



August 6, 2014

The Honorable Christopher A. Hart, Acting Chairman
National Transportation Safety Board
409 L'Enfant Plaza, Southwest
Washington, D.C. 20594

Dear Acting Chairman Hart:

As the two largest trade associations representing the school bus industry in the U.S. we congratulate you on your nomination by the President to be Chairman of the NTSB and very much look forward to working with you as you lead the agency.

We received safety recommendations H-13-35 and H-13-36 in September 2013 and responded in December 2013. Our response to H-13-35 at the time was and remains:

NAPT and NSTA will use their communications channels to share the NTSB recommendation with our members. Safety education is an ongoing priority of both organizations.

NAPT and NSTA also agreed to work collaboratively with the National Association of State Directors of Pupil Transportation Services (NASDPTS) to review the next update of the National School Transportation Specifications and Procedures so states with belt use requirements have the latest information regarding the installation and use of these devices.

If asked, we will also consult with NAPT and NSTA members in the six states that have belt requirements as they attempt to address your recommendation.

We are writing today to update you on our joint activities regarding Board Recommendation H-13-36.

In our initial reply last December we highlighted numerous statements from the National Highway Traffic Safety Administration (NHTSA) that appeared to conflict with the Board recommendation, precluding us from being supportive at that time.

Because we did not want to send a mixed and confusing message to our members and policymakers in states and communities, we committed to work with the Board and NHTSA to seek more information and, hopefully, reconcile this situation.

We want to underscore that both NAPT and NSTA have for more than a decade sought factual information and straightforward guidance from NHTSA on how to make school bus occupants even safer. We have petitioned them to do research and make recommendations that would enhance or even replace compartmentalization as the standard for school bus occupant crash protection and perhaps even lead to the next evolution in school bus occupant safety. And for more than a decade, they have declined to do so.

After the Board issued Recommendation H-13-36, we redoubled this effort in a constructive spirit and with an eye toward providing needed clarity.

As you know, we first met with your staff in April 2014 to better understand the investigations of two school bus crashes and other analysis that led to the recommendation. Following that meeting, we wrote to and met with the NHTSA staff in May 2014 to ascertain if, in light of Recommendation H-13-36, the agency position on belts in large school buses has changed since its Final Rule on the subject, and subsequent denial of a petition from the Center for Auto Safety and other organizations that asked NHTSA to mandate seat belts in large school buses.

NHTSA considers this petition denial to be its definitive statement on the subject.

Attached is the response we received from NHTSA following our meeting and a subsequent communication requesting that they confirm our conclusions from that meeting. While the NHTSA letter is not dated, we received it on July 10.

NHTSA re-stated that it denied the petition for safety belts in large school buses "...in the absence of a safety problem supporting a Federal requirement to install lap/shoulder belts nationwide on large school buses, which are already very safe."

It said, "A Federal requirement for lap/shoulder belts on large school buses would increase the overall cost to purchase and operate these vehicles which could reduce availability of school bus transportation and ridership..."

It also estimated the "increased risk from students finding alternative, less safe means of getting to and from school and related events, such as riding in a personal vehicle, could result in an increase of 10 to 19 school transportation fatalities annually."

In what we conclude to be the agency's summary guidance, NHTSA stated: "Given that large school buses are already very safe, and after considering the possible diversion of students to less safe forms of transportation, the agency determined that the decision to install seat belts on large school buses should be left to State and local jurisdictions. The State and local authorities can weigh the benefits and consequences of installing seat belts on their large school buses and can best decide whether their efforts and monies should be spent on the belts or on other measures that could be more effective in improving student transportation safety."

We concur. Accordingly, our response to H-13-36 will be to share with our members both your recommendation and NHTSA's policy guidance and encourage them to consider all this

information carefully as they make safety decisions about seat belts or other approaches that best fit with local needs and preferences.

We will also encourage them to contact us if during their local decision-making they have questions or concerns that we could help alleviate by seeking specific clarifications from either NTSB or NHTSA.

Additionally, NAPT looks forward to having you at our Summit in Kansas City this coming November when you will address a joint session with the National Association of State Directors of Pupil Transportation Services (NASDPTS) and have the opportunity to reiterate the Board's position on seat belts. While some NSTA members will be in attendance, we will share this presentation with those who are unable to attend, as well as others in the industry that will not be at our conference.

We are committed to clearly communicating with state and local officials who make pupil transportation decisions and frequently look to us for advice. We hope the Board will view these actions as responsive to its recommendation.

Sincerely,



Michael J. Martin
Executive Director
National Association for Pupil Transportation



Ronna Sable Weber
Executive Director
National School Transportation Association