

2021 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVES ROBBY CARTER, ADAMS, BRYANT, WILFORD CARTER, CORMIER, COX, DUPLESSIS, FONTENOT, FREEMAN, FREIBERG, GLOVER, GREEN, IVEY, JAMES, JEFFERSON, JENKINS, JONES, LANDRY, LYONS, NEWELL, PIERRE, SELDERS, AND WILLARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MTR VEHICLE/BUSES-SCHOOL: Provides relative to occupant restraint systems on school buses

1 AN ACT

2 To amend and reenact R.S. 17:164.2(A) and 3996(B)(54) and to repeal R.S. 17:164.2(C),  
3 relative to school buses; to require that school buses be equipped with occupant  
4 restraint systems; to provide relative to funding; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:164.2(A) and 3996(B)(54) are hereby amended and reenacted to  
7 read as follows:

8 §164.2. Additional regulations; occupant restraint systems required; compliance

9 A. In addition to ~~any~~ regulations adopted by the State Board of Elementary  
10 and Secondary Education pursuant to the provisions of R.S. 17:164 relative to the  
11 construction, design, equipment, and operation of school buses used in the  
12 transportation of students, the board also shall adopt rules and regulations in  
13 accordance with the Administrative Procedure Act and any applicable federal  
14 standards to require that every new bus placed in service after January 1, 2023, and  
15 used primarily for the transportation of students shall be equipped with occupant  
16 restraint systems. ~~by not later than June 30, 2004.~~ Nothing in this Subsection shall  
17 be construed to be a requirement for school buses in service prior to January 1, 2023,  
18 to be retrofitted with occupant restraint systems.

19 \* \* \*

1 §3996. Charter schools; exemptions; requirements

2 \* \* \*

3 B. Notwithstanding any state law, rule, or regulation to the contrary and  
4 except as may be otherwise specifically provided for in an approved charter, a  
5 charter school established and operated in accordance with the provisions of this  
6 Chapter and its approved charter and the school's officers and employees shall be  
7 exempt from all statutory mandates or other statutory requirements that are  
8 applicable to public schools and to public school officers and employees except for  
9 the following laws otherwise applicable to public schools with the same grades:

10 \* \* \*

11 (54) Regulations for the construction, design, equipment, and operation of  
12 school buses, R.S. 17:164, and occupant restraint systems on school buses, R.S.  
13 17:164.2.

14 \* \* \*

15 Section 2. R.S. 17:164.2(C) is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 130 Reengrossed

2021 Regular Session

Robby Carter

**Abstract:** Requires school buses to be equipped with seat belts.

Present law requires the State Bd. of Elementary and Secondary Education to adopt rules and regulations to require that every bus used primarily for the transportation of students be equipped with occupant restraint systems; however, present law is subject to the appropriation of funds. Proposed law repeals this funding condition and applies the occupant restraint system requirement to charter school buses.

Proposed law makes present law applicable to new buses placed in service after Jan. 1, 2023.

(Amends R.S. 17:164.2(A) and 3996(B)(54)(A); Repeals R.S. 17:164.2(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Remove a deadline for implementation.

2. Make present law applicable only to new buses placed in service after Jan. 1, 2023.

The House Floor Amendments to the engrossed bill:

1. Make a technical correction.