

117TH CONGRESS  
1ST SESSION

# S. 2539

To direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JULY 29, 2021

Ms. DUCKWORTH introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “School Bus Safety Act  
5 of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) 3-POINT SAFETY BELT.—The term “3-point  
9 safety belt” has the meaning given the term “Type  
10 2 seat belt assembly” in section 571.209 of title 49,

1 Code of Federal Regulations (as in effect on the  
2 date of enactment of this Act).

3 (2) AUTOMATIC EMERGENCY BRAKING SYS-  
4 TEM.—The term “automatic emergency braking sys-  
5 tem” means a crash avoidance system installed and  
6 operational in a vehicle that consists of—

7 (A) a forward collision warning function—

8 (i) to detect vehicles and objects  
9 ahead of the vehicle; and

10 (ii) to alert the operator of the vehicle  
11 of an impending collision; and

12 (B) a crash-imminent braking function to  
13 provide automatic braking when forward-look-  
14 ing sensors of the vehicle indicate that—

15 (i) a crash is imminent; and

16 (ii) the operator of the vehicle is not  
17 reacting in a timely or appropriate man-  
18 ner.

19 (3) EVENT DATA RECORDER.—The term “event  
20 data recorder” has the meaning given the term in  
21 section 563.5(b) of title 49, Code of Federal Regula-  
22 tions (as in effect on the date of enactment of this  
23 Act).

1           (4) SCHOOL BUS.—The term “school bus” has  
2           the meaning given the term “schoolbus” in section  
3           30125(a) of title 49, United States Code.

4           (5) SECRETARY.—The term “Secretary” means  
5           the Secretary of Transportation.

6 **SEC. 3. SCHOOL BUS SAFETY.**

7           (a) SEAT BELT REQUIREMENT.—Not later than 1  
8           year after the date of enactment of this Act, the Secretary  
9           shall issue final rules prescribing or amending motor vehi-  
10          cle safety standards under chapter 301 of title 49, United  
11          States Code, to require school buses with a gross vehicle  
12          weight rating of greater than 10,000 pounds to be  
13          equipped with a 3-point safety belt at each designated  
14          seating position.

15          (b) FIRE PROTECTION REQUIREMENTS.—

16                  (1) FIRE SUPPRESSION SYSTEMS.—

17                          (A) IN GENERAL.—Not later than 1 year  
18                          after the date of enactment of this Act, the Sec-  
19                          retary shall issue rules prescribing or amending  
20                          motor vehicle safety standards under chapter  
21                          301 of title 49, United States Code, to require  
22                          school buses to be equipped with fire suppres-  
23                          sion systems that, at a minimum, address en-  
24                          gine fires.

1 (B) APPLICATION.—The standards pre-  
2 scribed or amendments made under subpara-  
3 graph (A) shall apply to school buses manufac-  
4 tured in, or imported into, the United States on  
5 or after the effective date of the standards or  
6 amendments.

7 (2) FIREWALLS.—

8 (A) IN GENERAL.—Not later than 1 year  
9 after the date of enactment of this Act, the Sec-  
10 retary shall issue rules prescribing or amending  
11 motor vehicle safety standards under chapter  
12 301 of title 49, United States Code, for school  
13 buses, especially school buses with engines that  
14 extend beyond the firewall, to ensure that no  
15 hazardous quantity of gas or flame can pass  
16 through the firewall from the engine compart-  
17 ment to the passenger compartment.

18 (B) APPLICATION.—The standards pre-  
19 scribed or amendments made under subpara-  
20 graph (A) shall apply to school buses manufac-  
21 tured in, or imported into, the United States on  
22 or after the effective date of the standards or  
23 amendments.

24 (3) INTERIOR FLAMMABILITY AND SMOKE EMIS-  
25 SIONS CHARACTERISTICS.—Not later than 1 year

1 after the date of enactment of this Act, the Sec-  
2 retary shall amend section 571.302 of title 49, Code  
3 of Federal Regulations (relating to Federal Motor  
4 Vehicle Safety Standard Number 302), to adopt,  
5 with respect to a motor vehicle (as defined in section  
6 30102(a) of title 49, United States Code), perform-  
7 ance standards for interior flammability and smoke  
8 emissions characteristics that are not less rigorous  
9 than the performance standards for interior flamma-  
10 bility and smoke emissions characteristics applicable  
11 to—

12 (A) a compartment occupied by the crew  
13 or passengers of a transport category airplane  
14 (within the meaning of part 25 of title 14, Code  
15 of Federal Regulations (as in effect on the date  
16 of enactment of this Act)) under section 25.853  
17 of title 14, Code of Federal Regulations (as in  
18 effect on the date of enactment of this Act);  
19 and

20 (B) a passenger car or locomotive cab (as  
21 those terms are defined in section 238.5 of title  
22 49, Code of Federal Regulations (as in effect on  
23 the date of enactment of this Act)) under sec-  
24 tion 238.103 of title 49, Code of Federal Regu-

1           lations (as in effect on the date of enactment of  
2           this Act).

