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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 196

01/17/2019 Authored by Freiberg; Carlson, L.; Persell; Elkins and Lippert
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to pupil transportation; requiring seat belts on newly purchased school
1.3 buses; amending Minnesota Statutes 2018, sections 169.447, subdivision 2a;
1.4 169.685, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 169.447, subdivision 2a, is amended to read:

1.7 Subd. 2a. Passenger lap and shoulder belts. (a) In addition to the requirements in
1.8 section 169.4501, subdivision 1;

1.9 (1) a school bus may be equipped with an approved lap belt or an approved lap and
1.10 shoulder belt installed for each passenger seating position on the bus; and

1.11 (2) a school bus purchased after December 31, 2019, must be equipped with an approved
1.12 lap and shoulder belt installed for each passenger seating position on the bus.

1.13 (b) The design and installation of lap belts and lap and shoulder belts required under
1.14 this paragraph (a) must meet the standards of the commissioner established under this
1.15 paragraph (b). (b) The commissioner shall consider all concerns necessary to properly
1.16 integrate lap belts or lap and shoulder belts into the current compartmentalization safety
1.17 system and prescribe standards for the design and installation of lap and shoulder belts
1.18 required under paragraph (a). The standards are not subject to chapter 14 and are specifically
1.19 not subject to section 14.386.

1.20 (c) This subdivision does not apply to specially equipped school buses under section
1.21 169.4504.

2.1 (d) A passenger on a school bus equipped with lap belts or lap and shoulder belts must  
2.2 use these lap belts or lap and shoulder belts unless the passenger, or if the passenger is a  
2.3 minor, the passenger's parent or guardian, has notified the school district in writing that the  
2.4 passenger does not intend to wear the lap belt or lap and shoulder belt.

2.5 (e) In an action for personal injury or wrongful death against a school district, a school  
2.6 bus operator under contract with a school district, or any agent or employee of a school  
2.7 district or operator, or against a volunteer, no such person or entity shall be held liable solely  
2.8 because the injured party was not wearing a safety belt; provided, however, that nothing  
2.9 contained herein shall be construed to grant immunity from liability for failure to:

2.10 (1) maintain in operating order any equipment required by statute, rule, or school district  
2.11 policy; or

2.12 (2) comply with an applicable statute, rule, or school district policy.

2.13 (f) In an action for personal injury or wrongful death, a school district, a school bus  
2.14 contract operator, any agent or employee of a school district or operator, or a volunteer is  
2.15 not liable for failing to assist any child with the adjustment, fastening, unfastening, or other  
2.16 use of the lap belt or lap and shoulder belt.

2.17 Sec. 2. Minnesota Statutes 2018, section 169.685, subdivision 1, is amended to read:

2.18 Subdivision 1. **Requirement; exemptions.** After January 1, 1964, all new motor vehicles,  
2.19 not exempt from Minnesota license fees, other than a bus, ~~school bus~~, motorcycle, motorized  
2.20 bicycle, farm tractor, road tractor, and truck, sold or offered for sale or registered in  
2.21 Minnesota shall be equipped to permit the installation of seat belts in the front seat thereof.

2.22 **EFFECTIVE DATE.** This section is effective December 31, 2019.