
SENATE BILL 5503

State of Washington 65th Legislature 2017 Regular Session

By Senators Baumgartner, Keiser, Fortunato, Darneille, and Saldaña

Read first time 01/26/17. Referred to Committee on Transportation.

1 AN ACT Relating to safety belts on school buses; amending RCW
2 46.37.510; reenacting and amending RCW 46.61.688; and adding a new
3 section to chapter 46.04 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04
6 RCW to read as follows:

7 As used in RCW 46.37.510 and 46.61.688, "school bus" means every
8 motor vehicle used regularly to transport children to and from school
9 or in connection with school activities, which is subject to the
10 requirements set forth in the most recent edition of "Specifications
11 for School Buses" published by the state superintendent of public
12 instruction, but does not include buses operated by common carriers
13 in urban transportation of school children.

14 **Sec. 2.** RCW 46.37.510 and 1987 c 330 s 729 are each amended to
15 read as follows:

16 (1) No person may sell any automobile manufactured or assembled
17 after January 1, 1964, nor may any owner cause such vehicle to be
18 registered thereafter under the provisions of chapter 46.12 RCW
19 unless such motor car or automobile is equipped with automobile seat
20 belts installed for use on the front seats thereof which are of a

1 type and installed in a manner conforming to rules adopted by the
2 state patrol. Where registration is for transfer from an out-of-state
3 license, the applicant shall be informed of this section by the
4 issuing agent and has thirty days to comply. The state patrol shall
5 adopt and enforce standards as to what constitutes adequate and safe
6 seat belts and for the fastening and installation of them. Such
7 standards shall not be below those specified as minimum requirements
8 by the society of automotive engineers on June 13, 1963.

9 (2) Every passenger car manufactured or assembled after January
10 1, 1965, shall be equipped with at least two lap-type safety belt
11 assemblies for use in the front seating positions.

12 (3) Every passenger car manufactured or assembled after January
13 1, 1968, shall be equipped with a lap-type safety belt assembly for
14 each permanent passenger seating position. This requirement shall not
15 apply to police vehicles.

16 (4) Every passenger car manufactured or assembled after January
17 1, 1968, shall be equipped with at least two shoulder harness-type
18 safety belt assemblies for use in the front seating positions.

19 (5) The state patrol shall excuse specified types of motor
20 vehicles or seating positions within any motor vehicle from the
21 requirements imposed by subsections (1), (2), and (3) of this section
22 when compliance would be impractical.

23 (6) Every school bus purchased after the effective date of this
24 section, must provide safety belts for use by each person riding the
25 bus. The safety belts must be of a design to provide a lap belt for
26 pelvic restraint and a shoulder belt to restrain upper torso
27 movement.

28 (7) No person may distribute, have for sale, offer for sale, or
29 sell any safety belt or shoulder harness for use in motor vehicles
30 unless it meets current minimum standards and specifications
31 conforming to rules adopted by the state patrol or the United States
32 department of transportation.

33 **Sec. 3.** RCW 46.61.688 and 2009 c 275 s 8 are each reenacted and
34 amended to read as follows:

35 (1) For the purposes of this section, "motor vehicle" includes:

36 (a) "Buses," meaning motor vehicles with motive power, except
37 trailers, designed to carry more than ten passengers, and includes
38 school buses;

1 (b) "Medium-speed electric vehicle" meaning a self-propelled,
2 electrically powered four-wheeled motor vehicle, equipped with a roll
3 cage or crush-proof body design, whose speed attainable in one mile
4 is more than thirty miles per hour but not more than thirty-five
5 miles per hour and otherwise meets or exceeds the federal regulations
6 set forth in 49 C.F.R. Sec. 571.500;

7 (c) "Motorcycle," meaning a three-wheeled motor vehicle that is
8 designed (i) so that the driver rides on a seat in a partially or
9 completely enclosed seating area that is equipped with safety belts
10 and (ii) to be steered with a steering wheel;

11 (d) "Multipurpose passenger vehicles," meaning motor vehicles
12 with motive power, except trailers, designed to carry ten persons or
13 less that are constructed either on a truck chassis or with special
14 features for occasional off-road operation;

15 (e) "Neighborhood electric vehicle," meaning a self-propelled,
16 electrically powered four-wheeled motor vehicle whose speed
17 attainable in one mile is more than twenty miles per hour and not
18 more than twenty-five miles per hour and conforms to federal
19 regulations under 49 C.F.R. Sec. 571.500;

20 (f) "Passenger cars," meaning motor vehicles with motive power,
21 except multipurpose passenger vehicles, motorcycles, or trailers,
22 designed for carrying ten passengers or less; and

23 (g) "Trucks," meaning motor vehicles with motive power, except
24 trailers, designed primarily for the transportation of property.

25 (2)(a) This section only applies to:

26 (i) Motor vehicles that meet the manual seat belt safety
27 standards as set forth in 49 C.F.R. Sec. 571.208;

28 (ii) Motorcycles, when equipped with safety belts that meet the
29 standards set forth in 49 C.F.R. Part 571; (~~and~~)

30 (iii) Neighborhood electric vehicles and medium-speed electric
31 vehicles that meet the seat belt standards as set forth in 49 C.F.R.
32 Sec. 571.500; and

33 (iv) School buses.

34 (b) This section does not apply to a vehicle occupant for whom no
35 safety belt is available when all designated seating positions as
36 required under 49 C.F.R. Part 571 are occupied.

37 (3) Every person sixteen years of age or older operating or
38 riding in a motor vehicle shall wear the safety belt assembly in a
39 properly adjusted and securely fastened manner.

1 (4) No person may operate a motor vehicle unless all child
2 passengers under the age of sixteen years are either: (a) Wearing a
3 safety belt assembly or (b) are securely fastened into an approved
4 child restraint device.

5 (5) A person violating this section shall be issued a notice of
6 traffic infraction under chapter 46.63 RCW. A finding that a person
7 has committed a traffic infraction under this section shall be
8 contained in the driver's abstract but shall not be available to
9 insurance companies or employers.

10 (6) Failure to comply with the requirements of this section does
11 not constitute negligence, nor may failure to wear a safety belt
12 assembly be admissible as evidence of negligence in any civil action.

13 (7) This section does not apply to an operator or passenger who
14 possesses written verification from a licensed physician that the
15 operator or passenger is unable to wear a safety belt for physical or
16 medical reasons.

17 (8) The state patrol may adopt rules exempting operators or
18 occupants of farm vehicles, construction equipment, and vehicles that
19 are required to make frequent stops from the requirement of wearing
20 safety belts.

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