

## **BILL ANALYSIS**

C.S.H.B. 1188  
By: Phelan  
Transportation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that life-saving equipment such as seat belts should be available to more Texas children who ride buses to and from school each day. C.S.H.B. 1188 seeks to address this issue by requiring three-point seat belts on certain new school buses purchased by a public school district.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1188 amends the Transportation Code to include a multifunction school activity bus and a school-chartered bus among the buses that when operated by or contracted for use by a public school district for the transportation of schoolchildren are required to be equipped with a three-point seat belt for each passenger, including the operator. The bill removes provisions limiting this seat belt requirement to each bus purchased by a district on or after September 1, 2010, or each school-chartered bus contracted for use by a district on or after September 1, 2011, for the transportation of schoolchildren and exempts from the requirement a bus purchased by a district that is a model year 2017 or earlier and a bus purchased by a district that is a model year 2018 or later if the board of trustees for the district determines that the district's budget does not permit the district to purchase a bus that is equipped with the required three-point seat belts and votes to approve that determination in a public meeting. The bill repeals a provision requiring a district to comply with the seat belt requirement only to the extent that the legislature has appropriated money for the purpose of reimbursing school districts for expenses incurred in that compliance.

C.S.H.B. 1188 repeals Section 547.701(f), Transportation Code.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1188 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial

differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Section 547.701(e), Transportation Code, is amended to read as follows:

(e) In this subsection, "bus" includes a school bus, ~~[and a] school activity bus, multifunction school activity bus, or school-chartered bus.~~ A bus operated by or contracted for use by a school district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This subsection ~~does not apply to a~~ ~~[applies to:~~

~~[(1) each] bus purchased before September 1, 2017, by a school district [on or after September 1, 2010,] for the transportation of schoolchildren[; and~~

~~[(2) each school-chartered bus contracted for use by a school district on or after September 1, 2011, for the transportation of schoolchildren].~~

SECTION 2. Section 547.701(f), Transportation Code, is repealed.

~~No equivalent provision.~~

SECTION 3. This Act takes effect September 1, 2017.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 547.701(e), Transportation Code, is amended to read as follows:

(e) In this subsection, "bus" includes a school bus, ~~[and a] school activity bus, multifunction school activity bus, or school-chartered bus.~~ A bus operated by or contracted for use by a school district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This subsection does not apply to:

(1) a bus purchased by a school district that is a model year 2017 or earlier; or

(2) a bus purchased by a school district that is a model year 2018 or later if the board of trustees for the school district:

(A) determines that the district's budget does not permit the district to purchase a bus that is equipped with the seat belts required by this subsection; and

(B) votes to approve that determination in a public meeting [applies to:

~~[(1) each bus purchased by a school district on or after September 1, 2010, for the transportation of schoolchildren; and~~

~~[(2) each school-chartered bus contracted for use by a school district on or after September 1, 2011, for the transportation of schoolchildren].~~

SECTION 2. Same as introduced version.

SECTION 3. It is the public policy of this state to ensure the safety of all students by taking every measure possible to protect the lives and well-being of students during transportation on a bus to and from school and extracurricular activities, including the measure enacted in Section 547.701(e), Transportation Code, as amended by this Act.

SECTION 4. Same as introduced version.