

BILL ANALYSIS

Senate Research Center
80R15684 JTS-D

C.S.H.B. 323
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Transportation & Homeland Security
5/14/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Seatbelts are mandatory safety equipment in nearly all types of vehicles, including cars and small buses. However, current law does not include such requirements for large school buses and charter buses. On March 29, 2006, a chartered school bus transporting 23 soccer players from West Brook High School in Beaumont overturned, killing two girls and causing numerous injuries to others on the bus. The bus was not equipped with seatbelts. With nothing restraining a student in the student's seat, tragedies such as this can occur more often than necessary, as the student can be thrown around inside and even ejected from a bus.

C.S.H.B. 323 requires all new buses purchased by a school district, including school buses, school activity buses, and school-chartered buses, on or after September 1, 2010, to be equipped with three-point (lap/shoulder) seatbelts, and all buses contracted for use by a school district on or after September 1, 2014, to be equipped with three-point seatbelts. Additionally, the provisions of this bill will not take effect unless the legislature appropriates the necessary funds to school districts to cover the expenses of such changes.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 547.701, Transportation Code, to read as follows:

Sec. 547.701. ADDITIONAL EQUIPMENT REQUIREMENTS FOR SCHOOL BUSES AND OTHER BUSES USED TO TRANSPORT SCHOOLCHILDREN.

SECTION 2. Amends Section 547.701, Transportation Code, by adding Subsection (e), to define "bus" and to require buses operated by or contracted for use by a school district for the transportation of schoolchildren to be equipped with three-point seatbelts for each passenger, including the operator. Provides that this subsection applies to each bus purchased by a school district on or after September 1, 2010, and each school-chartered bus contracted for use by a school district on or after September 1, 2014, for the transportation of schoolchildren.

SECTION 3. Amends Chapter 34, Education Code, by adding Section 34.013, as follows:

Sec. 34.013. FUNDING FOR THREE-POINT SEAT BELTS. (a) Authorizes a person to offer to donate three-point seat belts or money for the purchase of three-point seat belts for a school district's school buses.

(b) Requires the board of trustees of a school district (board of trustees) to consider any offer made by a person under Subsection (a). Authorizes the board of trustees to accept or decline the offer after adequate consideration.

(c) Authorizes the board of trustees to acknowledge a person who donates three-point seat belts or money for the purchase of three-point seat belts for a school bus under this section by displaying a small, discreet sign on the side or back of the bus recognizing the person who made the donation. Prohibits the sign from serving as an advertisement for the person who made the donation.

SECTION 4. Provides that the changes made by Section 2 of this Act do not take effect unless the legislature appropriates money specifically for the purpose of reimbursing school districts for expenses incurred in complying with that section.

SECTION 5. Effective date: September 1, 2007.