

104TH CONGRESS
1ST SESSION

H. R. 266

Prohibiting the manufacture, sale, delivery, or importation of school buses that do not have seat belts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. JACOBS introduced the following bill; which was referred to the Committee on Commerce

A BILL

Prohibiting the manufacture, sale, delivery, or importation of school buses that do not have seat belts, 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. PROHIBITION.**

4 No person shall manufacture, sell, deliver, or import
5 any school bus, constructed after the effective date of this
6 Act, for use by a person described in section 2 to provide
7 transportation service, unless such school bus is equipped
8 with a seat belt, with particular emphasis on the use of
9 an Aaron Gordon type flight attendant double shoulder
10 harness mechanism or other appropriate safety restraint

1 device providing equal or greater passenger safety, for
2 each passenger riding in such school bus.

3 **SEC. 2. PERSONS TO WHICH PROHIBITION APPLIES.**

4 The prohibition set forth in section 1 shall apply to—

5 (1) any school bus, as such term is defined in
6 section 4221(d)(7)(C) of the Internal Revenue Code
7 of 1986; and

8 (2) any Federal, State, or local government en-
9 tity, school district, or other public or private entity
10 providing transportation to passengers by school
11 bus.

12 **SEC. 3. CIVIL PENALTIES; SECRETARY'S AUTHORITY TO**
13 **COMPROMISE.**

14 (a) AMOUNT OF PENALTIES.—Whoever violates any
15 provision of this Act, or any regulation issued thereunder,
16 shall be subject to a civil penalty not to exceed \$1,000
17 for each such violation. A violation with respect to each
18 school bus shall constitute a separate violation, except that
19 the maximum civil penalty shall not exceed \$800,000 for
20 any related series of violations.

21 (b) COMPROMISE OF PENALTIES.—Any such civil
22 penalty may be compromised by the Secretary of Trans-
23 portation. In determining the amount of such penalty, or
24 the amount agreed upon in compromise, the appropriate-
25 ness of such penalty to the size of the business of the per-

1 son charged and the gravity of the violation shall be con-
2 sidered. The amount of such penalty, when finally deter-
3 mined, or the amount agreed upon in compromise, may
4 be deducted from any sums owing by the United States
5 to the person charged.

6 **SEC. 4. EFFECTIVE DATE.**

7 This Act shall take effect 90 days after the date of
8 its enactment.

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