

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1009

02/28/2013 Authored by Masin
The bill was read for the first time and referred to the Committee on Transportation Policy

1.1 A bill for an act
1.2 relating to public safety; traffic regulations; school buses; making technical
1.3 corrections to certain safety requirements; amending Minnesota Statutes 2012,
1.4 sections 169.011, subdivision 71; 169.443, subdivision 9; 169.447, subdivision
1.5 2; 169.454, subdivision 12.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 169.011, subdivision 71, is amended to read:

1.8 Subd. 71. School bus. (a) "School bus" means a motor vehicle used to transport
1.9 pupils to or from a school defined in section 120A.22, or to or from school-related
1.10 activities, by the school or a school district, or by someone under an agreement with the
1.11 school or a school district. A school bus does not include a motor vehicle transporting
1.12 children to or from school for which parents or guardians receive direct compensation
1.13 from a school district, a motor coach operating under charter carrier authority, a transit
1.14 bus providing services as defined in section 174.22, subdivision 7, or a vehicle otherwise
1.15 qualifying as a type III vehicle under paragraph (h), when the vehicle is properly
1.16 registered and insured and being driven by an employee or agent of a school district for
1.17 nonscheduled or nonregular transportation.

1.18 (b) A school bus may be type A, type B, type C, or type D, multifunction school
1.19 activity bus, or type III as provided in paragraphs (c) to (h).

1.20 (c) A "type A school bus" is a van conversion or bus constructed utilizing a
1.21 cutaway front section vehicle with a left-side driver's door. This definition includes two
1.22 classifications: type A-I, with a gross vehicle weight rating (GVWR) less than or equal
1.23 to 14,500 pounds; and type A-II, with a GVWR greater than 14,500 pounds and less
1.24 than or equal to 21,500 pounds.

2.1 (d) A "type B school bus" is constructed utilizing a stripped chassis. The entrance
2.2 door is behind the front wheels. This definition includes two classifications: type B-I,
2.3 with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater
2.4 than 10,000 pounds.

2.5 (e) A "type C school bus" is constructed utilizing a chassis with a hood and front
2.6 fender assembly. The entrance door is behind the front wheels. A "type C school bus" also
2.7 includes a cutaway truck chassis or truck chassis with cab, with or without a left side door,
2.8 and with a GVWR greater than 21,500 pounds.

2.9 (f) A "type D school bus" is constructed utilizing a stripped chassis. The entrance
2.10 door is ahead of the front wheels.

2.11 (g) A "multifunction school activity bus" is a school bus that meets the definition
2.12 of a multifunction school activity bus in Code of Federal Regulations, title 49, section
2.13 571.3. A vehicle that meets the definition of a type III vehicle is not a multifunction
2.14 school activity bus.

2.15 (h) A "type III vehicle" is restricted to passenger ~~cars, station wagons, vans, vehicles~~
2.16 and buses having a maximum manufacturer's rated seating capacity of ten or fewer people,
2.17 including the driver, and a gross vehicle weight rating of 10,000 pounds or less. A "type
2.18 III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D school
2.19 bus or type A, B, C, or D Head Start bus. A van or bus converted to a seating capacity of
2.20 ten or fewer and placed in service on or after August 1, 1999, must have been originally
2.21 manufactured to comply with the passenger safety standards.

2.22 (i) In this subdivision, "gross vehicle weight rating" means the value specified by
2.23 the manufacturer as the loaded weight of a single vehicle.

2.24 Sec. 2. Minnesota Statutes 2012, section 169.443, subdivision 9, is amended to read:

2.25 Subd. 9. **Personal cellular phone call prohibition.** (a) As used in this subdivision,
2.26 "school bus" has the meaning given in section 169.011, subdivision 71. In addition, the
2.27 term includes type III vehicles as defined in section 169.011, subdivision 71, when driven
2.28 by employees or agents of school districts.

2.29 (b) A school bus driver may not operate a school bus while communicating over, or
2.30 otherwise operating, a cellular phone for personal reasons, whether handheld or hands
2.31 free, when the vehicle is in motion or a part of traffic.

2.32 Sec. 3. Minnesota Statutes 2012, section 169.447, subdivision 2, is amended to read:

2.33 Subd. 2. **Driver seat belt.** School buses and Head Start buses must be equipped
2.34 with driver seat belts and seat belt assemblies of the type described in section 169.685,

3.1 subdivision 3. ~~School bus drivers and Head Start bus drivers must use these seat belts.~~ A
3.2 properly adjusted and fastened seat belt, including both the shoulder and lap belt when the
3.3 vehicle is so equipped, shall be worn by the driver.

3.4 Sec. 4. Minnesota Statutes 2012, section 169.454, subdivision 12, is amended to read:

3.5 Subd. 12. **Option.** ~~Passenger cars and station wagons~~ Type III vehicles may carry
3.6 fire extinguisher, first aid kit, and warning triangles in the trunk or trunk area of the vehicle,
3.7 if a label in the driver and front passenger area clearly indicates the location of these items.