3           (c) OTHER SAFETY EQUIPMENT REQUIREMENTS.—

4 Not later than 1 year after the date of enactment of this  
5 Act, the Secretary shall issue final rules—

6           (1) prescribing or amending motor vehicle safe-  
7           ty standards under chapter 301 of title 49, United  
8           States Code, to require school buses to be equipped  
9           with—

10                   (A) an automatic emergency braking sys-  
11                   tem;

12                   (B) an event data recorder; and

13                   (C) an electronic stability control system  
14                   (as defined in section 571.136 of title 49, Code  
15                   of Federal Regulations (as in effect on the date  
16                   of enactment of this Act)); and

17           (2) amending part 383 of title 49, Code of Fed-  
18           eral Regulations, to require not less than 30 hours  
19           of behind-the-wheel instruction for operators of  
20           school buses, which shall be accrued—

21                   (A) on public roads; and

22                   (B) with a trained instructor who pos-  
23                   sesses a valid commercial driver's license with a  
24                   school bus endorsement.

1 (d) OBSTRUCTIVE SLEEP APNEA.—Not later than 1  
2 year after the date of enactment of this Act, the Adminis-  
3 trator of the Federal Motor Carrier Safety Administration  
4 and the Administrator of the Federal Railroad Adminis-  
5 tration shall complete the rulemaking process and publish  
6 a final rule with respect to the advance notice of proposed  
7 rulemaking entitled “Evaluation of Safety Sensitive Per-  
8 sonnel for Moderate-to-Severe Obstructive Sleep Apnea”  
9 (81 Fed. Reg. 12642 (March 10, 2016)).

10 (e) EFFECTIVE DATE.—The standards prescribed or  
11 amendments made under subsections (a) and (c) shall  
12 apply with respect to school buses manufactured in, or im-  
13 ported into, the United States on or after the date that  
14 is 1 year after the date on which the Secretary issues the  
15 rules required under the applicable subsection.

16 **SEC. 4. STUDIES.**

17 (a) MOTION-ACTIVATED DETECTION SYSTEMS.—

18 (1) IN GENERAL.—Not later than 2 years after  
19 the date of enactment of this Act, the Administrator  
20 of the National Highway Traffic Safety Administra-  
21 tion (referred to in this section as the “Adminis-  
22 trator”) shall complete a study with respect to the  
23 benefits of requiring school buses manufactured in,  
24 or imported into, the United States to be equipped

1 with a motion-activated detection system that is ca-  
2 pable of—

3 (A) detecting pedestrians, bicyclists, and  
4 other road users located near the exterior of the  
5 school bus; and

6 (B) alerting the operator of the school bus  
7 of the road users described in subparagraph  
8 (A).

9 (2) REGULATIONS.—Not later than 1 year after  
10 the date on which the Administrator completes the  
11 study under paragraph (1), the Administrator shall  
12 issue rules requiring school buses manufactured in,  
13 or imported into, the United States to effectuate  
14 that requirement.

15 (b) SAFETY BELT ALERT.—Not later than 2 years  
16 after the date of enactment of this Act, the Administrator  
17 shall complete a study on the benefits of requiring school  
18 buses manufactured in, or imported into, the United  
19 States to be equipped with a system to alert the operator  
20 of the school bus if a passenger in the school bus is not  
21 wearing a 3-point safety belt equipped on the school bus.

22 **SEC. 5. SAFETY GRANT PROGRAM.**

23 (a) IN GENERAL.—Not later than 1 year after the  
24 date of enactment of this Act, the Secretary of Transpor-  
25 tation shall establish a grant program to provide grants



1 to States to make subgrants to local educational agen-  
2 cies—

3 (1) to assist the local educational agencies in  
4 purchasing school buses equipped with—

5 (A) 3-point safety belts at each designated  
6 seating position; or

7 (B) any other school bus safety feature de-  
8 scribed in section 3 or 4; and

9 (2) to assist the local educational agencies in  
10 modifying school buses already owned by the local  
11 educational agency to be equipped with—

12 (A) 3-point safety belts at each designated  
13 seating position; or

14 (B) any other school bus safety feature de-  
15 scribed in section 3 or 4.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated such sums as are nec-  
18 essary to carry out this section.

○