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BILL: House Bill 1473
TITLE: Public Schools – School Vehicles – Three-Point Seat Belts
DATE: March 3, 2016
POSITION: OPPOSE
COMMITTEE: Environment and Transportation
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House Bill 1473 requires a specified public school safety education program to include student instruction on school vehicle safety and the use of seat belts; prohibits specified persons from allowing pupils to stand in a school vehicle while the school vehicle is in motion; requires that specified school vehicles purchased after January 1, 2018, be equipped with seat belts, as specified; and prohibits a person from operating a school vehicle unless the person and occupants under age 16 are restrained by a seat belt.

PSSAM appreciates the intent of House Bill 1473 and the sponsors' concern for the safety and well-being of our students on school buses. The safe transportation of our students is always a top priority for all local superintendents. However, we respectfully **oppose** House Bill 1473 for the following reasons.

House Bill 1473 mandates a public school safety education program that must include student instruction on school vehicle safety and the proper use of seat belts on school vehicles. Although this requirement is well-intentioned, local superintendents continue to advocate for local board of education governance of teaching and learning. We strongly believe that it is critical that locally-governed education policies and procedures remain under the authority of local boards of education. Each local school board must have the flexibility to develop individual curriculum policies and practices that reflect the specific and diverse needs of their system.

House Bill 1473 also raises concerns regarding the responsibility/potential liability of the school bus driver in determining the age of the passenger. Our drivers transport students aged 3 to 21 on our school buses. We feel that it is unreasonable to expect a bus driver or any other individual to be able to distinguish a student's age. Further, if the expectation is that all students age 16 and under wear their seat belt at all times when riding the bus, we question how a driver could be expected to enforce this requirement while paying attention to the road and driving the bus.

This bill would also prohibit standees on school buses at any time. While we strive to achieve the goal of no standees and have experienced very few situations where standees occur during the first few days of the school year, it is not always possible to foresee which buses will be over-capacity. New housing developments, an influx of new residents with school-age children across the county, students boarding buses at the incorrect bus stop, and unanticipated kindergarten/pre-kindergarten registrations all impact student ridership and present unforeseen and unplanned bus scheduling problems. It is impossible to know how many students are going to ride a bus before the school year starts and school systems have load counts to determine the number of buses needed and the final routes. Temporarily, this may result in a few standees at the beginning of the school year. If school systems had to determine the number of buses and routes on students who are eligible to ride the bus, many more buses would need to be added to bus fleets to address this requirement.

Finally, House Bill 1473 is an unfunded mandate that would have a major fiscal impact on local school systems. This bill requires that all buses purchased after January 1, 2018 be equipped with three-point seat belts. The additional cost to equip brand new buses with lap/shoulder belts is estimated to be approximately \$7,500 per bus. In addition the requirement for three-point seat belts would also increase operating costs by decreasing the seating capacity of buses. Currently, most school buses can accommodate a maximum of 64 elementary-age students. More buses will be required to transport the same number of students. Finally, House Bill 1473 does not provide local school systems with funding to purchase new buses that would meet the new seat belt requirements.

For the reasons stated above, PSSAM respectfully **OPPOSES** House Bill 1473 and urges an **unfavorable** committee report.