



July 10, 2015

Honorable Mark Rosekind, Ph.D.
Administrator
National Highway Traffic Safety Administration
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Rosekind:

I read with great interest the announcement in today's Federal Register of a public meeting, entitled "School Bus Occupant Protection: Taking Safety to a New Level" (Docket No. NHTSA-2015 – 0069). Unfortunately, I have a prior commitment on the meeting date and cannot attend, but very much appreciate your personal interest in this matter and applaud you as the new NHTSA Administrator for seeking to bring consensus to this matter.

The following comments are offered not to be contrarian, but to offer thoughts that we believe need to be a part of the conversation.

The meeting announcement says it is being held "... to address the challenges and barriers that have prevented schools from taking action to install three-point seat belt systems in school buses." Respectfully, one of the barriers is NHTSA itself, pre-dating your tenure.

I am enclosing with this letter a copy of our joint response with the National School Transportation Association (NSTA) to recommendations we received from the National Transportation Safety Board after its investigations of crashes involving school buses in Chesterfield, NJ and Port St. Lucie, FL. In it, we identify numerous reasons why many state and local policy makers - and school transportation professionals - have difficulty deciding what to do. Please include that letter in the public docket that will be presumably posted at the conclusion of the meeting.

It is critically important to states, communities and school bus professionals that NHTSA explain with unambiguous language how the agency believes school transportation service providers "could take safety to a new level". Respectfully, if NHTSA believes there should be lap-shoulder belts on all school buses then NHTSA should plainly say that, unequivocally.

We have been seeking scientific, test-based guidance on this subject for many years and it would be EXTRAORDINARILY helpful to state and local policy makers if the outcome of this meeting provides it. Everyone in the school transportation industry would appreciate clear direction from the federal agency responsible for school bus safety so we can chart a course of action.

1840 WESTERN AVENUE • ALBANY, NEW YORK 12203 • 1-800-989-NAPT • (518) 452-3611 • FAX: (518) 218-0867 • www.napt.org
MICHAEL MARTIN • EXECUTIVE DIRECTOR

After this meeting, which appears to be focused on building consensus that there should be lap-shoulder belts in all school buses, it would be very helpful and valuable for NHTSA to foster a broader discussion of other options and opportunities that could very well improve the safety of children that use school buses.

For example, the primary reason we have concerns with NTSB's recommendation H-13-36, "Provide your members with educational materials on lap and shoulder belts providing the highest level of protection for school bus passengers, and advise states or school districts to consider this added safety benefit when purchasing seat belt equipped school buses", is that we don't know for sure that lap and shoulder belts do, in fact, provide "the highest level of protection". They may provide the highest level of protection among the options that have been evaluated, but to our knowledge they are the ONLY option that has been evaluated, and even at that, we are not aware they have been tested by NHTSA or NTSB in all likely crash scenarios.

NHTSA's own data could be used to make a compelling argument that focusing on pedestrian safety around school buses might be a preferable and perhaps better use of state and community resources than lap-shoulder belts. Or, again using NHTSA data estimating that several hundred children are killed each year getting to and from school by some means other than a school bus, a compelling argument could be made that expanding the availability of school buses for more students also might be a preferable and perhaps better use of state and community resources.

Finally, but very importantly, I would like to underscore a distinction about our industry that seems to be misunderstood. There is no federal funding for pupil transportation operations that are integral to regular public education. Governors, mayors, city/town councils, state education departments, local school boards, school superintendents and other officials all make decisions that affect school transportation budgets and operations. These decisions are predicated on myriad competing resource demands.

We therefore strongly recommend NHTSA present its recommendations derived from this meeting regarding the installation and use of lap/shoulder belts in all school buses directly to state and local policy makers for consideration during their legislative sessions and deliberations. This is likely to also be very helpful to state directors of pupil transportation services, who, as you know, believe lap/shoulder belt equipped seats "should be encouraged as an option when considering new bus original equipment specifications."¹

In its 2009 final rule NHTSA emphasized "the excellent safety record of large school buses and the real world demands on pupil transportation providers," and said states and their jurisdictions should ultimately make their own decisions regarding whether to equip school buses with lap/shoulder seat belts. We would hope any recommendations resulting from your July 23, 2015 meeting would reiterate the importance of this local flexibility.

¹<http://nasdpts.org/Documents/NASDPTS%20POSITION%20PAPER%20PASSENGER%20LAP%20SHOULDER%20BELTS%20FINAL%20FEB%202014.pdf>

Again, we appreciate NHTSA's interest in this important discussion and look forward to reading the docket from this meeting. We are also very much looking forward to having you with us at our annual Summit this November in Richmond, VA so you can share your insights with our members directly. NTSB Chairman Christopher A. Hart is also planning to participate.

NAPT has been trying for more than a decade to help our members and others make informed decisions about school bus passenger crash protection. As we have offered consistently, we would be pleased to help NHTSA's informational efforts at the conclusion of your work. I am also willing to have a direct follow-up conversation with you if that would be helpful. Feel free to contact me personally any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Martin". The signature is fluid and cursive, with the first and last names being the most prominent.

Michael J. Martin
Executive Director