



LegisBrief

A QUICK LOOK INTO IMPORTANT ISSUES OF THE DAY

DEC 2018 | VOL. 26, NO. 47



States Consider Cameras and Seat Belts to Increase School Bus Safety

Several recent tragic, high-profile school bus crashes have raised the profile of the yellow school bus and sparked debate about their safety in state-houses across the country.

Every day, more than 25 million children climb into 485,000 school buses around the country to take them to and from school and related activities, according to the National Association for Pupil Transportation. While school buses are statistically the safest way to transport school children, nearly 60 students who were riding in school buses died in crashes between 2007 and 2016, according to the [National Highway Traffic Safety Administration](#) (NHTSA).

School buses are designed to protect riders through compartmentalization, using structural safety features such as high, energy-absorbing seat backs and closely spaced seats so children are kept snug. But those features don't necessarily protect children the way seat belts would during side-impact crashes or high-speed rollovers, when passengers can be thrown from their seats. Furthermore, students are often most at danger when boarding or exiting a bus, leading to legislative debates grappling with how to reduce incidents of passing school buses illegally.

Legislatures have recently focused on two safety interventions: requiring seat belts on school buses

and using cameras mounted on stop arms to cite drivers who illegally pass a stopped school bus.

State Action

■ **School bus seat belts.** In May of 2018, a school bus crash took the life of one student and one teacher in Paramus, N.J. In response, New Jersey enacted [legislation](#) requiring lap-shoulder seat belts instead of solely lap belts. The new requirement applies to buses manufactured beginning 180 days after the bill signing. New Jersey became the eighth state that in some manner requires seat belts on school buses, joining Arkansas, California, Florida, Louisiana, Nevada, New York and Texas. Arkansas, Louisiana and Texas' laws, however, are subject to appropriations or approval or denial by local jurisdictions.

The National Transportation Safety Board recommends putting three-point seat belts on all new buses, but some stakeholders question the wisdom of spending an estimated \$7,000 to \$10,000 per vehicle to add belts to new buses, which already cost between \$80,000 and \$120,000 each. Retrofitting older buses costs even more. Additionally, there is debate about whether children can quickly unbuckle and evacuate buses if needed during emergencies, such as a fire or being submerged in water.

The New Hampshire legislature created a com-

Did You Know?

- More than 25 million children ride in a school bus every weekday in the U.S.
- School buses are the safest way to transport students.
- Nearly 60 school bus passengers died in crashes, and almost 100 pedestrians under 18 were killed in crashes related to school transportation, between 2007 and 2016.

mittee in 2017 to study requiring passengers on school buses to wear seat belts. The committee's [report](#) concluded there was "insufficient data to decide if requiring seat belts to be worn on school buses would result in a net decrease in deaths and injuries." Similarly, a 2017 Louisiana task force [report](#) determined seat belts should not be mandated for school buses; the state does have a seat belt requirement, but it is dependent on appropriations that have not been made.

