AN ACT concerning school buses; relating to seat belts; requiring installation on new buses.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) In addition to the requirements in federal motor vehicle safety standard no. 222 (49 CFR 571.222), every school bus purchased on and after the effective date of this act, shall be equipped with factory-installed lap-shoulder seat belts, also referred to as a three-point harness system, for each seating position on such buses that are in conformity with applicable federal standards.

(b) On and after the effective date of this act, bid specifications for the purchase of any school bus, subject to the provisions of this section, shall include the requirement for lap-shoulder seat belts.

(c) Every passenger on a school bus equipped with seat belts shall wear a properly adjusted and fastened seat belt that is in conformity with applicable federal standards at all times while the bus is in operation.

(d) Nothing in this section shall make the owner or operator of a school bus liable for failure to properly adjust and fasten a seat belt that is in conformity with applicable federal standards for a passenger who sustains injury as a direct result of a passenger’s failure to comply with the requirements established by this section, except that nothing in this subsection shall be construed to grant immunity from liability for failure to:

(1) Maintain in operating order any seat belt equipment required by this section; or
(2) comply with any applicable law or rule and regulation concerning seat belt requirements.

(e) Nothing in this section shall require any school bus in operation or purchased prior to the effective date of this act to be retrofitted with seat belts as required by this section.

(f) The state board of education shall develop and implement a school bus safety program covering such subjects as loading zone behavior, behavior when boarding, being discharged from and being transported in school buses, and the proper use of seat belts.

(g) For the purpose of this section:

(1) "Bus" means every motor vehicle, as defined in K.S.A. 8-126, and
amendments thereto, that is designed for transporting more than 10
passengers in addition to the driver; and
(2) "school bus" means every bus designed primarily for the
transportation of pupils, students or school personnel to or from school, or
to or from school-related functions or activities. This definition includes
every such bus owned by a school district, or privately owned and
contracted for, leased or hired by a school district, and operated for such
transportation, and every such bus is privately owned and operated for
such transportation, but does not include within its meaning any bus
designated in K.S.A. 72-8301(c)(4), and amendments thereto.
Sec. 2. This act shall take effect and be in force from and after
January 1, 2018, and its publication in the statute book.