

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 634

Introduced by Hilkemann, 4; Blood, 3; Briese, 41; DeBoer, 10; Dorn, 30; Gragert, 40; Hansen, B., 16; Howard, 9; Hunt, 8; Kolowski, 31; Kolterman, 24; Lathrop, 12; Lindstrom, 18; Pansing Brooks, 28; Quick, 35; Stinner, 48; Walz, 15; Williams, 36; Wishart, 27.

Read first time January 23, 2019

Committee: Transportation and Telecommunications

- 1 A BILL FOR AN ACT relating to school buses; to require three-point safety
- 2 belt systems as prescribed; and to state intent regarding liability.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Except as provided in subsection (2) of this
2 section, any vehicle, regardless of the manufacturer's rated seating
3 capacity, used by or on behalf of a school district or educational
4 service unit for the transportation of students shall be equipped with
5 three-point safety belt systems as defined in section 60-6,265 sufficient
6 to allow each passenger, including the operator, to use a separate three-
7 point safety belt system.

8 (2) A vehicle shall be exempt from the requirements of subsection
9 (1) of this section if:

10 (a) Such vehicle was purchased prior to the effective date of this
11 act by the school district or educational service unit using the vehicle
12 for the transportation of students;

13 (b) Such vehicle is used by or on behalf of a school district or an
14 educational service unit for the transportation of students pursuant to a
15 contract entered into prior to the effective date of this act and such
16 contract is not modified on or after the effective date of this act; or

17 (c) Prior to the purchase of or contract for the use of such
18 vehicle, a determination is agreed upon by a majority vote in an open
19 public session of the school board or the board of the educational
20 service unit that there is not capacity in the school district or
21 educational service unit budget for such budget year to accommodate the
22 additional cost to purchase or contract for the use of a vehicle or
23 vehicles meeting the requirements of subsection (1) of this section.

24 (3) Nothing in this section shall be construed to change any
25 existing liability or to create any new liability for a school district
26 or educational service unit with respect to any personal injury to a
27 passenger in a vehicle used by or on behalf of a school district or
28 educational service unit for the transportation of students.