

MCCORISTON MILLER MUKAI MACKINNON LLP

LORRAINE H. AKIBA
ATTORNEY

ATTORNEYS AT LAW

DIRECT #S:
PHONE - (808) 529-7438
FAX - (808) 525-8048
E-MAIL - AKIBA@M4LAW.COM

February 4, 2008

Senator J. Kalani English, Chair
Senator Mike Gabbard, Vice Chair
Transportation and International Affairs Committee
Twenty-Fourth Legislature
Regular Session, 2008

Re: SB3262

Dear Chair English and Committee Members:

I am submitting testimony in support of S.B. No. 3262 requiring seat belts on all school buses as of July 1, 2010. I request that the committee give it favorable consideration and pass this measure.

Very truly yours,


Lorraine H. Akiba

LHA/ej

177471.1

Late

Hawaii School Bus Association

47-114 Waihua Road
Kaneohe, HI 96744
Work: (808)239-6755
Fax: (808)239-9221

January 28, 2008

Senator Kalani English, Chair
Senator Mike Gabbard, Vice Chair
Committee on Transportation and International Affairs
Hawaii State Capitol, Room 224
Honolulu, HI 96813

RE: SB3262, Relating to Highway Safety

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

I am Leatrice Gomes, representing the ten companies in the Hawaii School Bus Association. We move 40,000 students between home and school daily and some or all of us have been active in the business since the first private school buses began to transport Hawaii's school kids, many decades ago. This is a highly regulated business, that is heavily dependent on very expensive, highly specialized equipment, that must be regularly and properly maintained and amortized over a significant number of years.

In all the years that school buses have been used in Hawaii, with tens of thousands of children being transported millions of miles, over decades of time, not a single child has ever been killed in a bus accident. In fact bus accidents are very rare.

The intent of SB3262, Relating to School Buses is to mandate the use of seat belts on every seat on every school bus in Hawaii. But the bills purport to solve a problem that does not exist. And if enacted into law, seat belts themselves may very well be a potential focal point of injury or death, where none exists now.

This bill would mandate that Hawaii's school buses would all have to be taken apart, retrofitted, and put back together. We have no idea of the cost of that. But we can tell you that putting seatbelts on standard school buses is a change in well designed vehicles which may well cause more harm than help.

SB3262 Testimony
January 28, 2008
Page 2

And regarding that, school buses are already the safest mode of transportation in Hawaii and in the United States. They are much safer than are automobiles, trucks, motorcycles, bicycles, or even walking. Walking to school, or riding one's bike, are far more dangerous than taking a school bus.

It is absolutely verifiable that every day in the United State, 23.5 million students ride 450,000 school buses without safety belts, and travel 4.3 billion miles. That is billion. And statistically, out of 23.5 million student bus riders riding 4.3 billion miles per year, there are between 10 and 20 deaths per year in America that are school bus related. Of those, only about 5 involve school bus passengers. Five. The remainders are pedestrian accidents. Nationally, the number of school bus related fatalities is so low as to be nearly non-existent.

Furthermore, in the entire history of the motor vehicle in Hawaii, there has never been a single school bus passenger fatality, due to a vehicular accident.

SB3262 is well intended, and we ought to all applaud the authors for bringing the issue to the front, but thankfully, school buses are already well designed and are not a part of a safety problem that demands a solution.

We strongly oppose SB3262 and urge that the bill be killed.

Thank you for the opportunity to testify.

Sincerely,

Leatrice Gomes
President

Windows Live™

late**Support for SB 3262**From: **Sabrina Clark** (sabrina@sabrinaclark.com)

Sent: Mon 2/04/08 1:38 PM

To: TRNtestimony@Capitol.hawaii.gov

February 4, 2008

2:45 PM

Conference Room 224

Testimony to the Senate Transportation and International Affairs Committee

SB 3262, Relating to Highway Safety

Sabrina Clark
2440 Campus Road #308
Honolulu, Hawaii, 96822
Sabrina@sabrinaclark.com

I strongly support SB 3262.

