

## Seat Belt Requirement

Seat Belts are required to be worn on TJUHSD school buses.

This is a friendly reminder that wearing seat belts by the driver and **all passengers** is required by district policy, California Department of Education now and will be also required by law in July 2018. This requirement applies to Home to School, School to Home, SPAB Trips and Athletic Trips. This requirement of wearing seat belts also applies to:

- ❖ Administrators
- ❖ Teachers
- ❖ Coaches
- ❖ Walk on Coaches
- ❖ Chaperones

Please support the bus drivers in the monitoring and application of this requirement as the student(s) /athletes look to their teacher and coaches as role models / mentors and if they are not leading by example and wearing their seat belts it makes the driver's job much tougher to enforce and make sure we are in compliance.

The requirement is based on safety tests and remember that we do not make the rules as we are tasked with making sure the rules are followed on the school buses. The bus driver is in command of their vehicle when in operation.

Please see the CCR below.

### 5 CCR § 14105

§ 14105. School Bus and School Pupil Activity Bus (SPAB) Passenger Restraint System Use.

All passengers in a school bus or in a school pupil activity bus that is equipped with passenger restraint systems in accordance with sections 27316 and 27316.5 of the Vehicle Code, shall use the passenger restraint system. All pupils described in subdivision (a) of Education Code Section 39831.5, shall be instructed in an age-appropriate manner in the use of passenger restraint systems required by Education Code Section 39831.5(a)(3). The instruction shall include, but not be limited to, the following information:

- (a) Proper fastening and release of the passenger restraint system:
  - (1) Fastening: To fasten, insert the latch plate (the metal "tongue" attached to one side of the webbing) into the proper buckle (the receptacle that comes out from the "bight" in the back of the seat, a slot in the seat cushion, or from the side). The latch plate inserts into the buckle until you hear an audible snap sound and feel it latch. Make sure the latch plate is securely fastened in the buckle.
  - (2) Unfastening: To unfasten, push the buckle release button and remove the latch plate from the buckle. The buckle has a release mechanism that, when manually operated during "unbuckling," breaks the bond and separates the two sections.
- (b) Acceptable placement of passenger restraint systems on pupils: Adjust the lap belt to fit low and tight across the hips/pelvis, not the stomach area. Place the shoulder belt snug across the chest, away from the neck. Never place the shoulder belt behind the back or under the arm. Position the shoulder belt height adjuster so that the belt rests across the middle of the shoulder. Failure to adjust the shoulder belt properly would reduce the effectiveness of the lap/shoulder belt system and increase the risk of injury in a collision.
- (c) Times at which the passenger restraint system should be fastened and released: Passenger restraint systems shall be used at all times the school bus or school pupil activity bus is in motion except when exempted in subdivisions (e) and (f) of this section.
- (d) Acceptable placement of the passenger restraint systems when not in use: When not in use, passenger restraint systems shall be fully retracted into the retractors so that no loose webbing is visible, or stored in a safe manner per the school bus manufacturer's instructions.
- (e) This section does not apply to a passenger with a physically disabling condition or medical condition which would prevent appropriate restraint in a passenger restraint system, providing that the condition is duly certified by a licensed physician or licensed chiropractor who shall state in writing the nature of the condition, as well as the reason the restraint is inappropriate.

(f) This section also does not apply in case of any emergency that may necessitate the loading of school children on a school bus in excess of the limits of its seating capacity. As used in this section, “emergency” means a natural disaster or hazard (as determined by the school district superintendent or their designee) that requires pupils to be moved immediately in order to ensure their safety.

*Note: Authority cited: Sections 33031, 38047.5, 38047.6 and 39831, Education Code. Reference: Sections 38047.5, 38047.6, 39830, 39830.1 and 39831.5, Education Code; and Sections 27316 and 27316.5, Vehicle Code.*

## **HISTORY**

*1. New section filed 11-9-2004; operative 11-9-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 46).*

This database is current through 1/26/18 Register 2018, No. 4

Thank You in advance for your support in this matter.