

SENATE BILL 144

By Harper

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 6, Part 21, relative to requiring seat belts
in school buses and other motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 21, is amended by adding the following language as a new section:

§ 49-6-2118.

(a) Any motor vehicle, including any bus, bought after the effective date of this act for the purposes of being owned, operated or leased by any public or private primary or secondary school or school system, and which is intended to be used to transport students, shall be equipped with safety belts or with any other restraint system approved by the federal government for the driver and all passengers. All motor vehicles, including buses, which are owned, operated or leased by a public or private primary or secondary school or school system, and which are intended to be used to transport students, shall no later than July 1, 2012, be equipped with such safety belts or other restraint systems for the driver and all passengers; provided that any motor vehicle, including any bus, bought by a public or private primary or secondary school or school system before July 1, 2007, shall not be subject to such requirement. All such safety belts or other restraint systems shall be ones approved by the department of safety of the state of Tennessee. The department of safety shall establish specifications and requirements of approved types of safety belts and attachments.

(b) Each passenger on a school bus that is equipped with safety belts shall wear a properly adjusted and fastened safety belt at all times while the bus is in operation. The state, the county, a school or school system, a school bus operator under contract

with a school or school system, or an agent or employee of a school or school system or operator, including a teacher or volunteer serving as a chaperone, is not liable in an action for personal injury by a school bus passenger for an injury caused solely by another passenger's use or nonuse of a safety belt or restraint system in a dangerous or unsafe manner.

(c) The state board of education is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5. Such rules and regulations shall include provisions for the posting of notices in each motor vehicle notifying the passengers of the need to wear their safety belts.

(d) In implementing the provisions of this section, each school district shall prioritize the allocation of buses equipped with safety belts or restraint systems to ensure that elementary schools within the district receive first priority.

SECTION 2. This act shall take effect July 1, 2007, the public welfare requiring it.