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Transportation Committee Public Hearing

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HB 5462 An Act Requiring The Installation of Seat Safety Belts on School Buses

My name is Leslie Sheldon and I am the Operations Manager for All-Star Transportation, a school bus company located in Waterbury, CT. I am speaking on behalf of The Connecticut School Transportation Association (COSTA), which is a trade association comprised of owners and operators of school buses, school transportation vehicles and other associate members. Together, our companies operate more than 10,000 school buses and student transportation vehicles that transport nearly 500,000 children to and from school safely each day.

I am here today to speak to the practical implications of HB 5462, a bill that would require that all Connecticut school buses that are model year 2021 or newer be equipped with three point lap/shoulder seat safety belts. The bill also requires that the commissioner of the Department of Motor Vehicles suspend the registration of any school bus model year 2021 or newer that is not equipped with these types of seat belts until such belts have been installed. We request that this bill be modified to state "all Type C & D school buses that are model year 2021 or newer" which will then mandate all large school buses to have seat belts.

We appreciate the fact that the committee recognizes the safety aspect of the three point seat belts versus the lap belts. Three point belts provide much better support for the passenger and are much more effective than lap belts. COSTA does not support lap belts. The three point belts are relatively new to the industry so there is no real concrete data to support that the bus is or is not safer with them.

The cost of mandatory seat belts on school bus has a considerable cost factor that needs to be addressed in conjunction with the municipalities and the Boards of Education, as they will be the ones who will have to pay for such a requirement. The average cost of a new school bus is approximately $80,000. To install three point lap/shoulder belts would cost an additional $10,000, thereby raising the cost of that new vehicle by 12.5 percent. This can be a substantial increase of transportation costs depending upon the size of the school district.

I can speak first hand that the City of Waterbury recently put their regular education busing contract out to bid for 125 vehicles. If we fast forward to 2021 model buses, they would immediately be faced with an additional cost of $1,250,000.00 to meet the requirements of this bill. The newly designed seat will not impact the legal seating capacity of the bus, although it

will impact how many students in the higher grade levels that can fit into a seat. The current law states a maximum capacity for a school bus although it also states that the aisle way must remain clear and accessible. Therefore a school bus can be registered as a 77 passenger bus although realistically you cannot fit 77 high school students in it while following the law to keep the aisle clear for emergencies. It is not practical to think that we will not have to increase the amount of buses in the cities to accommodate this issue. Using Waterbury again as an example, they realistically could be looking at an additional 20 buses being added to their fleet to accommodate the high school ridership. Example, 20 buses X $300 per day per bus X 182 days = $1,092,000.00 for the first year of the contract. Again, the school districts will be faced with funding this mandate.

We also appreciate the fact that this bill would mandate seat belts on new school buses only and would not require retrofitting existing vehicles. Retrofitting is difficult, costly and impractical as it would require complete seat replacement and steel plate reinforcements in the floor. This would result in the loss of seating and negate the manufacturer's warranty.

The bill mandates that the bus driver and passengers must wear the seat belts while the school bus is being operated. It cannot be the responsibility of the driver to make sure students are buckled in or assist them in buckling up because that driver is responsible for the safe operation of that vehicles. Drivers are not allowed by law to leave their seat on the school bus without turning off the bus and taking the key. The onus must be placed on the student.

The bill makes the school districts responsible for providing written notice to the parents and guardians of the students as to the proper use of the belts. Three point belts have to be worn properly in order for a person to benefit from any positive effect. This means that the strap cannot be placed around the back of a student so they can turn around and talk to their friends. Many young children are going to have difficulty putting the seat belt on and taking it off. The school district is responsible for instructing the students on how to fasten and unfasten the belts.

And finally, the bill exempts a school district, school bus company and school bus driver from liability for damages resulting from a student's use, misuse or failure to use a seat belts installed on a school bus. *This is a very real factor because Connecticut has a law, C.G.S. 14-100a(C)(3) that states that failure to wear a seat belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.* This would present a huge liability to school bus operators, their employees and boards of education, and become a boon for trial attorneys. Several other states that have passed seat belt mandates have included liability exemptions.

We realize that the safe transport of children to and from school is our primary concern. School buses are the current safest means of travel for students to and from school. There are more tragedies result from parent transport and students walking to school. The majority of school bus fatalities happen outside of the school bus, not inside of it. The current school bus is designed to protect children from serious injury. We provide school buses with seat belts under certain town mandated contracts now and would certainly do so for all towns if mandated by the legislature. However, legislators need to work with the municipalities and Boards of Education to weight the costs and benefits to determine whether such a mandate is warranted, as they will ultimately be the ones bearing the increased costs of these vehicles.

Thank you for the opportunity to offer testimony on this important matter.