

By: Representatives Barnett, Clarke, Malone,
Thomas, Woods

To: Education;
Transportation

HOUSE BILL NO. 513

1 AN ACT TO AMEND SECTION 63-2-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT EVERY SCHOOL BUS THAT IS PURCHASED NEW AFTER JULY 1,
3 2007, AND IS USED TO TRANSPORT PUBLIC SCHOOL STUDENTS IN GRADES
4 KINDERGARTEN THROUGH GRADE 12 MUST BE EQUIPPED WITH SEAT BELTS
5 MEETING APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS; TO
6 REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT RULES AND
7 REGULATIONS TO ENSURE THAT SCHOOL DISTRICTS REQUIRE ALL PASSENGERS
8 TO WEAR THESE BELTS WHENEVER THE BUS IS IN MOTION; AND FOR RELATED
9 PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 63-2-1, Mississippi Code of 1972, is
12 amended as follows:

13 63-2-1. (1) When a passenger motor vehicle is operated in
14 forward motion on a public road, street or highway within this
15 state, every operator, every front-seat passenger and every child
16 who is at least four (4) years of age but under eight (8) years of
17 age, regardless of the seat that such child occupies, shall wear a
18 properly fastened safety seat belt system, required to be
19 installed in the vehicle when manufactured pursuant to Federal
20 Motor Vehicle Safety Standard 208. Children under the age of four
21 (4) years shall be protected as required by Sections 63-7-301
22 through 63-7-311.

23 (2) "Passenger motor vehicle" for purposes of this chapter
24 means a motor vehicle designed to carry fifteen (15) or fewer
25 passengers, including the driver, but does not include
26 motorcycles, mopeds, all-terrain vehicles or trailers.

27 (3) This section shall not apply to:

28 (a) Vehicles which may be registered for "farm" use,
29 including "implements of husbandry" as defined in Section
30 63-21-5(d), and "farm tractors" as defined in Section 63-3-105(a);

31 (b) An operator or passenger possessing a written
32 verification from a licensed physician that he is unable to wear a
33 safety belt system for medical reasons;

34 (c) A passenger car operated by a rural letter carrier
35 of the United States Postal Service or by a utility meter reader
36 while on duty; or

37 (d) Buses.

38 (4) Notwithstanding any other provisions of this section to
39 the contrary, every school bus that is purchased new after July 1,
40 2007, and is used to transport public school students in grades
41 kindergarten through Grade 12 must be equipped with three-point
42 lap/shoulder belts meeting applicable federal motor vehicle safety
43 standards. The State Board of Education shall adopt policies,
44 guidelines, rules and regulations to ensure that school districts
45 require all passengers, including the driver, to wear these belts
46 whenever the bus is in motion; however, a school bus driver may
47 not be held personally liable for the failure of passengers to
48 wear safety belts as required by the board's rules and
49 regulations.

50 **SECTION 2.** This act shall take effect and be in force from
51 and after July 1, 2007.