

House File 366 - Introduced

HOUSE FILE 366

BY MASCHER

A BILL FOR

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

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

1 Section 1. Section 321.373, Code 2019, 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, 2019, that was manufactured on or after
5 July 1, 2019, shall be equipped with safety belts or safety
6 harnesses that conform with 49 C.F.R. §571.209-571.210 for
7 every seating position.

8 Sec. 2. Section 321.445, subsection 2, paragraph b,
9 subparagraph (4), Code 2019, is amended to read as follows:

10 (4) Passengers on a bus other than a school bus equipped
11 with safety belts or safety harnesses pursuant to section
12 321.373, subsection 7A.

13 Sec. 3. Section 321.446, subsections 1 and 2, Code 2019, are
14 amended to read as follows:

15 1. *a.* A child under one year of age and weighing less
16 than twenty pounds who is being transported in a motor vehicle
17 subject to registration, except a school bus manufactured
18 before July 1, 2019, or a motorcycle, shall be secured during
19 transit in a rear-facing child restraint system that is used in
20 accordance with the manufacturer's instructions.

21 *b.* A child under six years of age who does not meet the
22 description in paragraph "a" and who is being transported in
23 a motor vehicle subject to registration, except a school bus
24 manufactured before July 1, 2019, or a motorcycle, shall be
25 secured during transit by a child restraint system that is used
26 in accordance with the manufacturer's instructions.

27 2. A child at least six years of age but under eighteen
28 years of age who is being transported in a motor vehicle
29 subject to registration, except a school bus manufactured
30 before July 1, 2019, or a motorcycle, shall be secured during
31 transit by a child restraint system that is used in accordance
32 with the manufacturer's instructions or by a safety belt or
33 safety harness of a type approved under [section 321.445](#).

34 Sec. 4. Section 321.446, subsection 3, paragraph b, Code
35 2019, is amended to read as follows:

1 *b.* The transportation of children in 1965 model year or
2 older vehicles, authorized emergency vehicles, buses other than
3 school buses equipped with safety belts or safety harnesses
4 pursuant to section 321.373, subsection 7A, or motor homes
5 or motorsports recreational vehicles, except when a child is
6 transported in a motor home's or motorsports recreational
7 vehicle's passenger seat situated directly to the driver's
8 right.

9 Sec. 5. IMPLEMENTATION OF ACT. Section 25B.2, subsection
10 3, shall not apply to this Act.

11

EXPLANATION

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

14 This bill requires new school buses ordered for purchase on
15 or after July 1, 2019, that were manufactured on or after July
16 1, 2019, to be equipped with safety belts or safety harnesses
17 for every seating position. The bill also requires the use
18 of safety belts or safety harnesses by the driver, front seat
19 passengers, and all passengers under 18 years of age on such
20 school buses. Current requirements for the use of child
21 restraint systems for children under 18 years of age also apply
22 to school buses equipped with safety belts or safety harnesses
23 under the bill.

24 Under current law, a violation of Code section 321.445 is
25 punishable by a scheduled fine of \$50. A violation of Code
26 section 321.446 is punishable by a scheduled fine of \$100. The
27 department of transportation is prohibited from considering
28 the violation in determining an offender's driver's license
29 suspension under Code section 321.210 or habitual offender
30 status under Code section 321.555.

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

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1 political subdivisions are required to comply with any state
2 mandate included in the bill.