

HOUSE BILL NO. 512

INTRODUCED BY J. COHENOUR, J. WEBER, C. COCHRAN, M. DUNWELL, C. KEOGH, L. REKSTEN, M.

ROMANO, M. THANE, P. TUSS, M. MARLER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A NEW SCHOOL BUS ~~PURCHASED ON OR AFTER~~
~~JANUARY 1, 2026, TO BE EQUIPPED WITH LAP-SHOULDER BELTS TO COMPLY WITH BUS~~
~~STANDARDS ESTABLISHED BY THE BOARD OF PUBLIC EDUCATION; PROVIDING EXCEPTIONS;~~
LIMITING GOVERNMENTAL LIABILITY; CLARIFYING BID LETTING REQUIREMENTS REGARDING LAP-
SHOULDER BELTS IN SCHOOL BUS TRANSPORTATION CONTRACTS; REVISING SCHOOL BUS RATE
CAPACITY REQUIREMENTS; DECREASING CERTAIN REGISTRATION FEES FOR SCHOOL BUSES
EQUIPPED WITH LAP-SHOULDER BELTS; REVISING DEFINITIONS; AMENDING SECTIONS 20-10-101,
20-10-125, 20-10-141, 61-3-529, AND 61-9-421, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN
APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Lap-shoulder belt requirement for school buses -- limits on liability.

(1) A school bus that is purchased new ~~on or after January 1, 2026,~~ for use in the state must ~~be equipped with~~
~~lap-shoulder belts for each passenger~~ comply with the bus standards established by the board of public
education.

(2) A school district that uses a school bus equipped with lap-shoulder belts shall:

(a) adopt an enforceable, publicly available lap-shoulder belt usage policy;

(b) require all passengers on the school bus to use lap-shoulder belts; and

(c) ensure that all lap-shoulder belts are properly maintained and in good working order.

(3) A person may not be charged with violating this section or any administrative rule adopted to
implement this section if another passenger on the school bus fails to use or improperly uses the lap-shoulder
belt and the school has adopted an enforceable, publicly available lap-shoulder belt usage policy.

(4) (a) When a school district has adopted an enforceable, publicly available lap-shoulder belt

usage policy, the state, the county, the school district, a school bus contractor, a school bus driver under contract with the school district, or an agent or employee of the school district is not liable in an action for personal injury by a school bus passenger:

(i) because the injured party failed to use or improperly used a lap-shoulder belt; or
(ii) when the injury was caused solely by another passenger's use or nonuse of a lap-shoulder belt in a dangerous or unsafe manner.

(b) A person may recover damages for personal injury caused by a broken or improperly maintained lap-shoulder belt.

~~NEW SECTION. Section 2. Exemption from lap-shoulder belt requirement. [Section 1] does not apply to:~~

~~(1) a school bus purchased prior to January 1, 2026; or~~

~~(2) a school bus purchased on or after January 1, 2026, if the board of trustees for the school district:~~

~~(a) determines that the school district's budget does not permit the school district to purchase a school bus equipped with lap-shoulder belts as required by [section 1] based on actual market prices for the school bus to be purchased; and~~

~~(b) votes to approve the determination in subsection (2)(a) in a public meeting that is officially recorded and made available under 2-3-212.~~

Section 2. Section 20-10-101, MCA, is amended to read:

"20-10-101. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "Bus route" means a route approved by the board of trustees of a school district and by the county transportation committee.

(2) "Eligible transportee" means a public school pupil who:

(a) is 5 years of age or older and has not reached the age of 21 on or before September 10 of the current school year or who is a preschool child with a disability between the ages of 3 and 6;

Amendment - 1st Reading-white - Requested by: Jill Cohenour - (H) Education

- 2025

69th Legislature 2025

Drafter: Laura Sankey Keip,

HB0512.001.001

1 with lap-shoulder belts.

2 (5) Except as provided in 61-3-520, the fee in lieu of tax on a motor vehicle subject to this section
3 that is brought or driven into this state by a nonresident person for hire, compensation, or profit must be
4 prorated as determined and paid under 61-3-701.

5 (6) The fee in lieu of tax may not be refunded."
6

7 **Section 6.** Section 61-9-421, MCA, is amended to read:

8 **"61-9-421. Certain vehicles exempt.** ~~Section~~ Except as provided in [section 1], 61-9-420 is not
9 applicable to a vehicle that:

10 (1) is a motorbus, ~~schoolbus~~ school bus, taxicab, moped, quadricycle, or motorcycle or is not
11 required to be equipped with safety belts under 49 CFR 571 as it reads on January 1, 1984; or

12 (2) has a seating capacity as designated by the manufacturer of two persons and there are two
13 persons 4 years of age or older in the vehicle."
14

15 NEW SECTION. **Section 7. Codification instruction.** [~~Sections 1 and 2~~Section 1] ~~are is~~ intended to
16 be codified as an integral part of Title 20, chapter 10, part 1, and the provisions of Title 20, chapter 10, part 1,
17 apply to [~~sections 1 and 2~~section 1].
18

19 NEW SECTION. **Section 8. Two-thirds vote required.** Because [section 1] limits governmental
20 liability, Article II, section 18, of the Montana constitution requires a vote of two-thirds of the members of each
21 house of the legislature for passage.
22

23 NEW SECTION. **Section 9. Effective date.** [This act] is effective July 1, 2025.
24

25 NEW SECTION. **Section 10. Applicability.** [This act] applies to school years beginning on or after
26 July 1, 2025.
27

- END -