

Approved September 19, 1988
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

1:00 ~~am~~/p.m. on April 28, 1988 in room 519-S of the Capitol.

All members were present except:

Representatives Dillon, Gross, Lacey, Laird, Moomaw, Snowbarger, Sutter.

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Hank Avila, Legislative Research
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Mrs. Nancy Bauder, Kansans for Highway Safety
Senator Ed Reilly
Mr. Chip Wheelen, Kansas Medical Society
Dr. Richard Funk, Kansas Association of School Boards

The meeting was called to order by Chairman Crowell, and the first order of business was a hearing on SCR-1620 regarding safe pupil transportation.

Mrs. Nancy Bauder, Kansans for Highway Safety, testified in favor of SCR-1620. (See Attachment 1)

She stated enactment of legislation requiring safety belt installation on all newly-manufactured school buses will provide added restraint protection as well as provide educational value which may save lives in automobile collisions.

Senator Ed Reilly spoke in support of SCR-1620.

Mr. Chip Wheelen, Kansas Medical Society, testified in favor of SCR-1620. (See Attachment 2)

He stated the Kansas Medical Society urges that the Legislature require installation of seat belts in all vehicles used by elementary and secondary schools for transportation of students to and from school facilities and extra-curricular activities.

Dr. Richard Funk, Kansas Association of School Boards, testified as an opponent to SCR-1620.

The hearing on SCR-1620 was concluded.

A motion was made by Representative Wilbert that SCR-1620 be recommended favorable for passage. The motion was seconded by Representative Justice.

Motion passed 7-5 on a division.

The meeting was adjourned at 1:30 p.m.


Rex Crowell, Chairman

Testimony to be Delivered to
THE KANSAS SENATE EDUCATION COMMITTEE
January 20, 1987

by Nancy Bauder, President
Kansans for Highway Safety

SEAT BELTS ON SCHOOL BUSES

On behalf of Kansans for Highway Safety, I ask that you support legislation requiring safety belt installation on all newly-manufactured school buses. We are in favor of legislation because as well as providing school bus passengers with added restraint protection, educational value can be provided which may save lives in automobile collisions, the number one killer of children.

With several states' passage of mandatory seat belt laws, more and more parents are demanding that the safety belt be provided to children on school buses, where they ride from one to two and one-half hours per day, to school and on field trips, both for their personal safety and the carryover benefit of that habit to automobile usage. This habit can be encouraged, rather than hindered by the school system.

Even though many states have mandatory usage laws, we ourselves decide whether to buckle up for safety. Our children do not have that choice in a school bus. We parents, educators, physicians, and responsible citizens are only asking that that opportunity be provided.

Why does this safety education need to be provided?

- Automobile rear seat fatalities increased by 12% last year (1986).
- Five times the fatalities occurred when passengers were unbelted rather than lap-belted.
- One-half of all passengers who died in the rear seats of vehicles were under 19 years of age (768 children).
- One-fourth of all passengers killed were under the age of 19 years (5500). Of those fatalities, 4200 were unrestrained.
- According to a University of Michigan study, as reported to the Insurance Institute for Highway Safety: Safety belt usage rates are the lowest among children ages 4 to 15 years. According to the US Department of Transportation, in 1986, child restraint in automobile usage is at 52% for ages 0 to 5, but drops to 20% for 5 years and older.

THE SCHOOL BUS AS THE SAFEST VEHICLE?

The school bus has been called the 'safest' form of transportation by the school bus industry. How safe is it?

Attach. 1

School bus injuries when compared to all vehicle injuries, compare favorably when one looks at information supplied by the National Safety Council. However, the figures stated of approximately 7000 injuries and 10 fatalities per year do not usually include collisions which occur on field trips. The only way to accurately assess school bus statistics fairly would be to compare bus collisions to automobile collisions which occur during the hours of 7 to 9am and 2 to 4pm which is the time school buses usually run.

