

House Bill 2530

Sponsored by Representative WITT; Representatives LIVELY, SMITH WARNER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires safety belts on school buses and school activity vehicles bought new after certain date.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to school vehicles; creating new provisions; amending ORS 815.080 and 820.100; and de-
3 claring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of the Oregon Vehicle**
6 **Code.**

7 **SECTION 2. Every school bus and school activity vehicle that is intended for use in this**
8 **state and that is purchased as a new motor vehicle after December 31, 2015, must be**
9 **equipped with the same number of safety belts as there are designated seating positions in**
10 **the bus or activity vehicle. Safety belts required under this section must conform to stan-**
11 **dards adopted by the State Board of Education by rule under ORS 820.100.**

12 **SECTION 3. ORS 820.100 is amended to read:**

13 820.100. (1) The State Board of Education shall adopt and enforce [*such*] **rules establishing**
14 reasonable standards relating to school bus and school activity vehicle construction and school bus
15 and school activity vehicle equipment. **The board may adopt any rules that** [*as*] the board deems
16 necessary for safe and economical operation, except that the board may not authorize the use of
17 school buses manufactured before April 1, 1977.

18 (2) The State Board of Higher Education and the governing board of a public university with a
19 governing board listed in ORS 352.054 may adopt and enforce **rules establishing** separate standards
20 of the type described under this section for school buses and school activity vehicles that are under
21 the board's jurisdiction, except that the board may not authorize the use of school buses manufac-
22 tured before April 1, 1977.

23 (3) The State Board of Education shall adopt and enforce **rules establishing** standards for
24 school bus stop arms authorized by ORS 820.105.

25 **(4) The State Board of Education shall adopt and enforce rules establishing standards for**
26 **safety belts on school buses and school activity vehicles.**

27 [(4)] (5) Standards adopted by rule under this section:

28 (a) Must be consistent with requirements established by statute or by rule adopted under stat-
29 utory authority that relate to the same subject.

30 (b) [*Shall*] **Must** be consistent with minimum uniform national standards, if such standards exist.

31 (c) May include different requirements for different classes or types of school buses or school

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 activity vehicles.

2 (d) May include any exemptions determined appropriate under ORS 820.150.

3 **SECTION 4.** ORS 815.080 is amended to read:

4 815.080. (1) A person commits the offense of providing a safety belt, harness equipment or a child
5 safety system that does not comply with standards if the person does any of the following:

6 (a) Sells or offers for sale a new motor vehicle that is not equipped with safety belts, safety
7 harnesses or child safety systems that comply with and are installed in compliance with the rules
8 adopted by the Department of Transportation under ORS 815.055. This paragraph applies only to
9 motor vehicles that are primarily designed for transportation of individuals and that have seating
10 for one or more passengers side-by-side with the operator. This paragraph requires only that the
11 vehicle be equipped with one seat belt or harness for the operator and one for at least one of the
12 passengers seated beside the operator.

13 (b) Sells or offers for sale any safety belt, safety harness, child safety system, anchor or other
14 device for attaching or securing safety belts, safety harnesses or child safety system if the belt,
15 harness, child safety system, anchor or device does not comply with the rules adopted by the de-
16 partment under ORS 815.055. This paragraph applies only to belts, harnesses, child safety systems,
17 anchors or devices for use or installation on a vehicle that is primarily designed for transportation
18 of individuals.

19 (c) Sells or offers for sale any safety belt, safety harness, child safety system, anchor or other
20 device for attaching or securing safety belts, safety harnesses or child safety systems if the belt,
21 harness, child safety system, anchor or device is not marked as required under federal safety stan-
22 dards and if the mark is not legible when the belt, harness, child safety system, anchor or other
23 device is used or installed on a vehicle. This paragraph applies only to belts, harnesses, child safety
24 systems, anchors or devices for use or installation on a vehicle that is primarily designed for
25 transportation of individuals.

26 (d) Installs any safety belt, safety harness, child safety system, anchor or other device for at-
27 taching or securing safety belts, safety harnesses or child safety systems on a vehicle that is pri-
28 marily designed for the transportation of individuals except in compliance with rules adopted by the
29 department under ORS 815.055.

30 (2) This section does not apply to school buses or school activity vehicles that are subject to
31 equipment standards adopted by the State Board of Education or the State Board of Higher Educa-
32 tion **by rule** under ORS 820.100.

33 (3) The offense described in this section, providing a safety belt, harness equipment or a child
34 safety system that does not comply with standards, is a Class C traffic violation.

35 **SECTION 5. This 2015 Act being necessary for the immediate preservation of the public**
36 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
37 **on its passage.**

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