CHAPTER 169--S.F.No. 1111

An act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers;amending Minnesota Statutes 2014, sections 169.06, by adding a subdivision; 169.686, subdivision 1.

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

Section 1. Minnesota Statutes 2014, section 169.06, is amended by adding a subdivision to read:

Subd. 4b. **Obedience to school bus flagger.** (a) A person may stop and hold vehicles in place at a location on a street or highway having a speed limit of 35 miles per hour or less until it is safe for the vehicles to proceed, if the person:

(1) is designated by the school district's transportation safety director to act as a school bus flagger;

(2) controls traffic in order to enable one or more school buses to safely leave school property and enter the adjacent street or highway, or to safely enter school property from the adjacent street or highway; and

(3) meets the safety and equipment standards for an adult crossing guard provided in the manual and specifications adopted under subdivision 1.

(b) A person operating a motor vehicle that has been stopped by a school bus flagger may proceed after stopping only on instruction by the school bus flagger or a police officer.

(c) The authority under paragraph (a) does not apply in a school zone established under section 169.14, subdivision 5a, in which the speed limit of that street or highway outside the school zone is greater than 35 miles per hour.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to violations committed on or after that date.

Sec. 2. Minnesota Statutes 2014, section 169.686, subdivision 1, is amended to read:

Subdivision 1. **Seat belt requirement.** (a) Except as provided in section 169.685, a properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by the driver and passengers of a passenger vehicle, commercial motor vehicle, type III vehicle, and type III Head Start vehicle.

(b) A person who is 15 years of age or older and who violates paragraph (a) is subject to a fine of $25. The driver of the vehicle in which a violation occurs is subject to a $25 fine for each violation of paragraph (a) by the driver or by a passenger under the age of 15, but the court may not impose more than one surcharge under section 357.021, subdivision 6, on the driver. The Department of Public Safety shall not record a violation of this subdivision on a person's driving record.

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(c) The driver of a bus is not subject to the fine under paragraph (b) for a violation of paragraph (a) by a passenger under the age of 15. This paragraph does not apply to (1) a school bus, including a type III vehicle; and (2) a Head Start bus, including a type III Head Start vehicle.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to violations committed on or after that date.

Presented to the governor May 24, 2016

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