

**103RD GENERAL ASSEMBLY****State of Illinois****2023 and 2024****SB3985**

Introduced 11/12/2024, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:105 ILCS 5/29-21 new
625 ILCS 5/12-826 new

Amends the School Code. Requires a public or private school, school district, transportation provider or contractor, or other entity operating a school bus to provide written or verbal instruction concerning the availability and correct use of seat safety belts to student passengers and their parents or legal guardians at least 2 times per calendar or school year. Requires a driver or aide to provide a verbal or posted reminder to all passengers to fasten their seat safety belts properly before the bus begins to move prior to the start of each trip. Provides that a public or private school, school district, transportation provider or contractor, or other entity operating a school bus shall not be liable for a passenger's failure to correctly adjust and fasten a seat safety belt or other restraint system. Provides that no public or private school, school district, transportation provider or contractor, or other entity operating a school bus shall be liable for damages for injury resulting solely from a passenger's use, misuse, or failure to use a seat safety belt installed on a school bus. Amends the Illinois Vehicle Code. Provides that, beginning January 1, 2026, if a school bus has one or more designated passenger seating positions equipped with a seat safety belt system, the seats shall be prioritized for use and the seat safety belt worn correctly by the passengers of the bus. Provides that a public or private school, school district, transportation provider or contractor, or other entity operating a school bus shall instruct passengers on the correct use of seat safety belt systems. Provides that when operating other vehicles not defined as a school bus, the public or private school, school district, transportation provider or contractor, or other entity transporting children must adhere to the occupant restraint requirements of the Child Passenger Protection Act. Provides that, under certain circumstances, a public or private school, school district, transportation provider or contractor, or other entity operating a school bus shall not be charged for a violation requiring a passenger to use a seat safety belt system if a passenger on the school bus fails to use or incorrectly uses the seat belt system. Effective immediately.

LRB103 43177 LNS 76441 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section
5 29-21 as follows:

6 (105 ILCS 5/29-21 new)

7 Sec. 29-21. Proper use of seat safety belts on school
8 buses.

9 (a) A public or private school, school district,
10 transportation provider or contractor, or other entity
11 operating a school bus shall provide written or verbal
12 instruction concerning the availability and correct use of
13 seat safety belts to student passengers and their parents or
14 legal guardians. This includes instructing passengers on the
15 correct use, fastening, and unfastening of seat safety belts.
16 This instruction shall occur at least 2 times per calendar or
17 school year.

18 (b) A driver or aide shall provide a verbal or posted
19 reminder to all passengers to fasten their seat safety belt
20 properly before the bus begins to move. This reminder is to be
21 given prior to the start of each trip.

22 (c) Nothing in this Section shall make a public or private
23 school, school district, transportation provider or

1 contractor, or other entity operating a school bus, such as a
2 driver, bus aide, volunteer, or other staff, liable for a
3 passenger's failure to correctly adjust and fasten a seat
4 safety belt or other restraint system under this Section.

5 (d) No public or private school, school district,
6 transportation provider or contractor, or other entity
7 operating a school bus, such as a driver, bus aide, volunteer,
8 or other staff, shall be liable for damages for injury
9 resulting solely from a passenger's use, misuse, or failure to
10 use a seat safety belt installed on a school bus.

11 Section 10. The Illinois Vehicle Code is amended by adding
12 Section 12-826 as follows:

13 (625 ILCS 5/12-826 new)

14 Sec. 12-826. Proper use of seat safety belts on school
15 buses.

16 (a) Beginning January 1, 2026, if a school bus has one or
17 more designated passenger seating positions equipped with a
18 seat safety belt system, those seats shall be prioritized for
19 use and the seat safety belt worn correctly by the passengers
20 of the bus. A public or private school, school district,
21 transportation provider or contractor, or other entity
22 operating a school bus shall instruct passengers on the
23 correct use of seat safety belt systems as defined by the
24 school bus manufacturer's instructions or Section 29-21 of the

1 School Code. Enforcement is the responsibility of the public
2 or private school, school district, transportation provider or
3 contractor, or other entity operating a school bus at the time
4 of transportation.

5 (b) When operating other vehicles not defined as a school
6 bus, the public or private school, school district,
7 transportation provider or contractor, or other entity
8 transporting children must adhere to the occupant restraint
9 requirements of the Child Passenger Protection Act.

10 (c) A public or private school, school district,
11 transportation provider or contractor, or other entity
12 operating a school bus shall not be charged for a violation of
13 this Code or any rule adopted under this Code requiring a
14 passenger to use a seat safety belt system if a passenger on
15 the school bus fails to use or incorrectly uses the seat safety
16 belt system, as long as the other provisions of this Section
17 have been followed.

18 (d) As used in this Section, "school bus" includes school
19 bus, school activity bus, multi-function school activity bus,
20 and school-chartered bus.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.