

HB0168S01 compared with HB0168

~~deleted text~~ shows text that was in HB0168 but was deleted in HB0168S01.

Inserted text shows text that was not in HB0168 but was inserted into HB0168S01.

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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;

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- ▶ 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:

~~(None)~~ This bill appropriates in fiscal year 2020:

- ▶ to the State Board of Education - Minimum School Program - Related to Basic - Pupil Transportation School Bus Safety Grants, as an ongoing appropriation:
 - from the Education Fund, \$2,000,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

63I-1-253, as last amended by Laws of Utah 2018, Chapters 107, 117, 385, 415, and 453

ENACTS:

53F-5-212, Utah Code Annotated 1953

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

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

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

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

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

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

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

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

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

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

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

(i) a school district;

(ii) a charter school; or

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

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

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

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

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

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

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

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

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

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

(2) In awarding a grant under this section, the state board shall provide reimbursement

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only for the portion of the cost of equipping with seatbelts a new school bus purchased by the LEA.

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

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

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

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

The following provisions are repealed on the following dates:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 4. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1,

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

ITEM 1

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

Programs

From Education Fund \$2,000,000

Schedule of Programs:

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

The Legislature intends that the State Board of Education use the appropriation provided under this item to provide grants under the grant program established in Section 53F-5-212.