

**House File 2117 - Introduced**

HOUSE FILE 2117

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 2014, 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, 2014, 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 2014, 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 2014, 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 2014, is amended to read as follows:

35 b. The transportation of children in 1965 model year

1 or older vehicles, authorized emergency vehicles, buses  
2 other than school buses, school buses which are not equipped  
3 with safety belts or safety harnesses pursuant to section  
4 321.373, subsection 7A, or motor homes, except when a child is  
5 transported in a motor home's passenger seat situated directly  
6 to the driver's right.

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

9 EXPLANATION

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

12 This bill requires that new school buses ordered for  
13 purchase on or after July 1, 2014, be equipped with safety  
14 belts and safety harnesses for every seating position. The  
15 bill also requires the use of such safety belts and safety  
16 harnesses by the driver and passengers on school buses so  
17 equipped. Current requirements for the use of child restraint  
18 systems for children under 18 years of age also apply for  
19 school buses equipped with safety belts and safety harnesses  
20 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.