

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 1214  
**Version:** As introduced

**DATE:** April 11, 2011

**Authors:** Hortman

**Subject:** Child restraint exception for school transportation

**Analyst:** Matt Burress, 651-296-5045

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

This bill eliminates an exception from mandatory use of child restraints that applies to some type III vehicles and lighter type A-I school buses, so that the exception only applies to a school bus having a gross vehicle weight rating of 10,000 pounds or more.

Under current law, the child restraint exception applies to school buses (as commonly recognized) as well as those type III vehicles that meet certain federal safety standards for occupant crash protection that are applicable to school buses. Type III vehicles meeting such safety standards are effectively school buses but are categorized as type III vehicles for regulatory purposes.

### Background

Type III vehicles constitute a category distinct from the traditional yellow school bus. It is primarily a classification for vehicles that are not regular school buses but nonetheless are used to transport students in a school-related context. While most school buses take the form of the typical yellow bus, a type III vehicle can be a passenger car (including a minivan, SUV, or station wagon), van, or in certain circumstances a bus.

The difference between a family automobile and an equivalent type III vehicle is not the vehicle itself, but rather lies in its use: type III vehicles are used by schools for purposes of pupil transportation (following various statutory requirements).

To qualify as a type III vehicle, it must:

- carry a maximum of ten or fewer people, including the driver; and
- weigh 10,000 pounds or less. Minn. Stat. § 169.011, subd. 71.

While typically a passenger automobile, a type III vehicle can be a vehicle commonly recognized as a school bus if it meets the capacity and weight limits. Conceptually, type III vehicles can therefore be divided into (1) passenger autos, and (2) school buses that could also be categorized as a Type A-I school bus (the smallest category of traditional yellow buses).