

**TAPT Position Paper on
THE EQUIPPING AND USE OF
PASSENGER LAP/SHOULDER BELTS IN SCHOOL BUSES
September, 2015**

Introduction

Every day, approximately 35,000 school buses from Texas school districts travel over one million miles, transporting about 1.5 million students daily. The Texas Association for Pupil Transportation (TAPT) was founded in 1973 to serve as the State's leading professional organization promoting guidance and training to enhance safe and efficient transportation operations for the public school districts in Texas. TAPT is associated with the National Association for Pupil Transportation (NAPT). NAPT serves as a national watchdog working closely with the National Association for State Directors of Pupil Transportation (NASDPTS), the National Highway Traffic Safety Administration (NHTSA), the American School Bus Council (ASBC), and the National School Safety Administration (NSSA) to promote training and school bus safety awareness nationally.

Background

TAPT supports the conclusion of NHTSA, the federal agency that sets the requirements for safety equipment on school buses, that the school bus is the safest form of ground transportation in America. TAPT's alignment with NHTSA's position is predicated in large part on NHTSA's regard for the current passenger crash protection system called "compartmentalization." Compartmentalization refers to the secure interior design of the high back, well-padded, strongly anchored, evenly spaced seats that help protect passengers. The professional school transportation providers who compose the membership of TAPT depend upon NHTSA as the regulatory body to make official recommendations for additional equipment that will improve upon or enhance the overall safety of the school bus.

The recent school bus accident in Houston that took the lives of two children and injured others re-energized the subject of lap/shoulder belts for school buses. The use of seatbelts on school buses has been the subject of legislation nationally since 2007. In that year, the Texas Legislature passed Texas Education Code Chapter 34: Sec. 34.013. In pertinent part, that statute states that *"a school district shall require a student riding a bus operated by or contracted for operation by the district to wear a seat belt if the bus is equipped with seat belts for all passengers on the bus. A school district may implement a disciplinary policy to enforce the use of seat belts by student"*.

In 2009, the Texas Legislature (HB323) amended the Texas Transportation Code, Chapter 547, Subchapter [L], Section 547.701 (e). relating to safety in a school bus and a school activity bus, stating: *"A bus operated by or contracted for use by a school district for transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator conforming to federal motor vehicle safety and performance standards. This subsection applies to:*

- (1) each bus purchased by a school district on or after September 1, 2010, for the transportation of schoolchildren; and*
- (2) each school-chartered bus contracted for use by a school district on or after September 1, 2011, for the transportation of schoolchildren"*.

However, the mandate of Section 2. Chapter 34.0121 only applies to referenced vehicles in districts that request and receive state funding for the purpose of equipping the vehicles with three-point seat belts.

TAPT Position Statement:

TAPT, in association with such other organizations as the National Association of State Directors of Pupil Transportation (NASDPTS), the National Association of Pupil Transportation (NAPT), and agencies such as the National Highway Traffic Safety Administration (NHTSA), agree that implementation of lap/shoulder belts is a state or local decision. TAPT agrees with these organizations and agencies that state-wide implementation of a seat-belt

program should not be undertaken without considering available resources. TAPT believes that all Texas school districts should consider lap/shoulder belts as an option when ordering new school buses. Because retrofitting used buses which were not manufactured to meet the seatbelt standards may not come under the bus manufacturer's warranty, such retrofitting could create a liability issue, and, therefore, should not be considered.

Districts acquiring buses with lap/shoulder belts should consider incorporating the following in their programs:

1. Establish a usage policy, explaining what is required when a district has a lap/shoulder belt equipped bus.
2. Establish a training program for proper usage.
3. Establish a training program for evacuation.
4. Establish a district disciplinary program for failure to properly wear a lap/shoulder belt.

Position Statement Key Points:

1. NHTSA has approved technical standards for equipping and using lap/shoulder belts.
2. Compartmentalization is the current standard for protection: lap/shoulder belts may enhance the safety of a student.
3. Capacity of a school bus will be reduce by approximately 6 sitting positions possibly stretching resources in a number of districts.
4. Evacuation process could be hindered with the use of lap/shoulder belts.
5. Belt design when the belt is properly worn minimizes the possibility of using a belt as a weapon.

Summary

TAPT supports the option of lap-shoulder belts on school buses to enhance the safety of students riding a school bus. TAPT does not advocate a requirement to acquire and implement lap/shoulder belts. It does, however, support encouragement of these practices only when purchasing a new school bus, and only if:

- **available resources are obtained**
- **a local district establishes a mandatory use policy, and**
- **the district completes a training program for drivers, students and attendants.**

The National Highway Traffic Safety Administration (NHTSA), the federal agency responsible for all motor vehicle safety requirements, heretofore has not recommended seat belts in large school buses. However, the agency is currently reviewing its position, held a public meeting on the topic recently, and committed to announcing its findings this fall. Texas—and all in the pupil transportation industry--look forward to NHTSA providing long overdue clarity on this matter so states and communities can make informed, science-based decisions on whether to equip school buses with seat belts.. TAPT also supports the NHTSA position that a local decision for lap/shoulder belts should not be made at the expense of students being displaced from school bus transportation.

