

Date: 02/02/2009

Committee: House Transportation

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent of Education

Title of Bill: HB 0800 RELATING TO SCHOOL BUSES.

Purpose of Bill: Requires public and private elementary school children to wear seat belts on school buses. Requires all state contracted school buses to be fitted with seat belts after July 1, 2010.

Department's Position: The Department of Education does not support this bill and recommends HB176 Relating to School Buses. HB 800 would require all school buses to be fitted with seat belts for the added safety of our bus riding students, however the Department has several issues that should be considered:

- A. This bill requires seat belts immediately for all elementary school students. The cost to comply would increase the costs in equipment purchases for our bus contractors which would eventually increase the costs in bus contracts. It is estimated that it would cost an additional \$10,000 - \$15,000 to purchase a new school bus equipped with lap and shoulder belt assemblies at all designated seating positions.
- B. There is not one set of safety specifications in place to retrofit seatbelts in all existing makes and models of school buses.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE TTN-LC

February 2, 2009

The Honorable Joseph M. Souki, Chair
and Members
Committee on Transportation
House of Representatives
State Capitol
Honolulu, Hawaii 96813

Dear Chair Souki and Members:

Subject: House Bill No. 800, Relating to School Buses

I am Major Thomas Nitta of the Traffic Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports House Bill No. 800, relating to seat belts for school buses. The use of seat belts in school buses will provide an additional safety shield for our children and will additionally reinforce the use of seat belts in passenger vehicles.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Nitta", written over a horizontal line.

THOMAS T. NITTA, Major
Traffic Division

APPROVED:

for: A handwritten signature in black ink, appearing to read "Boisse P. Correa", written over a horizontal line.
BOISSE P. CORREA
Chief of Police



February 2, 2009

**TESTIMONY BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION
ON HB 800 RELATING TO SCHOOL BUSES**

Thank you Chair Souki and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association (HTA) which has 380 transportation related members throughout the state of Hawaii.

HTA opposes this bill.

Federal agencies have been studying passenger crash protection systems in school buses since 1977 when a Federal Motor Vehicle Safety Standard took effect that required all new school buses to be equipped with seating systems that included strong, high-backed, well-padded, strongly anchored, evenly spaced seats – a passive protection system called “compartmentalization.”

“Compartmentalization” protection is provided by a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing seat backs. The effectiveness of compartmentalization has been confirmed in the National Transportation Safety Board (NTSB) and National Academy of Sciences (NAS) studies.

The federal government did consider a requirement for lap belts (an active protective system) in the 1977 standard, but decided against them. A passive crash protection system - one that did not depend on children’s compliance to be effective - was determined most beneficial.

In a May 2002 report to Congress, the National Highway Traffic Safety Administration (NHTSA) indicated that the use of combination lap/shoulder belts could provide some benefit on both large and small school buses in a crash. The report stated that “the potential exists for reducing the average passenger fatalities in frontal crashes of school buses from two to one, assuming 100 percent use of lap/shoulder belt systems.”

However, that same report also stated that serious neck injury and perhaps abdominal injury could result when lap/shoulder belts are misused, since they then function like a lap belt.

School bus crash data show that a requirement for belts on buses would provide little, if any, added protection in a crash. The National Transportation Safety Board (NTSB) and the NAS have come to the same conclusion. The NTSB concluded that most fatalities and injuries were due to occupant seating positions being in direct line with the crash forces, and that seat belts would not have prevented most of the serious injuries and fatalities.

The NHTSA also cautioned that “[i]n a very good restraint system like compartmentalization in school buses, extreme caution must be taken when considering any changes to the safety equipment that have provided high protection and safety benefits to children for over 24 years. Any change in vehicle safety systems must be weighed against the benefits that could accrue and the negative benefits [effects] that could result from those changes.”

The negative benefits arise when school bus seat, and fleet, capacity displaces school children from school bus transportation into significantly less-safe forms of transportation.

The National Research Council (NRC) of the National Academy of Sciences also released a report in 2002 on school travel and safety in which it reported that there are more than 800 children killed each year during normal school transportation hours while walking, riding a bike or riding in a passenger car with either an adult or teenage driver.

Students are nearly eight times safer riding in a school bus than with their own parents and guardians in cars. The fatality rate for school buses is only 0.2 fatalities per 100 million vehicle miles traveled (VMT) compared to 1.5 fatalities per 100 million VMT for cars.

Turning over a fleet to purchase new school buses with three point seatbelts installed is cost prohibitive. If a turn over did occur, the State Department of Education could not afford to pay what the operators would need to recoup their investment.

Retrofitting a school bus with seatbelts has many problems:

1. We have not identified anyone in Hawaii certified to perform such retrofits.
2. The three point system is recommended over lap belts, and that requires seats that are different from those in current fleets. Seats would need to be replaced with new positioning within the shell, involving drilling new mount holes which introduces the concern of structural compromise.
3. Warranties are in jeopardy when performing modifications not covered by the Federal Motor Vehicle Safety Standards.
4. The State Department of Education could not afford to pay what the operators would need to recoup their investment.

School buses are heavier, experience less crash forces, and distribute crash forces differently than do passenger cars and light trucks. The crash force experienced by the passengers of large buses is much less than that experienced by other occupants. The safety record of school buses is outstanding, and because there is no compelling evidence to suggest that seat belts would provide even higher levels of occupant protection in crashes, NHTSA agrees with the NAS report that there is insufficient reason for a mandate for seat belts on large school buses.

Thank you.