

HOUSE BILL NO. 1323

Introduced by

Representatives S. Kelsh, Delmore, Fairfield, Jensen, Sveen

Senator Fischer

1 A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota
2 Century Code, relating to safety belts in schoolbuses; and to amend and reenact section
3 39-21-41.1 of the North Dakota Century Code, relating to safety belts in schoolbuses.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 39-21 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Schoolbus passengers - Safety belts - Enforcement policy.**

- 8 1. Each passenger on a schoolbus equipped with safety belts shall wear a properly
9 adjusted and fastened safety belt at all times when the bus is in operation.
- 10 2. Each passenger on a schoolbus not equipped with safety belts shall remain seated
11 at all times when the bus is in operation.
- 12 3. The board of each school district shall:
- 13 a. Present to the parent of a student being transported in a schoolbus a copy of
14 this section.
- 15 b. Develop and present to the parent of a student being transported in a
16 schoolbus its policy setting forth the consequences for a student's failure to
17 abide by the requirements of this section or by the school district policy.

18 **SECTION 2. AMENDMENT.** Section 39-21-41.1 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **39-21-41.1. Safety belts.**

- 21 1. Every passenger car manufactured or assembled after January 1, 1965, must be
22 equipped with lapbelt assemblies for use in the driver's and one other front seating
23 position.

- 1 2. All motor vehicles manufactured after January 1, 1968, must be equipped with any
2 lapbelt or shoulder belt required at the time the vehicle was manufactured by
3 standards of the United States department of transportation. Nothing in this
4 subsection affects the requirement in subsection 1 for a lapbelt in the driver's
5 seating position.
- 6 3. In addition to any other requirements, all schoolbuses manufactured or assembled
7 after July 31, 1999, must have each seat equipped with lap-type safety belts.
- 8 4. The department may except specified types of motor vehicles or seating positions
9 within any motor vehicle from the requirements imposed by subsections 1 and 2
10 when compliance would be impractical.
- 11 ~~4.~~ 5. No person may install, distribute, have for sale, offer for sale, or sell any belt for
12 use in motor vehicles, including schoolbuses, unless it meets current minimum
13 standards and specifications of the United States department of transportation.
- 14 ~~5.~~ 6. Every owner shall maintain belts and assemblies required by this section in proper
15 condition and in a manner that will enable occupants to use them.