

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1237 be amended to read as follows:

- 1 Page2, line 23, reset in roman "(a)".
- 2 Page 2, line 23, reset in roman "except".
- 3 Page 2, line 24, reset in roman "as provided in subsection (b)".
- 4 Page 2, line 27, reset in roman "(b) For purposes of IC 9-19-10, the
- 5 term includes buses,".
- 6 Page 2, line 28, reset in roman "private buses, and".
- 7 Page 2, line 29, after "vehicles." insert "**buses used to carry**
- 8 **passengers for hire, and excludes buses used for public**
- 9 **transportation.**".
- 10 Page 3, after line 17, begin a new paragraph and insert:
- 11 "SECTION 8. IC 9-19-10-2.4 IS ADDED TO THE INDIANA
- 12 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 13 [EFFECTIVE JULY 1, 2007]: **Sec. 2.4. (a) This section applies**
- 14 **beginning July 1, 2009.**
- 15 **(b) A bus, a private bus, or a bus used to carry passengers for**
- 16 **hire that is initially placed into service after June 30, 2009, must be**
- 17 **equipped, for each occupant, with a safety belt meeting the**
- 18 **specifications and requirements established by the bureau under**
- 19 **section 6(b) of this chapter.**
- 20 **(c) Each occupant of a bus described in subsection (b) shall have**
- 21 **a safety belt properly fastened about the occupant's body at all**
- 22 **times when the bus is in forward motion.**
- 23 SECTION 9. IC 9-19-10-7 IS AMENDED TO READ AS
- 24 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) Failure to comply

1 with section 1, 2, **2.4**, 3, or 4 of this chapter does not constitute fault
2 under IC 34-51-2 and does not limit the liability of an insurer.

3 (b) Except as provided in subsection (c), evidence of the failure to
4 comply with section 1, 2, **2.4**, 3, or 4 of this chapter may not be
5 admitted in a civil action to mitigate damages.

6 (c) Evidence of a failure to comply with this chapter may be
7 admitted in a civil action as to mitigation of damages in a product
8 liability action involving a motor vehicle restraint or supplemental
9 restraint system. The defendant in such an action has the burden of
10 proving noncompliance with this chapter and that compliance with this
11 chapter would have reduced injuries, and the extent of the reduction.

12 SECTION 10. IC 9-19-10-8.6 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2007]: **Sec. 8.6. The operator of a bus, a**
15 **private bus, or a bus used to carry passengers for hire who permits**
16 **a violation of section 2.4(c) of this chapter commits a Class D**
17 **infraction.**

18 SECTION 11. IC 9-19-10-9 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. A person who
20 violates section 5 ~~or~~ 6 of this chapter commits a Class C infraction."

21 Renumber all SECTIONS consecutively.
(Reference is to HB 1237 as printed February 9, 2007.)

Representative Ruppel