

SENATE, No. 2187

STATE OF NEW JERSEY

INTRODUCED JUNE 12, 1997

By Senators SINGER and CIESLA

1 AN ACT concerning the use of seat belts in school buses, amending
2 N.J.S.18A:25-2 and P.L.1992, c.92 and supplementing chapter 37
3 of Title 18A of the New Jersey Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. N.J.S.18A:25-2 is amended to read as follows:

9 18A:25-2. A teacher or other person in authority over such pupil
10 shall hold every pupil accountable for disorderly conduct in school and
11 during recess and on the playgrounds of the school and on the way to
12 and from school.

13 The driver shall be in full charge of the school bus at all times and
14 shall be responsible for order; he shall never exclude a pupil from the
15 bus, but, if unable to manage any pupil, shall report the unmanageable
16 pupil to the principal of the school which he attends.

17 A pupil may be excluded from the bus for disciplinary reasons by
18 the principal, including refusal by the student to wear a properly
19 adjusted and fastened seat belt or other child restraint system while
20 riding a school bus which is equipped with seat belts or other restraint
21 system, and his parents shall provide for his transportation to and from
22 school during the period of such exclusion.

23 (cf: P.L.1969, c.175, s.1)

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25 2. Section 2 of P.L.1992, c.92 (C.39:3B-11) is amended to read as
26 follows:

27 2. Beginning on September 1 of the second year next following the
28 year of enactment of P.L.1992, c.92 (C.39:3B-10 et seq.), each
29 passenger on a school bus which is equipped with seat belts shall wear
30 a properly adjusted and fastened seat belt or other child restraint
31 system that is in conformity with applicable federal standards at all
32 times while the bus is in operation. The operator may report a student
33 who refuses to be secured in a seat to his supervisor or the school
34 principal.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 Nothing in this section shall make the owner or operator of a school
2 bus liable for failure to properly adjust and fasten a seat belt or other
3 child restraint system that is in conformity with applicable federal
4 standards for a passenger who sustains injury as a direct result of the
5 passenger's failure to comply with the requirement established by this
6 section.

7 (cf: P.L.1992, c.92, s.2)

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9 3. (New section) Whenever a pupil fails to comply with the
10 provisions of section 2 of P.L.1992, c.92 (C.39:3B-11) requiring the
11 pupil to be secured properly in his seat on a school bus, in addition to
12 excluding the pupil from the bus pursuant to N.J.S.18A:25-2, the
13 principal may impose any other disciplinary sanction he deems
14 appropriate.

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16 4. This act shall take effect September 1, 1997.

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STATEMENT

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21 Under current law, a pupil may be excluded from a school bus for
22 disciplinary reasons by the principal, and his parents must provide for
23 his transportation to and from school during the period of such
24 exclusion. This bill provides that a student may also be excluded
25 from the bus for refusal to wear a properly adjusted and fastened seat
26 belt or other child restraint system while riding a school bus. Under the
27 bill, a student who refuses to be secured in his seat may be reported by
28 the bus operator to the bus operator's supervisor or the school
29 principal. The bill also provides that in addition to excluding the pupil
30 from the bus, the principal may impose any other disciplinary sanction
31 he deems appropriate.

32 Legislation which became effective in September of 1994,
33 P.L.1992, c.92, requires every passenger on a school bus which is
34 equipped with seat belts or other restraint system to be secured with
35 the belt or restraint whenever the bus is being operated.

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40 Authorizes sanctions for refusal to wear school bus seat belt.