
SENATE BILL 5103

State of Washington

60th Legislature

2007 Regular Session

By Senators McAuliffe, Pridemore, Shin, Weinstein, Kohl-Welles, Berkey, Hobbs, Fairley, Rasmussen, Keiser, Prentice and Kline

Read first time 01/10/2007. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to safety belts on school buses; amending RCW
2 46.37.510 and 46.61.688; adding a new section to chapter 46.04 RCW;
3 creating a new section; providing an effective date; and declaring an
4 emergency.

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

6 NEW SECTION. **Sec. 1.** The Washington state legislature finds that
7 the safety of children is paramount and that safety belts save lives.
8 Therefore, safety belts for use by every child riding a school bus must
9 be provided.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW
11 to read as follows:

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

1 **Sec. 3.** RCW 46.37.510 and 1987 c 330 s 729 are each amended to
2 read as follows:

3 (1) No person may sell any automobile manufactured or assembled
4 after January 1, 1964, nor may any owner cause such vehicle to be
5 registered thereafter under the provisions of chapter 46.12 RCW unless
6 such motor car or automobile is equipped with automobile seat belts
7 installed for use on the front seats thereof which are of a type and
8 installed in a manner conforming to rules adopted by the state patrol.
9 Where registration is for transfer from an out-of-state license, the
10 applicant shall be informed of this section by the issuing agent and
11 has thirty days to comply. The state patrol shall adopt and enforce
12 standards as to what constitutes adequate and safe seat belts and for
13 the fastening and installation of them. Such standards shall not be
14 below those specified as minimum requirements by the Society of
15 Automotive Engineers on June 13, 1963.

16 (2) Every passenger car manufactured or assembled after January 1,
17 1965, shall be equipped with at least two lap-type safety belt
18 assemblies for use in the front seating positions.

19 (3) Every passenger car manufactured or assembled after January 1,
20 1968, shall be equipped with a lap-type safety belt assembly for each
21 permanent passenger seating position. This requirement shall not apply
22 to police vehicles.

23 (4) Every passenger car manufactured or assembled after January 1,
24 1968, shall be equipped with at least two shoulder harness-type safety
25 belt assemblies for use in the front seating positions.

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

30 (6) Every school bus purchased after June 30, 2007, must provide
31 safety belts for use by each person riding the bus. The safety belts
32 must be of a design to provide a lap belt for pelvic restraint and a
33 shoulder belt to restrain upper torso movement.

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

1 **Sec. 4.** RCW 46.61.688 and 2003 c 353 s 4 are each amended to read
2 as follows:

3 (1) For the purposes of this section, the term "motor vehicle"
4 includes:

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

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

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

17 (d) "Passenger cars," meaning motor vehicles with motive power,
18 except multipurpose passenger vehicles, motorcycles, or trailers,
19 designed for carrying ten passengers or less; and

20 (e) "Trucks," meaning motor vehicles with motive power, except
21 trailers, designed primarily for the transportation of property.

22 (2) This section only applies to motor vehicles that meet the
23 manual seat belt safety standards as set forth in federal motor vehicle
24 safety standard 208, to school buses, and to neighborhood electric
25 vehicles. This section does not apply to a vehicle occupant for whom
26 no safety belt is available when all designated seating positions as
27 required by federal motor vehicle safety standard 208 are occupied.

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

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

35 (5) A person violating this section shall be issued a notice of
36 traffic infraction under chapter 46.63 RCW. A finding that a person
37 has committed a traffic infraction under this section shall be

1 contained in the driver's abstract but shall not be available to
2 insurance companies or employers.

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

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

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

14 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 July 1, 2007.

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