



NATIONAL ASSOCIATION OF  
STATE DIRECTORS OF  
PUPIL TRANSPORTATION SERVICES

February 2, 2004

To: NASDPTS Members

Fm: Charlie Gauthier, Executive Director

On April 15, 2003, the National Association of State Directors of Pupil Transportation Services wrote a letter to the National Highway Traffic Safety Administration (NHTSA) asking that the agency give its expert guidance about installing lap belts in new large school buses.

The State Directors Association believes confusion and misunderstanding still cloud the issue. Legislators, regulators, and most importantly the public need and deserve more definitive information on the issue of lap belts versus lap/shoulder belts versus compartmentalization.

The State Directors Association believed the following factors provided the basis for posing three questions to NHTSA:

- ? NHTSA's research findings regarding lap belts, as published in April 2002;
- ? The agency's announced intention to initiate rulemaking that would disallow the installation of lap belts in new small school buses;
- ? The continuing recognition that lap belts are outdated technology, as reflected in the recently enacted Anton's Law, and;
- ? NHTSA's continuing role in ensuring the highest levels of crash protection for school bus passengers.

On January 23, 2004, NHTSA responded to the State Directors Association's letter, and provided the following responses:

1. Question: Does NHTSA believe its past letters of interpretation and/or public statements concerning the installation of lap belts in new large school buses are still appropriate?

Response: "Yes, we believe they are. Our research has shown that, in severe frontal crashes, lap belts do not provide additional safety benefits to the protection afforded by compartmentalization in large school buses, and could increase the incidence of serious neck injuries and abdominal injury among young passengers."

2. Question: What are NHTSA's specific recommendations to New York, New Jersey, Florida and any local school jurisdictions that currently require lap belts in all new large school buses about whether they should continue to require the installation and use of lap belts by children in large school buses?

Response: "We do not have any specific recommendation at this time. In a final rule published in July 2003 [the final rule concerning the Multi Function School Activity Bus], we announced that we are developing proposed requirements for voluntarily installed lap/shoulder belt in large school buses. ... However, considerable effort remains to be done before NHTSA will be able to issue a proposal."

3. Question: What are NHTSA's specific recommendations to any state or local school jurisdiction that is considering legislation to require lap belts in all new large school buses?

Response: "Our recommendation would be that such legislation should be considered very cautiously, since as noted above, our research has shown that in severe frontal crashes, lap belts do not provide safety benefits beyond the protection afforded by compartmentalization in large school buses, and could increase the incidence of serious neck injuries and abdominal injury among young passengers. Furthermore, such legislation has the potential of putting children at greater risk if it causes them to seek alternative transportation to and from school. While safety belts [lap belts and lap/shoulder belts] are required in light passenger vehicles to control occupant crash forces and prevent ejection, the crash forces for school buses are much lower than in passenger vehicles. Also, ejections from large school buses are extremely rare."

### **What does this response from NHTSA mean?**

1. NHTSA reiterated its longstanding position that "compartmentalization" is a very effective form of passenger crash protection in school buses; particularly front and rear impact crashes.
2. Importantly, NHTSA did not make any statements that indicate it believes installing lap belts in new large school buses is a good idea. To the contrary, NHTSA clearly believes its research results, combined with a review of real-world crashes, indicates that lap belts "could increase the incidence of serious neck injuries and abdominal injury among young passengers" in severe frontal crashes.
3. NHTSA is clearly concerned that any action at the state or local level that results in fewer children riding school buses has an adverse effect on overall pupil transportation safety.

4. NHTSA chose not to offer any suggestions to New York, New Jersey, Florida and the individual school jurisdictions that currently require lap belts in all new large school buses about whether they should continue to require the installation and use of lap belts by children in large school buses. It is interesting, however, that NHTSA focused its response to this question on the agency's continued work and planned rulemaking concerning performance requirements for lap/shoulder belts that are voluntarily installed in large school buses.
5. NHTSA's response to states considering legislation to require lap belts in new large school buses appears quite clear – the agency does not believe it is a good idea. When the agency states “that such legislation should be considered very cautiously,” and “such legislation has the potential of putting children at greater risk if it causes them to seek alternative transportation to and from school,” it should be evident to everyone that NHTSA is not supportive of the concept of requiring lap belts in new large school buses.

**A final note:**

This letter from NHTSA fully supports the statements and conclusions the State Directors Association made in its August 2002 paper, “Enhancing School Bus Safety and Pupil Transportation Safety:”

- ? “School bus safety” and “pupil transportation safety” involve two similar, but different, concepts. “School bus safety” concerns only those children on school buses. “Pupil transportation safety” relates to all children going to and from school and school-related activities, no matter what mode of transportation is used
- ? Lap belts are not a good form of crash protection for children in school buses.
- ? Of all the passenger crash protection systems tested, the NHTSA research report identified lap/shoulder belts as “the best overall,” but noted that the installation of lap/shoulder belts in school buses would provide small, incremental safety benefits. Additionally, there may be some “unintended consequences,” such as the potential for reduced capacity and the increased costs of additional buses/drivers/infrastructure to make up for the lost capacity.
- ? As school buses get more expensive, at present funding levels fewer buses will be purchased and fewer children will be transported on the safest form of transportation. This will result in more children transported in less-safe modes of transportation, and additional fatalities and injuries to children. As safety professionals, our goal is to transport more, not fewer, children in school buses.

- ? Nevertheless, the State Directors Association recognizes that the American public expects school buses to be as safe as possible, and that the public believes lap/shoulder belts should be installed in all new school buses. Accordingly, if the funding were made available for the installation of lap/shoulder belts in school buses, the State Directors Association would support their installation.
- ? However, unless sufficient funding is made available to address all areas of “school bus” and “pupil transportation” safety, the State Directors Association believes the same funds may be used in other areas of school bus and pupil transportation with greater potential safety benefits.

For your information and use, copies of the State Directors Association’s letter to NHTSA, and NHTSA’s response are attached. Additionally, the paper, “Enhancing School Bus Safety and Pupil Transportation Safety” is attached. These documents also are available on the associations website – [www.nasdpts.org](http://www.nasdpts.org).