

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1791:

Calvey

AS INTRODUCED

An Act relating to schools; requiring certain school buses to be equipped with seat belts; requiring seat belts to meet certain standards; requiring school bus passengers in certain buses to wear seat belts; limiting liability; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-121.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

In addition to the requirements in Federal Motor Vehicle Safety Standard No. 222 (49 CFR S. 571.222) concerning school bus passenger seating and crash protection, each school bus, as defined in Section 1-160 of Title 47 of the Oklahoma Statutes, manufactured on or after January 1, 2002, used by any school district within this state for the transportation of school children shall be equipped with seat belts of the lap type for each seating position on the bus or other child restraint system that is in conformity with applicable federal standards. The design and installation of seat belts or other child restraint systems that are in conformity with applicable federal standards shall also conform to the regulations promulgated by the Department of Public Safety. The Department of Public Safety shall promulgate rules providing for the design and installation standards of seat belts or other child restraint systems that are in conformity with applicable federal standards.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-121.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

Each passenger on a school bus which is equipped with seat belts shall wear a properly adjusted and fastened seat belt or other child restraint system that is in conformity with applicable federal standards at all times while the bus in operation. Nothing in this section shall make the owner or operator of a school bus liable for failure to properly adjust and fasten a seat belt or other child restraint system that is in conformity with applicable federal standards for a passenger who sustains injury as a direct result of the passenger's failure to comply with the requirements established by this section.

SECTION 3. This act shall become effective July 1, 2003.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

49-1-5019 KB 12/18/02