

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 489

Introduced by Harms, 48

Read first time January 17, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-6,266
2 and 79-609, Reissue Revised Statutes of Nebraska, and
3 section 60-6,265, Revised Statutes Cumulative Supplement,
4 2006; to change provisions relating to occupant
5 protection systems; to require occupant protection
6 systems for school buses as prescribed; to harmonize
7 provisions; and to repeal the original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,265, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 60-6,265 For purposes of sections 60-6,266 to 60-6,273,
4 occupant protection system means a system utilizing a lap belt, a
5 shoulder belt, or any combination of belts installed in a motor
6 vehicle which ~~(1)~~ restrains drivers and passengers and ~~(2)~~ conforms
7 to ~~Federal Motor Vehicle Safety Standards, 49 C.F.R. 571.207,~~
8 ~~571.208, 571.209, and 571.210, as such standards existed on January~~
9 ~~1, 2006, or to the federal motor vehicle safety standards for~~
10 ~~passenger restraint systems applicable for the motor vehicle's~~
11 ~~model year as the standards existed on the effective date of this~~
12 ~~act or as the standards existed when the occupant protection system~~
13 ~~was originally installed. In the case of a school bus, occupant~~
14 ~~protection system means a system utilizing a lap belt, a shoulder~~
15 ~~belt, or any combination of belts installed in a school bus which~~
16 ~~restrains drivers and passengers and conforms to standards, federal~~
17 ~~or otherwise, that are appropriate for the size and type of school~~
18 ~~bus as the standards existed on the effective date of this act.~~

19 Sec. 2. Section 60-6,266, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 60-6,266 (1) Every motor vehicle designated by the
22 manufacturer as 1973 year model or later operated on any highway,
23 road, or street in this state, except farm tractors and implements
24 of husbandry designed primarily or exclusively for use in
25 agricultural operations, motorcycles, motor-driven cycles, mopeds,

1 and buses, shall be equipped with an occupant protection system.

2 This subsection does not apply to school buses. of a type which:

3 ~~(1) Meets the requirements of 49 C.F.R. 571.208,~~
 4 ~~571.209, and 571.210 as such regulations currently exist or as~~
 5 ~~the regulations existed when the occupant protection system was~~
 6 ~~originally installed by the manufacturer; or~~

7 ~~(2) If the occupant protection system has been replaced,~~
 8 ~~meets the requirements of 49 C.F.R. 571.208, 571.209, and 571.210~~
 9 ~~that applied to the originally installed occupant protection system~~
 10 ~~or of a more recently issued version of such regulations. The~~
 11 ~~purchaser of any such vehicle~~ (2) Every school bus manufactured on
 12 and after the effective date of this act and operated in this state
 13 shall be equipped with an occupant protection system.

14 (3) An owner of a motor vehicle having an occupant
 15 protection system replaced or retrofitted may designate the make
 16 or brand of or furnish such occupant protection system to be
 17 installed.

18 ~~Any~~ (4) A person selling a motor vehicle in this state
 19 not in compliance with this section shall be is guilty of a Class
 20 V misdemeanor.

21 Sec. 3. Section 79-609, Reissue Revised Statutes of
 22 Nebraska, is amended to read:

23 79-609 (1) The school board or board of education, after
 24 consultation with a member of the Nebraska State Patrol, shall
 25 determine the number of passengers that may be safely transported

1 in each bus.

2 (2) (a) Any company or agency that provides transportation
3 of pupils by school bus and contracts directly with the pupils or
4 their parents, (b) the school board or board of education of the
5 public schools, and (c) the governing authority of any private,
6 denominational, or parochial school in this state shall provide,
7 at least twice during each school year to each pupil who is
8 transported in a school bus, instruction in safe riding practice
9 and participation in emergency evacuation drills.

10 ~~(3) The operator of a school bus equipped with an~~
11 ~~occupant protection system as defined in section 60-6,265 shall~~
12 ~~wear such system whenever the vehicle is in motion.~~

13 Sec. 4. Original sections 60-6,266 and 79-609, Reissue
14 Revised Statutes of Nebraska, and section 60-6,265, Revised
15 Statutes Cumulative Supplement, 2006, are repealed.