

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Maintain Public Security—The bill does away with the requirement for school buses to be equipped with safety belts or other restraint systems.

B. EFFECT OF PROPOSED CHANGES:

Under current law each school bus that is purchased new after December 31, 2000, and used to transport students in grades pre-K through 12 must be equipped with safety belts or with any other restraint system approved by the Federal Government. The number of safety belts or restraints must be sufficient to allow each student who is being transported to use a separate safety belt or restraint system and must meet the standards required under s. 316.614 F.S. "Florida Safety Belt Law." School buses purchased prior to December 31, 2000, are not required to be equipped with safety belts.

Under current law the state, the county, a school district, school bus operator under contract with a school district, or an agent or employee of a school district or operator, including a teacher or volunteer serving as a chaperone, are not liable in an action for personal injury because the injured party was not wearing a safety belt, or for an injury caused solely by another passenger's use or nonuse of a safety belt or restraint system in a dangerous or unsafe manner. Also, each school district must prioritize the allocation of buses equipped with safety belts or restraint systems to ensure that elementary schools receive first priority.

HB 343 takes away the requirement for school buses to be equipped with safety belts or other restraint systems. The bill would allow school districts to use their own discretion in equipping school buses with safety belts and if provided, such safety belts must meet s. 316.614 F.S., safety belt usage requirements. The bill also states that if safety belts or restraint systems are provided, the state, the county, a school district, school bus operator under contract with a school district, or an agent or employee of a school district or operator, including a teacher or volunteer serving as a chaperone, are not liable in an action for personal injury because the injured party was not wearing a safety belt, or for an injury caused solely by another passenger's use or nonuse of a safety belt or restraint system in a dangerous or unsafe manner.

The bill removes the implementing provision which requires each school district to prioritize the allocation of buses equipped with safety belts or restraint systems to ensure that elementary schools receive first priority.

C. SECTION DIRECTORY:

Section 1. Amends s. 316.6145 F.S., to take away requirements for safety belts on school buses; allowing school districts to use discretion in applying such provisions; and removing the implementation provision which ensures that elementary schools receive first priority in receiving buses equipped with safety belts of restrain systems.

Section 2. Provides that the act shall take effect upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
See Fiscal Comments section below.
2. Expenditures:
See Fiscal Comments section below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
See Fiscal Comments section below.
2. Expenditures:
See Fiscal Comments section below.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a significant direct economic impact on the private sector.

D. FISCAL COMMENTS:

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

2. Other:

B. RULE-MAKING AUTHORITY:

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES