

114TH CONGRESS
2D SESSION

H. R. 6461

To encourage school bus safety.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2016

Mr. COHEN introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To encourage school bus safety.

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 “Bring Enhanced Li-
5 ability in Transportation for Students Act”.

1 **TITLE I—SCHOOL BUS SEAT**
2 **BELT DEMONSTRATION PRO-**
3 **GRAM**

4 **SEC. 101. SCHOOL BUS SEAT BELT DEMONSTRATION PRO-**
5 **GRAM.**

6 (a) IN GENERAL.—The Secretary of Transportation
7 may award grants to States to develop a school bus seat
8 belt program to purchase type 1 school buses equipped
9 with lap/shoulder seat belts or equip existing type 1 school
10 buses with lap/shoulder seat belts.

11 (b) APPLICATION.—In order to qualify for a grant
12 under this section, a State shall submit an application to
13 the Secretary at such time, in such manner, and con-
14 taining such information and assurances as the Secretary
15 may require, including—

16 (1) an assurance that the State will use grant
17 funds to purchase type 1 school buses with lap/
18 shoulder seat belts or equip existing type 1 school
19 buses with such seat belts;

20 (2) an assurance that the State is in compliance
21 with sections 171 and 172 of title 23, United States
22 Code; and

23 (3) a list of the local educational agencies which
24 the State selects to receive the seat belt equipped

1 buses, including the reasons why each agency should
2 receive school buses with seat belts.

3 (c) LOCAL EDUCATIONAL AGENCY REQUIRE-
4 MENTS.—The State shall require that any local edu-
5 cational agency that receives grant funds pursuant to this
6 Act shall develop—

7 (1) a plan to ensure that all students riding the
8 school buses with lap/shoulder belts are using them;
9 and

10 (2) an educational program regarding seat belt
11 safety.

12 (d) GRANT AMOUNTS.—Before awarding a grant
13 under this section, the Secretary shall ensure that each
14 grant award is of sufficient size and scope to carry out
15 the requirements of this section.

16 (e) FUNDING.—In order to fund grant awards under
17 this section, the Secretary shall use funds not apportioned
18 pursuant to sections 171 and 172 of title 23, United
19 States Code.

20 (f) DEFINITION.—In this section, the term “type 1
21 school bus” means a school bus weighing more than
22 10,000 pounds.

23 (g) REPORTING.—Not later than 1 year after the
24 date of enactment of this Act, the State shall submit a
25 report to the Secretary regarding the effectiveness of the

1 lap/shoulder seat belt program in any local educational
 2 agency using grant funds under this section, including—

3 (1) student usage of seat belts; and

4 (2) the impact on school bus seating capacity.

5 **TITLE II—SCHOOL BUS DRIVER** 6 **SAFETY ENFORCEMENT**

7 **SEC. 201. WITHHOLDING FOR NONCOMPLIANCE OF BACK-** 8 **GROUND CHECKS OF SCHOOL BUS DRIVERS.**

9 (a) WITHHOLDING APPORTIONMENTS.—Chapter 1 of
 10 title 23, United States Code, is further amended by adding
 11 at the end the following:

12 **“§ 172. Withholding apportionments for noncompli-** 13 **ance of background checks of school bus** 14 **drivers**

15 “(a) WITHHOLDING.—The Secretary shall withhold
 16 10 percent of the amount required to be apportioned to
 17 any State under paragraphs (1), (3), and (4) of section
 18 104(b) on October 1, 2017, and on each October 1 there-
 19 after if the State does not meet the requirements of para-
 20 graph (2).

21 “(b) REQUIREMENT.—A State meets the require-
 22 ments of this paragraph if the State has enacted a law
 23 that requires the employer to conduct a background check
 24 before hiring a school bus driver. Such background check
 25 shall include—

1 “(1) a review of State and local court informa-
 2 tion on arrests, charges, convictions;

3 “(2) a review of any sex offender registry; and

4 “(3) a review of any child abuse or dependent
 5 adult abuse registry.

6 “(c) PERIOD OF AVAILABILITY OF APPORTIONED
 7 FUNDS.—Funds withheld after the date specified in sub-
 8 section (a)(1) from apportionments to any State shall not
 9 be available for apportionment to that State and such
 10 funds will lapse.”.

