

Honolulu, Hawaii

Feb 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:

- (1) 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 Committees 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.



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



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KYLE T. YAMASHITA, Chair



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JOSEPH M. SOUKI, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

HSCR 124-08

**Record of Votes of the Committee on Transportation**

<b>Bill/Resolution No.:</b> HB 2406	<b>Committee Referral:</b> TRN/EDB, EDN, FIN	<b>Date:</b> 30 January 2008		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>TRN Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. SOUKI, Joseph M. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. EVANS, Cindy	/			
4. HAR, Sharon E.	/			
5. LEE, Marilyn B.	/			
6. LUKE, Sylvia				/
7. McKELVEY, Angus L.K.				/
8. NAKASONE, Bob		/		
9. SONSON, Alex M.				/
10. TAKAMINE, Dwight Y.	/			
11. TAKUMI, Roy M.				/
12. MEYER, Colleen Rose				/
13. PINE, Kymberly Marcos				/
<b>TOTAL (13)</b>	<b>6</b>	<b>1</b>		<b>6</b>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office				

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

Bill/Resolution No.: HB 2406	Committee Referral: TRN/EDB, EDN, FIN	Date: 1/30/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> 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)	✓			
3. BERG, Lyla B., Ph.D.		✓		
4. BROWER, Tom	✓			
5. CHANG, Jerry L.	✓			
6. HANOHANO, Faye P.	✓			
7. HERKES, Robert N.		✓		
8. MANAHAN, Joey	✓			
9. TSUJI, Clift	✓			
10. YAMANE, Ryan I.	✓			
11. CHING, Corinne W.L.		✓		
12. MARUMOTO, Barbara C.	✓			
TOTAL (12)	9	3	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				