Should School Buses Have Seat Belts?

By Amanda Essex

Every year, hundreds of thousands of school buses transport more than 25 million children to and from school, according to the American School Bus Council. That number represents about 50 percent of the K-12 population. School buses travel approximately 5.7 billion miles annually and are designed to be safer than passenger vehicles in avoiding crashes and preventing injury. In fact, school buses are the safest mode of transportation for children to get to and from school. According to the National Highway Traffic Safety Administration (NHTSA), on average only six student passengers die in school bus crashes each year, compared to approximately 2,000 children who are killed in motor vehicle crashes annually.

School buses are equipped with more safety equipment and must adhere to stricter standards than any other vehicle on the road. Buses are designed to protect passengers through “compartmentalization,” which includes closely spaced seats and high, energy-absorbing seat backs. The National Transportation Safety Board (NTSB) and the National Academy of Sciences confirmed the effectiveness of this design in studies of frontal and rear impacts. Concerns have been raised, however, about the effectiveness of compartmentalization in side-impact crashes. The NTSB concluded that “current compartmentalization is incomplete in that it does not protect school bus passengers during lateral impacts with vehicles of large mass and in rollovers, because in such accidents, passengers do not always remain completely within the seating compartment.” For that reason, some safety advocates have argued that seat belts are necessary on school buses.

In Alabama, the Governor’s Study Group on School Bus Seat Belts and the state Department of Education requested a pilot program to be conducted by the University of Alabama. The Legislature allocated $1.4 million and 12 buses with seat belts were purchased for 10 local school districts. The results of the program, published in a study in October 2010, concluded that seat belts would make school buses safer, but also found that the costs of implementing a program would be greater than the benefits.

Some school districts have reported improved student behavior on school buses with seat belts, with the Bartholomew Consolidated School Corporation of Columbus, Indiana, experiencing 90 percent to 95 percent fewer write-ups for misbehaving students.

Federal Action

Federal regulations define two types of seat belts for school buses: lap belts and three-point belts. Lap belts are similar to belts on airplane seats that go across the passenger’s lap and are adjustable. Three-point belts are similar to belts in vehicles today, with the belt going over the shoulder and across the body, in addition to across the lap. NHTSA published a rule in...
2008 increasing the minimum seat back height, requiring installation of lap/shoulder belts on small school buses, and establishing performance criteria for seat belts installed voluntarily on large buses.

NHTSA brought together student transportation stakeholders in July 2015 to discuss school bus safety, including seat belts. NHTSA Administrator Mark Rosekind announced in November 2015 that "NHTSA's policy is that every child on every school bus should have a three-point seat belt" and that the administration would work toward achieving that goal. While it is not a new rule created by the administration, this announcement has prompted increased discussion on the topic.

**State Action**
States have been considering requiring the installation of seat belts on school buses for some time. Since 2007, at least 32 states and Puerto Rico have considered legislation to require seat belts on school buses, though only six states have enacted such a law: California, Florida, Louisiana, New Jersey, New York and Texas.

New York, the first state to require seat belts in all buses, requires lap belts on all buses manufactured after July 1, 1987, but state policy allows individual school boards to determine whether students must use the belts. California requires three-point seat belts on all school buses manufactured after July 1, 2005, and New Jersey requires lap belts be installed on all school buses.

Florida requires all school buses purchased after Dec. 31, 2000, be equipped with seat belts, but does not specify whether they must be lap belts or three-point seat belts. The law requires that students who are riding on a bus equipped with seat belts must wear the belts and provides immunity from liability for injuries if the student was not wearing the seat belt. Buses transporting elementary school students were prioritized to have seat belts installed.

Louisiana and Texas both require school buses to be equipped with seat belts, with Texas specifically requiring three-point seat belts. However, both laws are subject to appropriation for the purchase of such buses and the legislatures have not provided the necessary funding to trigger these requirements. Connecticut created a program in 2010 to provide funding to school districts to help pay sales taxes on school buses equipped with three-point seat belts. School districts using school buses equipped with seat belts are required to provide written notice to parents about the availability and proper use of the belts, as well as instruct students on their use. The law also specifies that schools are not liable for injuries resulting from students' use or misuse of a seat belt.

Indiana passed legislation in 2013 requiring bus drivers operating buses with seat belts to provide instruction to students on their use. The law also requires schools that purchase buses with seat belts to conduct a public hearing in order to explain why a bus with seat belts is being purchased instead of using the money for other student safety measures. Indiana adopted a resolution in 2016 urging the legislative council to study the topic of school buses equipped with three-point seat belts, though the topic has not yet been assigned to be studied.

**NCSL Contacts and Resources**
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NCSL, School Bus Safety webpage

**Additional Resource**
National Highway Traffic Safety Administration – School Buses

NCSL, Transportation Review: School Bus Safety