Bus collisions should also be compared to automobile collisions which occur to and from school. To compare bus collisions to and from school with other vehicle collisions that occur on the highway and at night (as most vehicle injuries and fatalities occur) is unrealistic.

WHAT ABOUT COMPARTMENTALIZATION?

In 1967, a major study on school bus construction and safety features was conducted at UCLA. The term 'compartmentalization' was first used in that study, and referred to a recommended 28 inch high seat back and a padded side arm, and seat belts to reduce the injuries sustained by passengers hurled against one another. Kansas meets the federal requirement of 24 inches now required. Even with a higher seat back it is a myth that compartmentalization provides sufficient protection. There is still no protection from injury in a side or rollover collision. We need to provide passengers a way to remain in the 'compartment' and in their seats during a collision.

In 1977, Federal standards of higher backed, padded seats and improved bus structure were a step toward safer buses, and have indeed greatly reduced fatalities, but thousands of injuries to children in bus crashes continue to occur every year. Injuries reported include minor: contusions, concussions, abrasions, fractures, and lacerations to the head and extremities; and major: abdominal injuries, head, neck, and back injuries, and amputations. These injuries occur as students strike the roof, windows, seatbacks, and other students. In addition to collisions and rollovers, passengers are injured during sudden stops and turns and while hanging out of windows. There is clear evidence that seat belts will hold passengers in seats during stops, turns, and evasive maneuvers, thus protecting them. Children belted in place will also have difficulty sticking their heads and arms out of windows.

Compartmentalization is the most effective in the head-on collision. However, a case in Reno, Nevada, last year showed that compartmentalization does not always work: 82 children were injured when a 90 passenger bus ran into another bus when the brakes failed. The children noticed the

driver was having problems getting the bus stopped, so they all stood up to see what was wrong. They were out of the 'compartment' and bounced all over the bus when the collision occurred. This one collision utilized all the medical and emergency resources in the entire community and tied up traffic for hours. According to medical personnel, it is probable that the majority of these injuries would not have occurred, had the passengers been restrained.

LIABILITY AND COST?

The liability question is one that is always raised by school districts considering requiring belts on school buses. Is the driver or district liable if a passenger's belt is not fastened and he is injured? The New York School Bus Safety Belt Law contains a clause which absolves liability in this instance. Nationwide, there have been many lawsuits regarding bus-related injuries. Many of these suits have been filed because of lack of occupant restraints, and have netted the victims and their families hundreds of thousands of dollars.

The average cost of a school bus is around \$40,000. The average cost of belt installation is approximately \$1200 per bus. The cost of medical care resulting from one collision is often greater than the cost of belts for the entire fleet.

HOW HAS THIS ISSUE BEEN STUDIED?

1. UCLA 1967 Crash Test recommended: "all buses be equipped with restraint systems...Restraint within the seat area is essential for injury minimization."
2. Transport Canada School Bus Crash Test (Released, 1985): Head Injury Criteria levels in belted crash test dummies in large school buses were lower than those deemed by the Department of Transportation to cause serious injury. The only dummy who "died" on the large school bus was unbelted.
3. The National Highway Traffic Safety Administration, 1985: SAFETY BELTS IN SCHOOL BUSES - "In side impact and rollover, the use of seat belts are likely to provide additional safety."
4. Dr. John States, University of Rochester School of Medicine, Chairman, Dept. of Orthopaedics, Rochester, NY (3/3/87): "My statements are based on a lifetime experience as a practicing orthopaedic surgeon, a researcher in motor vehicle accidents and a designer of safety belt systems. My own research and my knowledge of the traffic safety and biomechanics literature reveals that safety belts in school buses will provide additional crash protection particularly in side impact and rollover accidents...School bus safety belts will reinforce the habit of safety belt use."

5. National Highway Traffic Safety Administration, Feb. 1986, SCHOOL BUS SAFETY BELTS: THEIR USE, CARRYOVER EFFECTS, AND ADMINISTRATIVE ISSUES: "Administrators, transportation directors, and drivers reported improved behavior on buses equipped with belts... and experienced fewer distractions in belt-equipped buses than in non-equipped vehicles."

