

House File 35 - Introduced

HOUSE FILE 35

BY HUNTER

A BILL FOR

1 An Act requiring certain new school buses to be equipped with
2 seat belts, requiring the use of such seat belts, and making
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.373, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 7A. A new school bus ordered for purchase
4 on or after July 1, 2015, shall be equipped with safety
5 belts and safety harnesses that conform with 49 C.F.R.
6 §571.209-571.210 for every seating position.

7 Sec. 2. Section 321.445, subsection 2, paragraph b,
8 subparagraph (4), Code 2015, is amended to read as follows:

9 (4) Passengers on a bus other than a school bus equipped
10 with safety belts or safety harnesses pursuant to section
11 321.373, subsection 7A.

12 Sec. 3. Section 321.446, subsections 1 and 2, Code 2015, are
13 amended to read as follows:

14 1. a. A child under one year of age and weighing less
15 than twenty pounds who is being transported in a motor
16 vehicle subject to registration, except a ~~school bus or~~
17 motorcycle, shall be secured during transit in a rear-facing
18 child restraint system that is used in accordance with the
19 manufacturer's instructions.

20 b. A child under six years of age who does not meet the
21 description in paragraph "a" and who is being transported
22 in a motor vehicle subject to registration, except a ~~school~~
23 ~~bus or~~ motorcycle, shall be secured during transit by a
24 child restraint system that is used in accordance with the
25 manufacturer's instructions.

26 2. A child at least six years of age but under eighteen
27 years of age who is being transported in a motor vehicle
28 subject to registration, except a ~~school bus or~~ motorcycle,
29 shall be secured during transit by a child restraint system
30 that is used in accordance with the manufacturer's instructions
31 or by a safety belt or safety harness of a type approved under
32 section 321.445.

33 Sec. 4. Section 321.446, subsection 3, paragraph b, Code
34 2015, is amended to read as follows:

35 b. The transportation of children in 1965 model year or

1 older vehicles, authorized emergency vehicles, buses other than
2 school buses which are equipped with safety belts or safety
3 harnesses pursuant to section 321.373, subsection 7A, or motor
4 homes or motorsports recreational vehicles, except when a child
5 is transported in a motor home's or motorsports recreational
6 vehicle's passenger seat situated directly to the driver's
7 right.

8 Sec. 5. IMPLEMENTATION OF ACT. Section 25B.2, subsection
9 3, shall not apply to this Act.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill requires that new school buses ordered for
14 purchase on or after July 1, 2015, be equipped with safety
15 belts and safety harnesses for every seating position. The
16 bill also requires the use of safety belts and safety harnesses
17 by the driver and passengers on such school buses. Current
18 requirements for the use of child restraint systems for
19 children under 18 years of age also apply to school buses
20 equipped with safety belts and safety harnesses under the bill.

21 A violation of seat belt requirements is a scheduled
22 violation subject to a fine of \$50. A violation of seat belt
23 or restraint requirements for persons under 18 years of age is
24 a scheduled violation subject to a fine of \$100. Seat belt and
25 restraint violations are not a factor in establishing grounds
26 for license suspension or identifying a person as a habitual
27 violator.

28 The bill may include a state mandate as defined in Code
29 section 25B.3. The bill makes inapplicable Code section 25B.2,
30 subsection 3, which would relieve a political subdivision from
31 complying with a state mandate if funding for the cost of
32 the state mandate is not provided or specified. Therefore,
33 political subdivisions are required to comply with any state
34 mandate included in the bill.