



Connecticut School Transportation Association

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Testimony for the
Transportation Committee of the
Connecticut General Assembly
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HB 5032, An Act to Improve the Safety of School Bus Transportation

HB 5033, An Act Requiring the Installation and Use of Seat Safety Belts on School Buses

Thank you for allowing the Connecticut School Transportation Association (COSTA) the opportunity to present testimony to you today on two very important measures: HB 5032, *An Act to Improve the Safety of School Bus Transportation* and HB 5033, *An Act Requiring the Installation and Use of Seat Safety Belts on School Buses*.

COSTA is a trade association comprised of owners and operators of school buses, student transportation vehicles and other associate members. Our membership of more than 125 companies and Boards of Education includes nearly all of the providers of student transportation in Connecticut. Together, they operate more than 10,000 school buses and Student Transportation Vehicles that transport nearly 500,000 children to and from school safely every day.

Regarding HB 5032, *An Act to Improve the Safety of School Bus Transportation*, COSTA opposes most of the language in this measure. We do not oppose the change on line 12 of the bill which changes the phrase, from "may" to "shall." We would suggest changing the color of the paint on line 22 to "National School Bus Chrome," as that is the proper name for the color of school buses.

We do object to the new language contained on lines 36 – 40 which would require the phone number of the Department of Motor Vehicles to be displayed on the back of the school bus.

We are opposed to this measure as a safety issue. We are concerned that including these identifications marks on school buses could become a driver distraction and put children at risk.

Drivers already have many distractions that divert their attention from safely operating their vehicles. Talking on mobile phones, eating, reading, applying makeup, checking e-mail,

listening to the radio, and simple boredom are common occurrences in motor vehicles every day. It may be hard to believe but many drivers simply do not see a forty-foot long, twelve-foot high, ten-foot wide motor vehicle that is painted yellow with red lights flashing and octagonal stop semaphore with red flashing lights extended. Hundreds of drivers every year drive past a stopped school bus, oblivious to the warning signs in front of them.

We are concerned that drivers reading the information on the back of a school bus will not be concentrating on the road ahead.

There is very little room to put the proposed information on the rear of a school bus. The back of the school bus is already covered with a license plate, running lights, back-up lights, turn signal lights, clearance lights, reflectors and Stop on Signal and Warning lights. The back of the school bus is also marked at the emergency exit door or window. There is safety information on the rear of school buses directed at drivers – in a size that drivers should be able to easily read from a distance, SCHOOL BUS STOP ON SIGNAL. There is already a requirement to prominently display the bus number, the name of the carrier that owns the vehicle and the carrier's phone number on the rear of the bus. There is little or no room on the rear of the bus for the Department's phone number. Calls can already be made to the identified carrier, and if necessary, the license plate is visible so that a report of inappropriate driving can be made to the authorities.

Requiring the Department's telephone number on the side of the bus would be even more dangerous. Drivers would have to take their eyes off of the road and look to the left or right to try to find the information on the bus and attempt to commit the numbers to memory while trying to safely drive their own vehicle.

Whether the verbiage is on the rear or the side of the school bus, drivers will likely scramble to find a pen or pencil and something to write on and then write the information while driving, thereby creating a hazardous driving condition for themselves, the children on the school bus and for all others on the road.

Anyone who has a concern about the safe operation of a school bus can call any local school to report the incident. They are then normally directed to either the bus company or to the school transportation department. A complaint can always be made to the local police, giving the bus' license number. Even if it is an out-of-district bus, reporting the license number to the local police will result in appropriate enforcement action.

We also believe that the fines imposed for violations of the sections are excessive.

Thank you for the opportunity to comment on this measure.

Regarding HB 5033, *An Act Requiring the Installation and Use of Seat Safety Belts on School Buses*, we believe that this measure as drafted will put children at risk. We have all been shaken by the horrible tragedy in Hartford in which seventeen students on their way to a weekend science program were involved in an accident that took the life of Vikas Parikh. This

unfortunate accident has given all of us reason to be concerned. Certainly, our thoughts and prayers go out to Mr. Parikh's family and friends.

