

Date: 02/04/2008

Committee: Senate Transportation and
International Affairs

Department: Education

Person Testifying: Patricia Hamamoto, Superintendent of Education

Title of Bill: SB 3262 RELATING TO HIGHWAY SAFETY.

Purpose of Bill: Requires all school buses purchased or leased for use in Hawaii as of July 1, 2010, to be equipped at all designated seating positions with a combination pelvic and upper torso passenger restraint system; defines "passenger restraint system"; deletes school buses from exemptions for mandatory use of seat belts.

Department's Position: The Department of Education (DOE) supports this bill which requires all school buses to be equipped with seat belts as of July 1, 2010, if the bill is clarified to mean school buses physically present in the state on July 1, 2010 need not be retrofitted with seat belts and if funds will be appropriated for monitors on school buses equipped with seat belts. Otherwise we do not believe seat belts on school buses is a cost-effective way to improve student safety traveling from home to school and back. School buses are structurally designed to protect students without the use of seat belts and data has shown that riding a school bus, without seat belts, is a safer mode of transport from home to school and back than passenger vehicles. Most school bus-related injuries occur after students have exited the bus or from injuries sustained in altercations while transported. Our concerns with S.B. 3262 if it is not clarified are set forth:

a. Cost of retrofitting used buses. It is estimated that the cost of retrofitting 3-point seat belt assemblies for a used bus may reach up to

\$30,000 per bus, depending on installment factors of each bus such as the existing strength of floors/framing to accommodate proper installation to meet the required specifications. Whether the costs are covered by the DOE or a bus contractor, the added expense will be passed on to future bus transportation contracts. S.B. 3262 should include a statement of intent to fund this cost when it will be incurred.

b. Assuring Proper Use of Seat Belts. It is not useful to mandate seat belts in school buses unless there is proper training and monitoring of their use according to the manufacturer's specifications. S.B. 3262 provides that no person will be held responsible for passengers who do not use or improperly use seat belts installed on buses. This will alleviate a concern by bus contractors and drivers that they will be cited if students fail to buckle up. However, to avoid compromising driver safety and to assure proper usage of seat belts, S.B. 3262 should include a statement of intent to fund the cost of providing trained monitors on each bus. The monitor's primary objective would be to assure proper usage of seat belts at all times. Secondly, the monitor is needed to assure that seat belts are not utilized by students for the purpose of injuring other students. A bus monitor would cost approximately \$10,000 per bus per year.

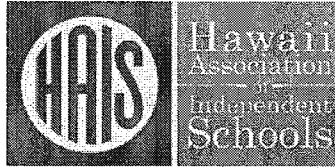
The DOE believes that student safety can be improved at less cost than seat belts in school buses with the following measures:

a) Increasing ridership by eliminating the school bus fare.

Increasing the percentage of students who ride the school bus instead of riding in private vehicles increases student safety, reduces traffic congestion, and reduces the state's carbon footprint. If ridership increased by 10% because the fare was free, the DOE's annual cost would increase by approximately \$3 million and its revenue would be decreased by about \$2 million. The net increase in annual funds of \$5 million is significantly

less than the annual cost of mandatory seat belts.

b) Installment of video cameras. Installing video cameras in all buses will minimize incidences of inappropriate behavior on school buses. This effort increases every bus riding student's well-being and safety while transported. The DOE receives more complaints related to inappropriate behavior on school buses than issues regarding seat belts.



February 4, 2008
2:45 p.m.
Conference Room 224

TESTIMONY TO
THE SENATE COMMITTEE ON
TRANSPORTATION AND INTERNATIONAL AFFAIRS

RE: SB 3262 – Relating to Highway Safety

Dear Chair English, Vice Chair Gabbard, and Members of the Committee:

My name is Robert Witt, executive director of the Hawaii Association of Independent Schools, which represents approximately 100 member schools and educates over 30,000 elementary and secondary school students statewide.

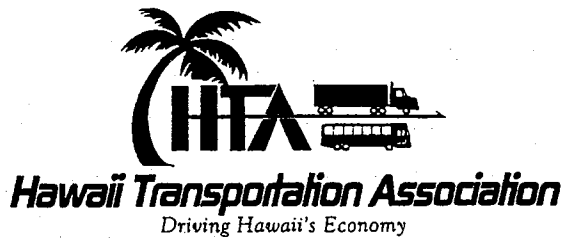
We oppose Senate Bill 3262, which would require private schools to equip its school buses with seat belts by July 1, 2010.

School buses must already meet very strict Federal motor vehicle safety standards, as stated in the Department of Transportation's Chapter 143, Hawaii Administrative Rules.

In addition, the National Highway Traffic Safety Administration (NHTSA), the National Transportation Safety Board (NTSB) and the National Academy of Sciences (NAS) have all come to similar conclusions about the need for seat belts on school buses—NHTSA decided that compartmentalization, rather than seat belts, is the best way to protect school bus passengers in crashes, and NTSB stated that seat belts would not have prevented most serious injuries and fatalities from occurring in school bus crashes. NAS concluded that the potential benefits of seat belts on large school buses were insufficient to justify a Federal mandate, and stated that funds might be better spent on other school bus safety programs and devices that could save more lives and reduce more injuries.

Because the safety record of school buses is outstanding, and because there exists no compelling evidence to suggest that seat belts would provide even higher levels of protection in crashes, we do not support this, or any other measure, which would oblige our schools to expend scarce resources to equip school buses with seat belts.

Thank you for the opportunity to testify on this measure.



February 4, 2008

**TESTIMONY BEFORE THE SENATE COMMITTEE ON
TRANSPORTATION AND INTERNATIONAL AFFAIRS
ON SB 3262 RELATING TO HIGHWAY SAFETY**

Thank you Chair English and committee members. I am Gareth Sakakida, Managing Director of the Hawaii Transportation Association which has 360 transportation related members throughout the state of Hawaii.

HTA opposes this bill. A school bus is so constructed as to provide protection to school students by structural design, and by interior compartmentalization design. This is required by the Federal Motor Vehicle Safety Standards (FMVSS). It is interesting that the FMVSS address seat positioning, seat back force / deflection, seat backs as leg protection zones, but no mention of seat belts except for the driver's position.

"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.

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.

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.

Lap belts could increase the incidence of serious neck injuries and possibly abdominal injury among young passengers in severe frontal crashes. The use of the combination lap/shoulder belts could provide some benefit, unless misused. NHTSA's testing showed that serious neck injury and abdominal injury could result when lap/shoulder belts are misused.

Retrofitting a school bus with seatbelts could cost as much as \$10,000 per bus. Our understanding is there is no one in Hawaii who possesses the necessary certifications to perform such a retrofit. Furthermore, the Department of Education could not sustain the cost increases that will be passed on to it from the school bus operators.

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.