

## **SUBJECT: NJ LAW**

New Jersey's School Bus Seat Belt Law

Office of the Governor News Release September 8, 1992

Governor Signs School Bus Seat Belt Laws

WEST ORANGE, N.J.--After a nearly 20-year legislative gridlock, Governor Jim Florio today signed legislation requiring new school buses to be equipped with seat belts and roof escape hatches--making New Jersey the first state in the nation to mandate school bus safety as law.

The two-prong safety measures require all new school buses to be equipped with seat belts, 28-inch seat backs and roof hatches. Approximately 900 new large buses are purchased each year. Although some New Jersey school districts and other states have voluntarily undertaken school bus seat belt efforts, New Jersey is the first state to mandate these safety measures.

The legislative debate over seat belts on school buses has raged for the past years. In April, Gov. Florio had urged the state's consumer advocates to help break the gridlock and push for passage of the legislation. A 1989 study by the New Jersey Institute of Technology, commissioned by the state, concluded that installing belts would improve overall safety performance. The support of the state PTA and the state Board of Education.

By Senators Bassano, Matheassen, Kosco, LaRossa, Smith, Inverso and Sinagra

AN ACT requiring certain equipment for school buses and supplementing chapter 3B of Title 39 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey: In addition to the requirements in Federal Motor Vehicle Safety Standard No. 222 (49 CFR §571.222) concerning school bus passenger seating and crash protection, each school bus as defined in R.S.39:1-1 shall be equipped with seats of a minimum seat back height of 28 inches, or 24 inches as measured from the seating reference point, and seat belts of the lap belt type for each seating position on the bus or other child restraint systems that are in conformity with applicable federal standards. The design and installation of seat belts or other child restraint systems that are in conformity with applicable federal standards shall conform to the regulations promulgated by the State Board of Education ' in consultation with the Director of the Division of Motor Vehicles in the Department of Law and Public Safety. The State board shall promulgate regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), for the design and installation of seat belts or other child restraint systems that are in conformity with applicable federal standards.

As used in this section, "seating reference point" shall be defined as the term is defined in 49 CFR §571.3.

Beginning on September 1 of the second year next following the year of enactment of P.L., c, (C. ) (now pending before the Legislature as this bill), each passenger on a school bus which is equipped with seat belts shall wear a properly adjusted and fastened seat belt or other child restraint system that is in conformity with applicable federal standards at all times while the bus is in operation. Nothing in this section shall make the owner or operator of a school bus liable for failure to properly adjust and fasten a set belt or other child restraint system that is in conformity with applicable federal standards for a passenger who sustains injury as a direct result of the passenger's failure to comply with the requirement established by this section.

This act shall take effect immediately, but section 1 shall apply only to school buses and equipment for which, on or after the effective date of this act, a bid is submitted or an order for purchase placed.

CHAPTER 307, LAWS OF 1993  
Senate S-291

(Webmaster note: The companion bill in the Assembly was A-2315)

Chief Sponsor Assemblyman Harriet Derman

AN ACT concerning seat belts and seat heights on school buses and amending P.L.1992, c.92

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

1. Section 3 of P.L.1992, c.92 is amended to read as follows: <Picture>3. This act shall take effect immediately, but section 1 shall apply only to school buses [and equipment for which, on or after the effective date of this act, a bid is submitted or an order for purchase placed] with a chassis manufacture date of October 1992 or thereafter. (cf: P.L.1992, c.92, s.3)

2. This act shall take effect immediately. Statement

This bill amends the effective date of P.L.1992, c.92 to provide that all school buses with a chassis manufacture date of October, 1992 or thereafter must be equipped with seat belts or child restraint systems and with seats which meet minimum seat back height requirements.

P.L.1992, c.92 provided for these requirements to apply to any school bus or equipment for which a bid was submitted, or an order for purchase placed, after the effective date of the act.

Requires certain seat heights and seat belts to be installed on any school bus which has a chassis manufacture date of October, 1992 or thereafter.

State of New Jersey  
Dept. of Law and Public Safety  
Division of Highway Traffic Safety

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**Memorandum:**

**To: County Superintendents**

**From: Colonel Peter J. O'Hagan, Director**

**Date: October 3, 1994**

Subject: New Jersey Law Regarding the Use of Seat Belts on School Buses

As you are aware, in September of 1992, New Jersey took an important step in ensuring the safety of students who ride school buses. At that time, a two part school bus safety bill was passed by the legislature and signed by the governor. Part one, requiring new buses to be equipped with seat belts took effect immediately. Part two of that law, requiring students to buckle up, was delayed by two years until this fall to enable sufficient new buses equipped with seat belts to be on the road.

Not only is the new law important because of the protection seat belts provide in a crash, but also because wearing seat belts on school buses helps reinforce the habit that started when the children left the hospital as infants protected by child safety seats. Buckling up in the school bus helps sustain the lifesaving habit kids learned in the family car.

Enclosed are general school bus safety rules and information for bus drivers to reinforce the use of belts on school buses. I wish to request that your office assist us in forwarding these pieces of information to each school in your county. My division believes that since our children hold so much promise for the future, any steps we can take to help ensure their safety are important.

If you have any questions, or wish additional information, please do not hesitate to contact my division.