The overall safety record of the student transportation industry in Connecticut, indeed nationwide, is one of incredible safety. In Connecticut alone, nearly 500,000 students safely travel to school and home from school daily. That's nearly 1,000,000 passenger trips each day or 180,000,000 passenger trips during the school year that does not include field trips, trips to athletic events, etc. The student transportation industry is the single largest provider of mass transportation in Connecticut.

The reason for the safe record is largely attributed to the manner in which school buses are designed. The school bus is the safest vehicle on the road, and the safest way for students to travel to school.

All of the primary research that has been done on this question, including that of the National Transportation Safety Board (NTSB), the National Highway Traffic Safety Administration (NHTSA), and the Transportation Research Board of the National Research Council (TRB), has concluded that school buses without lap belts offer excellent protection to occupants in crashes by virtue of their superior construction and the compartmentalized seating standard. This standard, which is unique to school buses, protects passengers by placing them between high-backed, well-padded seats that are designed to absorb crash forces. Compartmentalization works this way: When a school bus crashes into an object, the unrestrained child slides forward on the seat, hitting the back of the seat in front of him, first with his knees, then with his trunk and shoulders. The seat back gives a little, absorbing the crash forces and distributing them so that there is no concentration of trauma in one part of the body. This system works so well that passengers in extremely severe accidents have escaped serious injury.

In 2002, a study from the National Academy of Sciences (NAS) concluded that the school bus is the safest way for children to get to school¹. The analysis reviewed various modes of transportation and concluded that there are approximately 815 school transportation fatal accidents each year. The highest percentage was from passenger cars – especially those driven by teenagers at 75%. Walking and bicycling resulted in 22% of the fatalities, while three percent were school bus passenger fatalities.

A 2002 school bus study by NHTSA resulted in a Congressional Report that detailed occupant safety in school buses². The report concluded that while lap belts helped to contain students in the event of a crash, an increased risk of neck injury was present with lap belts. The use of three-point lap belt and shoulder belts could offer a greater degree of safety, but if not worn properly could lead to an increased risk of injury.

¹ Special Report 269 *The Relative Risks of School Travel: A National Perspective for Guidance for Local Community Risk Assessment* (Transportation Research Board of the National Academies 2002)

² *Report to Congress, School Bus Safety: Crashworthiness Research*, April 2002

In 2005, the U.S. Department of Transportation *Traffic Safety Facts 2005* reported that school buses had a passenger fatality rate of 0.23 per 100 million vehicle miles traveled (VMT), six times lower than the overall motor vehicle rate of 1.5 fatalities per million VMT.

An August 2007 Congressional Research Service Report to Congress concluded, "Given that 98% of school-age child deaths during school travel hours occur in modes other than school buses, there are other options that could have a greater impact on increasing the safety of school children than requiring that seat belts be installed on large school buses. For example, shifting children from relatively more dangerous modes of transport to school (such as bicycling, walking and passenger vehicles driven by teens) to relatively safer modes (such as school buses) is one way of making school children safer. While federal funding is generally not provided for purchasing large school buses, a grant program to encourage school districts to increase the percentage of children who travel to school by bus could promote safety . . . Other options include making school bus and passenger vehicle pick up and drop locations safer and enforcing graduated licensing programs for teen drivers. The NTSB has recommended that school buses be equipped with onboard data recorders, both to provide additional information about crashes that could lead to improved occupant protection practices, and also because experience has shown that the mere presence (and presumably, knowledge on the part of drivers) of onboard data recorders has often led to reductions in the number of crashes experienced by those vehicles."³

Finally, the U.S. Department of Transportation in its final rule upgrading school bus passenger crash protection requirements of the Federal Motor Carrier Safety Standard (FMVSS) Number 222 held that, "After considering all available information, including the comments to the NPRM, we cannot conclude that a requirement for seat belts on large school buses will protect against an unreasonable risk of accidents or an unreasonable risk of death or injury in an accident."⁴ Beyond that, "NHTSA has been repeatedly asked to require seat belts on buses, has repeatedly reanalyzed the issue, and has repeatedly concluded that compartmentalization provides a high level of safety protection that obviates the safety need for a Federal requirement necessitating the installation of seat belts. Further, the agency has been acutely aware that a decision requiring seat belts on large buses cannot ignore the implications of such a requirement on pupil transportation costs. The Agency has been attentive to the fact that, as a result of requiring belts on large school buses, school bus purchasers would have to buy seat belt-equipped vehicles regardless of whether seat belts would be appropriate for their needs."⁵

Obviously, the legislation recognizes that should seat belts be required, that the three-point seat belt be used.

