front and rear of the school bus.

51 (c) The yellow signal lamps shall be visible at 500 feet in normal sunlight.

52 (3) A school bus driver shall activate the yellow signal lamps at least 100 feet, but not
53 more than 500 feet, before every stop at which the alternately flashing red lights are activated.

54 (4) (a) As used in this Subsection (4), "local education agency" means:

55 (i) a school district;

56 (ii) a charter school; or

57 (iii) the Utah Schools for the Deaf and the Blind.

58 (b) A school bus with a model year of 2020 or newer that is purchased after June 30,
59 2020, may be equipped with three-point seatbelts available for use by each passenger on the
60 school bus.

61 (c) A local education agency may apply to the State Board of Education for a grant as
62 described in Section 53F-5-212 to cover the costs of the installation of seatbelts as described in
63 this Section.

64 (d) In accordance with Title 63G, Chapter 3, Administrative Rulemaking Act, and
65 Section 41-6a-1304, the Department of Transportation shall adopt and enforce rules governing
66 the design and installation of seatbelts on school buses.

67 (e) The state, a county, a school district, a school bus operator under contract with a
68 school district, or an agent or employee of a school district or operator, including a teacher or
69 volunteer serving as a chaperone, is not required to ensure use or proper use of a seatbelt on a
70 school bus.

71 (f) The state, a county, a school district, a school bus operator under contract with a
72 school district, or an agent or employee of a school district or operator, including a teacher or
73 volunteer serving as a chaperone, is not liable in an action for personal injury to a school bus
74 passenger for an injury caused solely by a passenger's use, nonuse, or misuse of a seatbelt.

75 ~~[(4)]~~ (5) A violation of this section is an infraction.

76 Section 2. Section 53F-5-212 is enacted to read:

77 **53F-5-212. Pupil transportation school bus safety grants.**

78 (1) Subject to legislative appropriations, the state board shall award a grant to an LEA
79 to reimburse the LEA for costs attributed to equipping a new school bus with seatbelts as
80 required in Section 41-6a-1301.

81 (2) In awarding a grant under this section, the state board shall provide reimbursement
82 only for the portion of the cost of equipping with seatbelts a new school bus purchased by the
83 LEA.

84 (3) To qualify for a grant, an LEA shall submit an application to the state board as
85 provided in rules made by the state board as described in Subsection (4).

86 (4) The state board shall make rules specifying procedures for applying for and
87 awarding grants under this section.

88 Section 3. Section **63I-1-253** is amended to read:

89 **63I-1-253. Repeal dates, Titles 53 through 53G.**

90 The following provisions are repealed on the following dates:

91 [~~(1)~~ Subsection ~~53-10-202~~(18) is repealed July 1, 2018.]

92 [~~(2)~~ Section ~~53-10-202.1~~ is repealed July 1, 2018.]

93 [~~(3)~~ (1) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

94 [~~(4)~~ (2) Section ~~53B-18-1501~~ is repealed July 1, 2021.

95 [~~(5)~~ (3) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

96 [~~(6)~~ (4) Section ~~53B-24-402~~, Rural residency training program, is repealed July 1,
97 2020.

98 [~~(7)~~ (5) Subsection ~~53C-3-203~~(4)(b)(vii), which provides for the distribution of money
99 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
100 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

101 [~~(8)~~ (6) Section ~~53E-3-515~~ is repealed January 1, 2023.

102 [~~(9)~~ (7) Section ~~53F-2-514~~ is repealed July 1, 2020.

103 [~~(10)~~ (8) Section ~~53F-5-203~~ is repealed July 1, 2019.

104 (9) Section ~~53F-5-212~~, which creates a school bus seatbelt grant program, is repealed
105 July 1, 2026.

106 [~~(11)~~ (10) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native
107 Education State Plan Pilot Program, is repealed July 1, 2022.

108 [~~(12)~~ (11) Section ~~53F-6-201~~ is repealed July 1, 2019.

109 [~~(13)~~ (12) Section ~~53F-9-501~~ is repealed January 1, 2023.

110 [~~(14)~~ (13) Subsection ~~53G-8-211~~(4) is repealed July 1, 2020.

111 Section 4. **Appropriation.**

112 The following sums of money are appropriated for the fiscal year beginning July 1,
113 2019, and ending June 30, 2020. These are additions to amounts previously appropriated for
114 fiscal year 2020. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
115 Act, the Legislature appropriates the following sums of money from the funds or accounts
116 indicated for the use and support of the government of the state of Utah.

117 ITEM 1

118 To State Board of Education - Minimum School Program - Related to Basic School

119 Programs

120 From Education Fund \$2,000,000

121 Schedule of Programs:

122 Pupil Transportation School Bus Safety Grants \$2,000,000

123 The Legislature intends that the State Board of Education use the appropriation

124 provided under this item to provide grants under the grant program established in Section

125 [53F-5-212.](#)