



## Statements About School Bus Passenger Crash Protection

January 2003

*Please note, NAPT does not dispense legal advice and we strongly recommend you consult with and seek guidance from your attorney(s).*

In April 2002, the National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation (US DOT) completed an extensive evaluation of school bus passenger crash protection and sent a report on its work to Congress. NHTSA is the federal regulatory body that NAPT and the vast majority of its membership looks to for clear guidance and definitive recommendations on school bus safety issues in general and passenger crash protection in particular.

NHTSA reported to Congress that requiring lap belts on large, new school buses would appear to have little, if any, benefit in reducing serious-to-fatal injuries in severe frontal crashes. NHTSA indicated, however, that any increased risks associated with the use of lap belts on small school buses are more than offset by preventing ejections because these buses weigh less, have different crash dynamics and are more prone to rollover than large buses. Since NHTSA's statements and recommendations about lap belts are clear and unqualified, we present and promote these views to our members.

NHTSA reported to Congress that in the current school bus configuration lap/shoulder belt systems, if used properly, could save one life a year. NHTSA qualified this estimate, however, by noting that it was generated from statistical data assuming 100 percent usage and no misuse. NHTSA also reported that serious neck and perhaps abdominal injury could result when lap/shoulder belts are misused.

NHTSA made a specific point in its report to Congress to note that if states and local school districts decide on their own to require lap/shoulder belt systems, they should be aware of "unintended consequences", including the possibility that the reduced capacity of individual school buses and the nation's school bus fleet as a whole could result in more children being killed or injured when using alternative forms of transportation to get to and from school. NHTSA also advised Congress that states and local school districts that decide to require lap/shoulder belt systems should ensure that no passengers are forced to find alternate means of transportation.

We interpret these statements to mean that the current system of passenger crash protection called compartmentalization, which has been required in all school buses since April 1, 1977, continues to be the best approach, providing excellent automatic protection in all but the most catastrophic circumstances where injuries and fatalities likely could not be avoided by any safety system. As a result, our organization will only support changes to compartmentalization when we are sure that those changes will not compromise student safety in any way. Moreover, we believe modifications to the current system of school bus passenger crash protection should only occur when we can be sure beyond a reasonable doubt that those modifications will improve the safety of each and every child in a school bus.

Because we believe that it is vitally important to constantly reassess existing safety measures no matter how safe our children currently are on school buses, NAPT calls upon NHTSA to reevaluate, on a priority basis, FMVSS 222, "School Bus Passenger Seating and Crash Protection," with the goal of establishing a safety system that will definitively enhance the current passenger crash protection for all children that ride a school bus.

NAPT also requests that NHTSA make an active effort to educate the American public about the importance of safe school bus transportation as a logical way to reduce deaths, injuries and economic losses resulting from motor vehicle crashes.

We also call upon the Congress to provide, if necessary and in the most expeditious timeframe possible, a mandate and complete funding for this work as well as any necessary changes substantiated by the research.

**DISCLAIMER OF LIABILITY:** *NAPT prepared this document as a service to our members. It is not intended for members of the general public. It should not be perceived by anyone as legal advice or as a substitute for the particularized advice of an attorney. NAPT does not guarantee the accuracy, reliability or currency of any of the information herein.*

*NAPT believes modifications to the current system of school bus passenger crash protection should only occur when we can be sure beyond a reasonable doubt that the modifications will improve the safety of each and every child in a school bus.*