11 (b) CONFORMING AMENDMENT.—The analysis for
 12 chapter 1 of title 23, United States Code, is further
 13 amended by adding at the end the following:

“172. Withholding apportionments for noncompliance of background checks of
 school bus drivers.”.

14 **TITLE III—SCHOOL BUS SAFETY**

15 **SEC. 301. WITHHOLDING APPORTIONMENTS FOR NON-** 16 **COMPLIANCE WITH SCHOOL BUS PASSINGS.**

17 (a) WITHHOLDING APPORTIONMENTS.—Chapter 1 of
 18 title 23, United States Code, is amended by adding at the
 19 end the following:

20 **“§ 171. Withholding apportionments for noncompli-** 21 **ance with school bus passings**

22 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-
 23 COMPLIANCE.—

1 “(1) WITHHOLDING.—The Secretary shall with-
2 hold 10 percent of the amount required to be appor-
3 tioned to any State under paragraphs (1), (3), and
4 (4) of section 104(b) on October 1, 2017, and on
5 each October 1 thereafter if the State does not meet
6 the requirements of paragraph (2).

7 “(2) REQUIREMENT.—A State meets the re-
8 quirements of this paragraph if the State has en-
9 acted and is enforcing a law that imposes the fol-
10 lowing penalties to a motorist who is found guilty of
11 illegally passing a stopped school bus:

12 “(A) FIRST OFFENSE.—For a first offense,
13 a fine of not less than \$250 with the possibility
14 of jail time and license suspension.

15 “(B) SECOND OFFENSE WITHIN A 5-YEAR
16 PERIOD OF A FIRST OFFENSE.—For a second
17 offense within a 5-year period of a first offense,
18 a fine of not less than \$315 with the possibility
19 of jail time and license suspension.

20 “(b) PERIOD OF AVAILABILITY OF APPORTIONED
21 FUNDS.—Funds withheld after the date specified in sub-
22 section (a)(1) from apportionments to any State shall not
23 be available for apportionment to that State and such
24 funds will lapse.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
 2 chapter 1 of title 23, United States Code, is amended by
 3 adding at the end the following:

“171. Withholding apportionments for noncompliance with school bus
 passings.”.

4 **SEC. 302. GRANTS FOR MOTION-ACTIVATED DETECTION**
 5 **SYSTEM ON SCHOOL BUSES.**

6 (a) IN GENERAL.—The Secretary of Transportation
 7 may provide grants to States to equip school buses with
 8 a motion-activated detection system.

9 (b) APPLICATION.—In order to qualify for a grant
 10 under this section, a State shall submit an application to
 11 the Secretary at such time, in such manner, and con-
 12 taining such information and assurances as the Secretary
 13 may require, including—

14 (1) an assurance that the State will use grant
 15 funds to purchase motion-activated detection sys-
 16 tems for school buses; and

17 (2) an assurance that the State is in compliance
 18 with sections 171 and 172 of title 23, United States
 19 Code.

20 (c) GRANT AMOUNTS.—Before awarding a grant
 21 under this section, the Secretary shall ensure that each
 22 grant award is of sufficient size and scope to carry out
 23 the requirements of this section.

1 (d) FUNDING.—In order to fund grant awards under
2 this section, the Secretary shall use funds not apportioned
3 pursuant to sections 171 and 172 of title 23, United
4 States Code.

5 (e) REPORTS.—Not later than 1 year after the date
6 of enactment of this Act, the State shall submit a report
7 to the Secretary regarding the effectiveness of the motion-
8 activated detection system in any local educational agency
9 using grant funds under this section, including—

10 (1) whether or not the detection system has
11 prevented children from being hit by a school bus;
12 and

13 (2) a cost benefit analysis of using these detec-
14 tion systems on school buses.

15 (f) DEFINITION.—For purposes of this Act, the term
16 “motion-activated detection system” means a sensor sys-
17 tem that uses radio signals or radar waves to detect a
18 moving target near the front, rear, and sides of a school
19 bus. The system sounds an alarm to alert the driver when
20 a moving target is detected within the specified danger
21 zones of the bus.

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