

SCHOOL LAW INFORMATION MEMO

MAY 9, 2025

Charter Bus Safety Belt Requirements Effective April 21, 2025

Effective April 21, 2025, new subsection 3-d of Vehicle & Traffic Law Section 1229-c provides that:

- (a) No person 16 years of age or older shall be a passenger in a charter bus unless such person is restrained by an approved safety belt; and
- (b) No person between the ages of 8 and 15 shall be a passenger in a charter bus unless such person is restrained by an approved safety belt.

In accordance with subsection 3-d(b), a police officer shall **only** issue a summons (i.e., ticket) for a student between the ages of 8 and 15 years old not wearing a seatbelt on a charter bus to the **parent or guardian** (18 years of age or older) of such person, if the violation by such person occurs in the **presence** of such person's parent or guardian. The law is explicit that such summons shall **only** be issued to the parent or guardian and not to the person between 8 and 15 years of age.

A person who violates the safety belt requirements set forth above is also subject to a civil fine of up to fifty dollars (\$50), pursuant to Vehicle & Traffic Law Section 1229-c(5). In any prosecution or proceeding alleging a violation of the charter bus safety belt requirements, a person may raise as an affirmative defense that the charter bus was not equipped with seat belts or that such seat belts were not clearly visible, accessible or maintained in good working order. Vehicle & Traffic Law Section 1229-c(5).

"Charter bus" is defined broadly by new subsection 4(d) as a bus manufactured or assembled on or after Nov. 28, 2016, transporting passengers for compensation in a chartered party. "Chartered party" is defined by new subsection 4(e) as a group of persons who, pursuant to a common purpose and under a single contract and at a fixed charge, have acquired exclusive use of a bus to travel together as a group to a specific destination or for a particular itinerary either agreed upon in advance or modified after having left the place of origin by such group.

While the charter bus safety belt requirements are new and there does not appear to be much by way of guidance or interpretation at this time, it does not appear that the statute envisions or permits tickets, penalties or civil fines for chaperones or trip sponsors.

For any questions about this issue, please feel free to contact [Sara E. Colacino](#) any attorney in Bond's [school law practice](#) or the attorney at the firm with whom you are regularly in contact.