Hello,

My name is Sabrina Clark and I am a concerned citizen in favor of SB 3262.

I apologize that I cannot attend today's hearing. I am in Sacramento meeting with the State of California's Department of Education Director of Pupil Transportation to gain insight to the success of California's law relating to seat belts on school buses. Upon my return to Hawaii, I will share my insights about this law and how it has affected the safety of children. Recently, San Francisco has installed seat belts on a fleet of 200 school buses.

I support seat belts on school buses for the following reasons.

1. It is a sad fact that children die in school bus accidents, at an average of 11 per year. **Just because no child has YET to die in a school bus in Hawaii, does not mean that seat belts should not be available on school buses.** Most school bus accident fatalities occur in rollover crashes. Seat belts will help prevent injuries in rollover crashes and side crashes much more than mere compartmentalization, the current safety method used for school buses.

An accident in Kaimuki involving a dump truck and a school bus caused 12 children riding the bus to be hospitalized.

The American Association of Pediatrics estimates about 6,000 to 10,000 children are injured in school buses per year and 3,000 to 5,000 of these children could be spared injury if they were wearing lap/shoulder seat belts. According to the 2007 National Highway Traffic Safety Administration (NHTSA) Notice of Proposed Rulemaking, shoulder/lap seat belts would make a child safer on large school buses and supports the use of these belts over the compartmentalization that was supported in older reports (see 49 CFR part 571 at

<http://www.nhtsa.dot.gov/staticfiles/DOT/NHTSA/Rulemaking/Rules/Associated%20Files/222UpgradeNPRMSept25.pdf>).

This bill should pass because it requires lap/shoulder belts and it will make children on school buses safer and help Hawaii do the most it can to reduce automotive injuries and fatalities.

Late

2. **Loss of ridership is not an argument** with the availability of "second generation" lap/shoulder seat belts as these seats combine compartmentalization with room for 2 large students ~~or adults~~ or 3 gradeschool students per seat, the same number buses currently carry. (see http://safeguardseat.com/bus/products_flex_work.htm).

Any argument for inflating the cost of implementing the use of seat belts on school buses because of the need to purchase more buses due to loss of ridership is false and patently outdated.

California and Texas have implemented such "second generation" seats on new school buses with no loss of ridership.

3. **Implementing seat belts on school buses is not prohibitively expensive.** The cost to outfit a large school bus with the "second generation" seating is about \$10,000. It can be much more expensive to retrofit an older bus than a new one, and this bill allows for the school bus contractors to purchase or lease school buses with seat belts in 2010 and allow for business flexibility in the spending on such buses.

To offset costs, an additional fee can be added to moving violations. For example, Texas used an additional \$15 fee per moving violation to fund seat belts on school buses. Also, SB 2361 makes an appropriation for seat belts on school buses.

4. **Seat belt laws and huge amounts of government spending have convinced the public that wearing a seat belt saves lives.** New York , New Jersey , Florida , Texas , Kansas and California have all passed laws requiring seat belts on school buses.

Seat belts on school buses will foster safe seat belt wearing habits for young teenage drivers. Parents in compliance with Hawaii's laws have taught their children to "buckle up". Schools need not hire a supervisor or install cameras to ensure children buckle up if there are school rules and teaching that encourages the proper behavior that has already been instilled by the child's family. Also, HB 3335 requires all children to wear their seat belts on the bus.

Hawaii should follow the lead of these states and help protect children on school buses. How can a parent have their child in a child seat, booster seat, or seat belt at all times and not feel concerned that their child is not in a seat belt on a school bus? It just makes sense to have seat belts available on school buses in Hawaii.

Thank you for your time in allowing me to testify in favor of SB 3262. I support the implementation of seat belts on school buses.

Sincerely,
Sabrina Clark