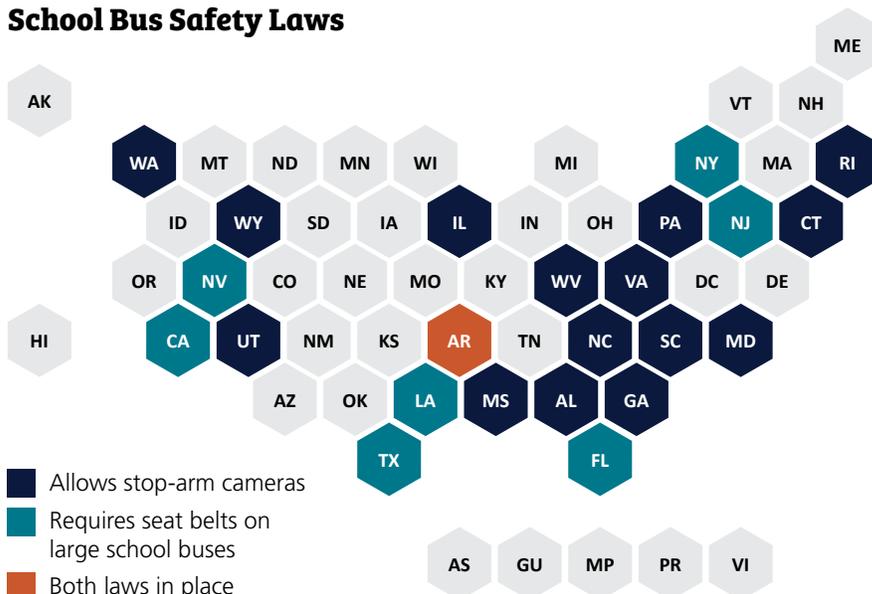
■ **School bus stop-arm cameras.** Another school bus-related danger occurs when the vehicles are stopped, with lights flashing, letting students on or off. NHTSA found that 98 pedestrians under the age of 18 were killed in school transportation crashes between 2007 and 2016. According to a [survey](#) by the National Association of State Directors of Pupil Transportation Services, in 2018, over 108,000 school bus drivers observed almost 84,000 vehicles illegally passing school buses in a single day. Most state laws require vehicles on both sides of a road without a median to stop and remain stopped while school bus stop arms and flashing red lights are deployed.

Sixteen states [explicitly allow](#) local governments or school districts to use cameras to capture images and issue tickets for drivers illegally passing stopped school buses. Violators are subject to fines, revocation of driver's licenses and even criminal charges. Pennsylvania became the 16th state to authorize localities or school districts to use school bus stop-arm cameras in 2018.

In 2014, Wyoming became the first state to require all school buses (approximately 1,500) to be equipped with a camera system to capture images of motorists illegally passing stopped school buses. Wyoming [HB 5](#) required all school buses to be equipped with cameras by the 2016-2017 school year and appropriated \$5 million to pay for installation. School districts may apply to the state Department of Education for reimbursement. Some reports indicate authorities have been reluctant to cite drivers for violations, however, unless both the license plate and driver's face can be clearly seen and there is discussion of further tweaking the law.

School bus stop-arm camera laws may address issues such as where fine revenue is allocated and safeguarding privacy. Illinois' law requires that proceeds from fines be divided between a school district and municipality or county. It also states that "the compensation paid for an automated traffic law enforcement system must be based on the value of the equipment or the services provided and may not be based on the number of traffic citations issued or the revenue generated by the system." In Virginia, the fine revenue is allocated to the

School Bus Safety Laws



Source: NCSL, 2018

local school division where the violation occurred. Washington directs fine revenue to school districts for school zone and school bus safety projects, minus administrative and operational costs.

To help protect the privacy of drivers, Alabama's law requires that images or video not include the face of the driver or passengers and be destroyed within 90 days if there was no violation. Rhode Island's law stipulates that images must be destroyed within 24 hours if no violation is identified and within one year if there was a violation.

Federal Action

NHTSA continues to support the installation of three-point lap belts on large school buses. However, the existing compartmentalization technology is quite effective in frontal crashes, and three-point lap belts can provide additional protection to school bus occupants in the event of a lateral or side collision. NHTSA encourages states to weigh the additional costs of belt installation against the potential for cost-related reductions in pupil transportation services. Above all else, NHTSA wants students to arrive in school buses, which are statistically the safest mode of transportation.

School bus safety is covered in Federal Motor Vehicle Safety Standard (FMVSS) 222. A 2008 rule change requires new, smaller school buses of 10,000 pounds or less to have lap-shoulder belts in lieu of the lap belts currently required. The rule also requires increasing the height of seat backs from 20 inches to 24 inches on all newly manufactured buses. It allows states or local jurisdictions to decide whether to install seat belts on larger school buses (over 10,000 pounds).

Additional Resources

- [NCSL School Bus Safety Webpage](#)
- [NHTSA's webpage](#)

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