We are very concerned that emergency evacuations will take long, especially in the event of a fire.

³ *CRS Report for Congress Seat Belts on School Buses: Overview of the Issue August 2007*

⁴ U.S. Department of Transportation, National Highway Traffic Safety Administration Docket Number NHTSA08-01 63 Federal Motor Vehicle Safety Standards; *Seating Systems, Occupant Crash Protection, Seat Belt Anchorages, School Bus Passenger Seating and Crash Protection*

⁵ *ibid.*

You may recall that in November of 2004, a tragedy was avoided in Milford, CT when all 42 children riding a school bus were safely evacuated just seconds before the bus burst into flames. Had those children been wearing seat belts, there is no doubt that the outcome would have been much different, with horrible results.

We are concerned about the safety of children, particularly during the pick-up and drop-off procedure. The legislation does not indicate who is responsible to ensure that the children are wearing their seat belts? If it is the driver, that is extremely troubling.

In order for the driver to make sure that all of the children are wearing their seat belts, he or she will have to get out of the driver's seat at each stop and walk up and down the aisle to check the seat belts. When a driver leaves his seat, he or she must shut off the vehicle⁶. He or she would then have to walk the length of the school bus to ensure that each child's seat belt is on, properly secured and then return to his seat. This will add several minutes to each stop. If the school bus is equipped with a "Child Check-Mate" or other such system, the driver will have to first reset the system at the back of the school bus and then check each child's seat belt. This will add even more time to each stop. What we are most concerned about, however, is what is going on outside of the bus while that driver is doing his check.

When the driver shuts down the bus and removes the key from the ignition, the "SOS" (Stop on Signal) lights go off. During that time, any child outside the bus is at serious risk. The SOS lights tell each motorist to stop and wait for the driver to be certain that all of the children are secure in their seats before continuing to drive. Children are taught to wait for the driver to signal before crossing the street. However, when children are late for the bus, they run towards the bus, run across the street to board the bus and do this because they see that the traffic is stopped because the SOS lights are on.

Assume that those lights are now off because the driver is checking seat belts. Johnny Smith is running to the bus because he is late. At the same time that Johnny is running across the street, Bob Jones who is behind the school bus and running late for work sees that the lights are off and pulls out to pass the bus. It is too late before he sees Johnny Jones running in the street.

This scenario has the potential to be repeated at each stop along the bus route because those SOS lights are off.

We are concerned about liability issues. Will drivers and their companies be held liable for injuries a student or students receive whether or not they are wearing their seat belts? Not all injuries are preventable simply because a person wears a seat belt.

In those few states that do require seat belts on school buses⁷, the driver is specifically exempt from liability whether or not the child is wearing his or her seat belt.

⁶ Section 14-275c-4 *Connecticut Department of Motor Vehicles Regulations*

⁷ California requires three-point seat belts. Florida and New Jersey require seat belts on school buses and mandates that they be worn. New York requires seat belts but does not require that they be worn. Texas and Louisiana require three-point seat belts be installed on new buses when the funding from those states becomes available.

We would be remiss if we did not mention the cost associated with mandating seat belts on school buses. As you know, local boards of education already have the option to require seat belts on school buses. There are 151 school districts in Connecticut. We are only aware of three that require seat belts – Redding, Danbury and Cromwell. There may be one or two others. The reason that other districts do not require seat belts is because of the inherent safety built into the school bus. We are sure boards also have considered the added cost of adding seat belts on school buses – particularly if the fleets have to be retrofitted. While one cannot put a price on a child's safety, it is something that must be considered.

A final issue that must be considered when adding seat belts on school buses, and that is the loss of capacity. When California added seat belts to school buses, they lost on average 22% of the seating capacity on those buses. This loss will be addressed in one of two ways. School districts will reduce the number of buses and increase the size of the routes, or they will add school buses at an additional cost. Clearly, we do not want more children walking or using another mode of transportation to get to school, it simply is not safe and the statistics bear that out.

Thank you very much for the opportunity to appear before you today. I will be happy to answer any questions that you might have.