6. K. Weber, MA, and J. Melvin, PhD, University of Michigan College of Engineering (1/23/86): "We firmly believe that newly purchased large school buses should be equipped with lap belts."

7. Dr. Arnold Siegel, Forensic Consultant, Trauma Research Group, Encino, CA (10/2/86): "For school buses, the seat belt angles related to the pelvic area of a child are close to ideal due to the seat design, the seat height from the floor, and the location of the belts to the seat horizontal frame bar."

8. M. Spital, BA, A. Spital, MD, and R. Spital, PhD, from Community Services, University of Rochester School of Medicine, Rochester, NY, and Columbia, MD; PEDIATRICS (American Academy of Pediatrics Journal), 11/86: 'The Compelling Case for Seat Belts on School Buses': "There is strong evidence that seat belts would increase the safety of school buses."

9. The National Transportation Safety Board School Bus Crash Study, March 1987. After at least 13 prior recommendations for seat belts on school buses, the NTSB now alleges that the post standard bus seats are adequately protecting school bus passengers without seat belts. However, there has not been any substantial reduction in injuries or changes in injury patterns from pre-standard buses. The study of 43 hand-picked collisions showed no comparison between belted and unbelted passengers. Only the 39 accidents involving unbelted buses were evaluated.

EXPERIENCE OF DISTRICTS

Discipline generally improves when seat belts are on the bus. A study by the National Highway Traffic Safety Administration, February, 1986, showed improved behavior in buses equipped with belts. All of the transportation directors in the study, even those initially opposed to the trial belt programs, supported decisions to equip their entire fleets with belts. The calmer climate produced by seat belt usage allows drivers to concentrate better on their driving and observe more carefully the students in the danger zones outside the bus. The TYPE of belts used have been a problem in certain districts. Long black belts with removable buckles are not recommended because vandalism, and tripping hazards. A shorter belt, color-coded, with a safer, push-button buckle is recommended, and more readily used.

NATIONAL ORGANIZATIONS SUPPORTING BELTS ON SCHOOL BUSES:

The American Medical Association
The American Society for Adolescent Medicine
The American Assn. for Oral & Maxillofacial Surgeons
The American Academy of Pediatricians
The American College of Preventive Medicine
The Center for Automotive Safety
The National Parent Teachers Association
Physicians for Automotive Safety
The National Coalition for Seatbelts on School Buses

STATE ORGANIZATIONS SUPPORTING BELTS ON SCHOOL BUSES:

Kansans for Highway Safety
The Kansas Department of Health & Environment
The Kansas Coalition for Drug-Free Driving
The Kansas Head Injury Association



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Position Statement

CHILD SAFETY RESTRAINT DEVICES

The Kansas Medical Society has for several years advocated the use of vehicle safety restraint devices for children riding in automobiles.

The 1981 Kansas Legislature acknowledged the public safety and health benefits of safety restraint devices by enacting the Child Passenger Safety Act which applied to children under two years of age being transported in the front seat of a passenger vehicle.

The 1984 Legislature further acknowledged the benefits of safety restraint devices by amending the Child Passenger Safety Act to apply to children up to four years of age.

The 1986 Legislature again acknowledged the public safety and health benefits of restraint devices by enacting the Safety Belt Use Act which applies to children not protected by the Child Passenger Safety Act, and adults as well.

Even though progress has been made toward reducing the severity of injuries attributable to vehicular accidents, there remain opportunities to further protect public health. This is particularly true in regard to children because they oftentimes are not cognizant of their own risk.

Therefore the Kansas Medical Society urges the Kansas Legislature to require installation of seat belts in all vehicles used by elementary and secondary schools for transportation of students to and from school facilities and extra-curricular activities. The Kansas Medical Society also urges school administrators to provide for educational programs that instruct and encourage students to use seat belts while riding in all vehicles, particularly school buses.



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