

**LEARN MORE ABOUT
SEAT BELTS ON
SCHOOL BUSES, A HOT
BUTTON TOPIC**

**CALIFORNIA DEPARTMENT
OF EDUCATION**

LAP/SHOULDER RESTRAINTS



**SEATBELT
S ON
SCHOOL
BUSES**

LAP/SHOULDER RESTRAINTS SYSTEMS

California Vehicle Code (VC) section 27316 states the following...

- "Type 2" school buses manufactured on or after July 1, 2004 shall be equipped with a lap/shoulder restraint system.
- "Type 1" school buses manufactured on or after July 1, 2005 shall be equipped with a lap/shoulder restraint system.
- "Type 2" school pupil activity buses manufactured on or after July 1, 2004 shall be equipped with a lap/shoulder restraint system.

LAP/SHOULDER RESTRAINTS SYSTEMS

Is it mandatory for passengers to wear the passenger restraint system?

- Yes, pursuant to Title 5, *California Code of Regulations (CCR)*, section 14105:
- "All passengers in a school bus or in a school pupil activity bus that is equipped with passenger restraint systems in accordance with sections 27316 and 27316.5 of the Vehicle Code shall use the passenger restraint system..."

LAP/SHOULDER RESTRAINTS SYSTEMS



LAP/SHOULDER RESTRAINTS SYSTEMS

Are school bus drivers held liable if the students refuse to wear or take off the passenger restraint system while in route?

- Criminally no, pursuant to *Vehicle Code* section 27316 (c):
- *"No person, school district, or organization with respect to a school bus equipped with passenger restraint systems pursuant to this section, may be charged for a violation of this code or any regulation adopted thereunder requiring a passenger to use a passenger restraint system, if a passenger on the schoolbus fails to use or improperly uses the passenger restraint system, if a passenger on the schoolbus fails to use or improperly uses the passenger restraint system..."*

LAP/SHOULDER RESTRAINTS SYSTEMS

How often should you provide instruction on proper usage and placement of the passenger restraint system?

- As required in *Education Code* section 39831.5 (a) (2):
- *"At least once in each school year..."*

LAP/SHOULDER RESTRAINTS SYSTEMS

Do we need to provide instruction regarding passenger restraint system usage prior to departure on an activity trip?

- Title 5, *CCR*, section 14105 requires that:
- *"All pupils described in subdivision (a) or Education Code Section 39831.5 shall be instructed in an age-appropriate manner in the use of passenger restraint systems required by Education Code Section 39831.5(a) (3). The instruction shall include, but not limited to, the following information:"*
- Proper fastening
- Unfastening
- Acceptable placement of passenger restraint systems on pupils
- Times at which the passenger restraint system should be fastened and released
- Acceptable placement of the passenger restraint system when not in use

LAP/SHOULDER RESTRAINTS SYSTEMS

Does having lap/shoulder restraint systems increase or decrease disciplinary problems?

- Representatives from the California school bus industry have noted that in some situations the restraints "decrease" disciplinary problems

LAP/SHOULDER RESTRAINTS SYSTEMS

Does having lap/shoulder restraint systems on California school buses make them safer than a school bus without lap/shoulder restraint systems?

- School buses are safer (8 times safer [NHSTA], 14-16 times safer [Transportation Research Board] 34 times safer [National Safety Council]) than any other motor vehicle operating on a California highway. The restraint systems add an increased degree of safety in certain types of vehicle collisions, such as side impact and rollover. We stress that our current school buses are extraordinarily safe. However, it is hard to argue that occupant restraints do not increase safety.

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LAP/SHOULDER RESTRAINTS SYSTEMS

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