STAND. COM. REP. NO. 124 -08

Honolulu, Hawaii FCJ 5, 2008 RE: H.B. No. 2406 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committees on Transportation and Economic Development & Business Concerns, to which was referred H.B. No. 2406 entitled:

"A BILL FOR AN ACT RELATING TO SCHOOL BUSES,"

beg leave to report as follows:

The purpose of this bill is to increase safety in school buses having a gross vehicle weight rating of more than 10,000 pounds by:

- Requiring all school buses, whether purchased or contracted for use by the State, to:
 - (A) Be equipped with seat belt assemblies for all passenger seats; and
 - (B) Have seats with seat backs that are at least 24 inches high;
- (2) Prohibiting the issuance of certificates of inspection if the school bus does not meet the above requirements; and
- (3) Requiring the Department of Education (DOE) to adopt rules for the use of seat belts on school buses that include:



- (A) Requiring the use of seat belts by pupils between the ages of four and twelve; and
- (B) Appropriate disciplinary action for any pupil who fails to comply with the rules for using seat belts.

A concerned individual testified in support of this bill. DOE, Hawaii Association of Independent Schools, Hawaii Transportation Association, Hawaii School Bus Association, and Soderholm Sales and Leasing, Inc., testified in opposition to this measure.

Protecting the health and safety of Hawaii's children as they ride to and from school in school buses is important. In fact, because of its importance, the structural design of school buses includes what is known as "compartmentalization design"--protocols in the interior of the bus that contain strong, closely-spaced seats with energy-absorbing backs that form a protective envelope for a child. Although previous studies and crash test data have shown that seat belt use on a school bus may not offer added protection in a crash due to the use of "compartmentalization design", more recent studies and data appear to contradict this understanding.

Moreover, your Committees find that while the fatality rate for school buses is only .2 fatalities for every 100 million vehicle miles traveled as compared to 1.5 fatalities per 100 million vehicle miles traveled for cars, the protection of our children is an important issue that deserves further consideration.

Accordingly, your Committees have amended this bill by changing its effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the records of votes of the members of your Committeess on Transportation and Economic Development & Business Concerns that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2406, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2406, H.D. 1, and be referred to the Committee on Education.



STAND. COM. REP. NO. 124 -08 Page 3

Respectfully submitted on behalf of the members of the Committees on Transportation and Economic Development & Business Concerns,

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KYLE T. SHITA, Chair

HB2406 HD1 HSCR TRN-EDB HMS 2008-1592

M. SOUKI, Chair

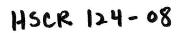
State of Hawaii House of Representatives The Twenty-fourth Legislature

HSCR 124-08

Bill/Resolution No.:	Committee Referral:	[]	Date:				
НВ 2406	TRN/EDB, EDN, FIN 30 January 2008			2008			
□ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: D Pass, unamended (as is) Pass, with amendments (HD) D Hold							
Pass short form bill with HD to recommit for future public hearing (recommit)							
TRN Members	Ayes	Ayes (WR	l) Nays	Excused			
1. SOUKI, Joseph M. (C)							
2. NISHIMOTO, Scott Y. (VC)							
3. EVANS, Cindy							
4. HAR, Sharon E.							
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5. LEE, Marilyn B.							
6. LUKE, Sylvia							
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7. McKELVEY, Angus L.K.							
		- /	Carl Shield and Street				
8. NAKASONE, Bob							
9. SONSON, Alex M.		New points in the off some					
10. TAKAMINE, Dwight Y.							
11. TAKUMI, Roy M.				/			
12. MEYER, Colleen Rose			and a support of the second	· · · ·			
13. PINE, Kymberly Marcos				- /			
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TOTAL (13)	6			6			
The recommendation is: Adop							
If joint re	eferral,		upport recommendation				
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							

Record of Votes of the Committee on Transportation

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Economic Development & Business Concerns

Bill/Resolution No.: HB 2406		Committee Referral:		Date:			
HB 2406 TRN/EDB, EDN, FIN 1/30/08 The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 							
EDB Members		Ayes	Ayes (WR)	Nays	Excused		
1. YAMASHITA, Kyle T. (C)							
		/					
2. WAKAI, Glenn (VC)							
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3. BERG, Lyla B., Ph.D.							
A BROWER T							
- (4. BROWER, Tom							
- 5. CHANG, Jerry L.							
		Y					
6. HANOHANO, Faye P.							
			/				
7. HERKES, Robert N.							
		1					
8. MANAHAN, Joey							
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-([9.) TSUJI, Clift							
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10. YAMANE, Ryan I.		~					
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11. CHING, Corinne W.L.							
12. MARUMOTO, Barbara C.							
12. MAROMOTO, Barbara C.							
				1	1		
TOTAL (12)	/	9	S	Ø	Ø		
The recommendation is: Adopted It Not Adopted If joint referral,							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							