

# **SEAT BELTS ON SCHOOL BUSES**

**MODES OF SCHOOL  
TRANSPORTATION  
OCTOBER 2017**

**TASK FORCE**

# DEFINITIONS

*“Type I School Bus” means a school bus with a Gross Vehicle Weight Rating of more than 10,000 pounds. (IVC Section 1-213.4)*

"Type I-A School Bus" means a term commonly used by school bus manufacturers to classify a Type I school bus that is a conversion or body constructed upon a van-type or cutaway front-section vehicle with a left side driver's door, designed for carrying more than 10 persons. The Type I-A school bus has a GVWR of more than 10,000 pounds. (92 Ill. Adm. Code 440)

*“Type II School Bus” means a school bus with a Gross Vehicle Weight Rating of 10,000 pounds or less. (IVC Section 1-213.5)*

# FMVSS DEFINITIONS

## NHTSA

49 CFR §571.209 Standard No. 209; Seat belt assemblies.

### *S3. Definitions.*

*Type 1 seat belt assembly* is a lap belt for pelvic restraint.

*Type 2 seat belt assembly* is a combination of pelvic and upper torso restraints.

# **NHTSA REQUIRES TYPE 2 SEAT BELTS (3 POINT) ON TYPE II SCHOOL BUSES. EFFECTIVE 10/21/11**

49 CFR §571.208 Standard No. 208; Occupant crash protection.

S4.4.3.2 Each school bus with a gross vehicle weight rating of 4,536 kg (10,000 pounds) or less shall comply with the requirements of S4.4.3.2.1 and S4.4.3.2.2.

S4.4.3.2.1 The driver's designated seating position and any outboard designated seating position not rearward of the driver's seating position shall be equipped with a Type 2 seat belt assembly. The seat belt assembly shall comply with Standard No. 209 (49 CFR 571.209) and with S7.1 and S7.2 of this standard. The lap belt portion of the seat belt assembly shall include either an emergency locking retractor or an automatic locking retractor. An automatic locking retractor shall not retract webbing to the next locking position until at least  $\frac{3}{4}$  inch of webbing has moved into the retractor. In determining whether an automatic locking retractor complies with this requirement, the webbing is extended to 75 percent of its length and the retractor is locked after the initial adjustment. If the seat belt assembly installed in compliance with this requirement incorporates any webbing tension-relieving device, the vehicle owner's manual shall include the information specified in S7.4.2(b) of this standard for the tension-relieving device, and the vehicle shall comply with S7.4.2(c) of this standard.

S4.4.3.2.2 Passenger seating positions, other than any outboard designated seating position not rearward of the driver's seating position, shall be equipped with Type 2 seat belt assemblies that comply with the requirements of S7.1.1.5, S7.1.5 and S7.2 of this standard.

# **NHTSA ALLOWS EITHER TYPE 1 OR TYPE 2 SEAT BELTS ON TYPE I SCHOOL BUSES EFFECTIVE 10/21/11**

Optional belts on Type I school buses must comply with FMVSS, if installed.

§571.210 Standard No. 210; Seat belt assembly anchorages.

*S4.1.3 School bus passenger seats.*

**S4.1.3.4 School buses with a GVWR greater than 4,536 kg (10,000 pounds) manufactured on or after October 21, 2011, with Type 1 seat belt anchorages, must meet the strength requirements specified in S4.2.1 of this standard.**

**S4.1.3.5 School buses with a GVWR greater than 4,536 kg (10,000 pounds) manufactured on or after October 21, 2011, with Type 2 seat belt anchorages, must meet the strength requirements specified in S4.2.2 of this standard.**

**Does the Illinois Passenger  
Protection Act apply to school  
buses and MFSABs?**

# **CHILD PASSENGER PROTECTION ACT**

## **625 ILCS 25**

**(625 ILCS 25/4)**

**Sec. 4. When any person is transporting a child in this State under the age of 8 years in a non-commercial motor vehicle of the first division, any truck or truck tractor that is equipped with seat safety belts, any other motor vehicle of the second division with a gross vehicle weight rating of 9,000 pounds or less, or a recreational vehicle on the roadways, streets or highways of this State, such person shall be responsible for providing for the protection of such child by properly securing him or her in an appropriate child restraint system. The parent or legal guardian of a child under the age of 8 years shall provide a child restraint system to any person who transports his or her child.**

**For purposes of this Section and Section 4b, "child restraint system" means any device which meets the standards of the United States Department of Transportation designed to restrain, seat or position children, which also includes a booster seat.**

**A child weighing more than 40 pounds may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt.**

**(Source: P.A. 95-254, eff. 1-1-08.)**

# DEFINITIONS

## IVC

**(625 ILCS 5/1-111.8) Commercial vehicle. Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, For-Hire or Not-For-Hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.**

**(Source: P.A. 90-89, eff. 1-1-98.)**

**(625 ILCS 5/1-217) Vehicle. Every device, in, upon or by which any person or property is or may be transported or drawn upon a highway or requiring a certificate of title under Section 3-101(d) of this Code, except devices moved by human power, devices used exclusively upon stationary rails or tracks and snowmobiles as defined in the Snowmobile Registration and Safety Act.**

**For this Code, vehicles are divided into 2 divisions:**

- **First Division: Those motor vehicles which are designed for the carrying of not more than 10 persons.**
- **Second Division: Those vehicles which are designed for carrying more than 10 persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying property, freight or cargo, those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division, and those motor vehicles of the First Division used and registered as school buses.**



**Does the Illinois Safety Belt Law apply to school buses  
and MFSABs?**

# **ILLINOIS SAFETY BELT LAW**

## **625 ILCS 5/12-603.1**

**Sec. 12-603.1. Driver and passenger required to use safety belts, exceptions and penalty.**

**(a) Each driver and passenger of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt. A child less than 8 years of age shall be protected as required pursuant to the Child Passenger Protection Act. Each driver of a motor vehicle transporting a child 8 years of age or more, but less than 16 years of age, shall secure the child in a properly adjusted and fastened seat safety belt as required under the Child Passenger Protection Act. Each driver of a motor vehicle transporting a passenger who is unable, due to infirmity, illness, or age, to properly adjust and fasten a seat safety belt and is not exempted from wearing a seat safety belt under subsection (b) shall secure the passenger in a properly adjusted and fastened seat safety belt as required under this Section.**

**ILLINOIS SAFETY BELT LAW**  
**625 ILCS 5/12-603.1**  
**(CONT.)**

**(b) Paragraph (a) shall not apply to any of the following:**

- 8. A motor vehicle which is not required to be equipped with seat safety belts under federal law.**