

HOUSE BILL REPORT

HB 1057

As Reported by House Committee On:
Education

Title: An act relating to school bus safety.

Brief Description: Concerning school bus safety.

Sponsors: Representatives Mosbrucker, Orwall, Barkis, Stanford, Valdez and Leavitt.

Brief History:

Committee Activity:

Education: 2/4/19, 2/18/19 [DPS].

Brief Summary of Substitute Bill

- Requires, subject to specific legislative funding, the Washington State Institute for Public Policy, in collaboration with the Washington Traffic Safety Commission, to conduct an examination of school bus safety issues associated with seatbelts in all seating positions.
- Establishes requirements for the examination and a November 15, 2020 reporting date.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Dolan, Vice Chair; Paul, Vice Chair; Steele, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Bergquist, Caldier, Callan, Corry, Harris, Kilduff, Kraft, Ortiz-Self, Rude, Stonier, Thai, Valdez and Ybarra.

Staff: Ethan Moreno (786-7386).

Background:

School buses are used to transport students to and from school or in connection with designated school activities. School district boards of directors are responsible for the operation of student transportation programs. School districts may use school buses and

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drivers hired by the district or commercial chartered bus services for the transportation of school children and employees necessary for their supervision.

School buses have four general size-oriented classifications (Types A through D), with passenger capacity increasing in each sequential classification. Type D buses can have a capacity of 90 passengers.

The National Highway Traffic Safety Administration (NHTSA) establishes federal safety requirements for school buses, including requirements for structural integrity, periodic inspections, and school bus seating and restraining barriers. In addition to the federal requirements, states may also adopt requirements for school buses and their safe operation. Federal Motor Vehicle Safety Standard Number 222, as adopted by the NHTSA, requires that small school buses, school buses with a gross vehicle weight rating (GVWR) of 10,000 pounds or less, have Type 2 seat belt assemblies with pelvic and upper torso restraints (also known as "lap/shoulder belts") at each seating position.

Federal requirements do not mandate passenger seat belts for large school buses with a GVWR greater than 10,000 pounds, but states may require that large school buses have seat belts. If a state requires seat belts on large school buses, the seat belts must comply with federal performance standards. Washington does not require passenger seat belts for school buses with a GVWR greater than 10,000 pounds.

Agency rules adopted by the Superintendent of Public Instruction (SPI) require school bus drivers to wear a properly adjusted seat belt whenever the school bus is in motion. Agency rules of the SPI also require passengers in school buses equipped with seat belts to wear them in a properly adjusted manner whenever the school bus is in motion.

Summary of Substitute Bill:

The Washington State Institute for Public Policy (WSIPP), in collaboration with the Washington Traffic Safety Commission, is charged with conducting an examination of school bus safety issues associated with seatbelts in all seating positions.

The examination must include specified components, including:

- a review of the best available science regarding seatbelt use in all seating positions in school buses with a GVWR greater than 10,000 pounds;
- a review of laws and funding practices in other states relating to seatbelt requirements for school buses, and any increases or decreases in student injuries attributable to the states' requirements;
- an identification of insurance and liability issues associated with mandating the purchase of school buses with seatbelts in all seating positions, retrofitting existing school buses with seatbelts in all seating positions, and requiring the use of seat belts in all seating positions; and
- an identification of associated financial issues.

The WSIPP is directed to report findings and recommendations resulting from the examination to the SPI and the education and transportation committees of the House of Representatives and the Senate by November 15, 2020.

Substitute Bill Compared to Original Bill:

The substitute bill removes all provisions of the underlying bill and requires, subject to specific legislative funding, the WSIPP, in collaboration with the Washington Traffic Safety Commission, to conduct an examination of school bus safety issues associated with seatbelts in all seating positions. The substitute bill also establishes requirements for the examination and a November 15, 2020, reporting date.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The public recognizes that some children who ride school buses are required to wear seatbelts while other children are not. School bus accidents do happen, and when a bus rolls over, the children are tossed around like clothes in a dryer. This bill has a funding source: traffic infractions captured through cameras on school bus stop paddles. In one day, there were 1,500 stop paddle infractions, each of which could generate \$419. The funding mechanisms in the bill will generate enough revenue for seatbelts, county processing of infractions, and police enforcement.

The added safety measures called for in the bill are positive, but there are concerns about the provisions related to school bus cameras and the potential costs to schools.

Even a small bump in the road can hurl a small child from a school bus seat. This can lead to a bloody nose for the child and many resulting complications, all under difficult driving conditions. Seatbelts work, and it would be better to unbuckle children after an accident rather than removing seriously injured children from a bus.

(Opposed) None.

(Other) The cameras on stop paddles work very well, and they slow drivers down. Safety belts should not be mandated, as children will misuse them and it is not clear how bus drivers will enforce use requirements. Bus drivers should devote their full attention to the road.

Persons Testifying: (In support) Representative Mosbrucker, prime sponsor; Patti Enbody, Office of the Superintendent of Public Instruction; and Doug Bowers.

(Other) Mark Heid, Tekoa School District.

Persons Signed In To Testify But Not Testifying: None.