

Approved 2-21-90  
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at  
Chairperson

1:30 ~~am~~/p.m. on February 20, 1990 in room 526-S of the Capitol.

All members were present except:

Representative Gross - excused

Committee staff present:

Bruce Kinzie, Revisor of Statutes  
Tom Severn, Legislative Research  
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Ms. Nancy Bauder, Kansans for Highway Safety  
Ms. Ruth Merserve, Kansas Coalition for Drug-Free Driving  
Ms. Jenny Ransom, Kansas Dept. of Health & Environment  
Mr. Ed Klumpp, Kansans for Highway Safety  
Mr. Ed Lindsay, Kansas Pupil Transportation Association  
Mr. Norman Reynolds, Kansas Association of School Boards  
Mr. Bob Frey, Kansas Trial Lawyers Association  
Rep. Marvin Smith  
Mr. Joe Krahn, Kansas Department of Transportation  
Rep. Gilbert Gregory  
Mr. Bill Pollock  
Dr. Ramon Powers, Kansas State Historial Society  
Ms. Evelyn Hemmens, Pittsburg, Kansas

The meeting was called to order by Chairman Crowell, and the first order of business was a hearing on HB-2842, requiring passenger safety restraining systems on school vehicles.

A letter from Mr. Chip Wheelen, Kansas Medical Society, in support of HB-2842, was passed out to Committee members. (See Attachment 1)

Ms. Nancy Bauder, Kansans for Highway Safety, testified in support of HB-2842. (See Attachments 2 and 3)

Ms. Ruth Merserve, Kansas Coalition for Drug-Free Driving, presented testimony in support of HB-2842. (See Attachment 4)

Ms. Jenny Ransom, Kansas Department of Health and Environment, testified in support of HB-2842. (See Attachment 5)

Mr. Ed Klumpp, Kansans for Highway Safety, testified in support of HB-2842. (See Attachment 6)

Mr. Ed Lindsay, Kansas State Pupil Transportation Association, testified in opposition to HB-2842. (See Attachment 7)

Mr. Norman Reynolds, Kansas Association of School Boards, testified in opposition to HB-2842. (See Attachment 8)

Discussion and questioning by Committee members followed.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 526-S, Statehouse, at 1:30 ~~am~~/p.m. on February 20, 1990

Mr. Bob Frey, Kansas Trial Lawyers Association, testified on a neutral position concerning HB-2842. (See Attachment 9)

The hearing on HB-2842 ended.

The next order of business was a hearing on HB-2863 concerning rural business and farm and ranch directional signs.

Representative Marvin Smith, sponsor of HB-2863, briefed the Committee on its contents. (See Attachment 10)

Mr. Joe Krahn, Kansas Department of Transportation, testified as an opponent on HB-2863. (See Attachment 11)

The hearing on HB-2863 ended.

The next order of business was a hearing on HB-2941 designating the Frontier Military Highway.

Representative Gilbert Gregory, primary sponsor of HB-2941, briefed the Committee on its contents. (See Attachment 12)

Mr. Bill Pollock, Pittsburg, spoke in support of HB-2941. (See Attachment 13)

Dr. Ramon Powers, Kansas State Historical Society, testified in support of HB-2941. (See Attachment 14)

Ms. Evelyn Hemmens, Pittsburg, Kansas, testified in support of HB-2941. (See Attachment 15)

The hearing on HB-2941 ended.

The minutes of the House Transportation Committee meeting held on February 19, 1990, were approved as written.

The meeting was adjourned at 3:10 p.m.

  
Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 2-20-90

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Ruth Meserve	Prairie Village, Ks	Ks Coalition Free Driving for Drury
Don Meserve	" "	Guest
Jenny RANSOM	Landon St. off. Bldg.	FS. Dept. HEALTH & Emu.
Nancy Bauder	Lawrence, Mo.	Representing The Nat'l Co. of for Safety on School Buses
Er Klump	Topeka, Ks	KANSAS FOR HIGHWAY SAFETY
Vicky Johnson	Pittsburg, Ks	Big Brothers
Evelyn Kemmerer	Pittsburg, Ks	Manhattan Comm. Planning
Anne Weyler	Manhattan, Ks.	Manhattan Med Ctr/McKay Med Sec.
Betty Bachamp	Manhattan, Ks	
William R. Gesman	Pittsburg, Ks	UAW
Harold Webb	Herington, Ks	UTD
PAUL W. MATTHEWS	OKLA. CITY, OK	HIGHWAY USERS FEDERATION
KEVIN ROBERTSON	TOPEKA	TERRY J. ROBERTSON Assoc. Ks.
Paula Maguire	TOPEKA	K.D.H.E.
Charles Konigsberg	TOPEKA	K.D.H.E.



# KANSAS MEDICAL SOCIETY

1300 Topeka Avenue · Topeka, Kansas 66612 · (913) 235-2383

No rest

## 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.

Submitted to House Transportation Committee February 20, 1990  
In support of House Bill 2842, as introduced.

A handwritten signature in cursive script, appearing to read 'Christopher E. Eubank'.

A++ 1

*Bauder*

Testimony to be Delivered to  
THE KANSAS SENATE EDUCATION COMMITTEE  
February 15, 1990

by Nancy Bauder

HOUSE BILL NO. 2842

I wish to speak to House Bill No. 2842. I am the Executive Director of Kansans for Highway Safety, as well as the School Bus Safety Chairman for the National Assn. of Women Highway Safety Leaders and the Immediate Past President of the National Coalition for Seatbelts on School Buses. These organizations are in favor of requiring safety belt installation on all newly-manufactured school buses 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.

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? School bus injuries when compared to all vehicle injuries, compare favorably when one looks at information supplied by the National Research Council. However, the figures stated of approximately 9500 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.

*Att. 2*

## 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, showed that compartmentalization does not always work: 82 children were injured when a 90 passenger bus ran into another bus at 30 miles per hour 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 \$1000 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.

10. The Congressional commissioned 18 month study of school bus safety findings: "Seat (lap) belts...may reduce the likelihood of death or injury to passengers involved in school bus crashes by up to 20 percent." However, the added cost to equip all new buses nationwide of \$40 million would possible only save one life and a few dozen serious serious injuries. (See enclosed Transportation Research Board report)

#### 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 Pediatrics  
The American College of Preventive Medicine  
The Center for Automotive Safety  
Physicians for Automotive Safety  
The National Coalition for Seatbelts on School Buses





# Report Summary

TRANSPORTATION RESEARCH BOARD  
NATIONAL RESEARCH COUNCIL

WASHINGTON, D.C.  
MAY 1989

## Special Report 222 — Improving School Bus Safety



New TRB report *Improving School Bus Safety* (Special Report 222, \$20.00) is available from the Transportation Research Board, 2101 Constitution Avenue, N.W., Washington, D.C. 20418 (202-334-3218).

School bus safety is a serious and sometimes controversial issue. The public expects that school districts and other school bus operators will take all reasonable precautions to protect children as they travel to and from school. Reflecting this concern, in 1977 the National Highway Traffic Safety Administration (NHTSA) revised its standards for newly manufactured buses to enhance the safety of school bus transportation. For post-1977 school buses (i.e., buses manufactured after April 1, 1977) with gross vehicle weight ratings (GVWRs) of 10,000 lb or less, these standards require that passenger seats be equipped with seat belts (i.e., lap belts). For the larger, Type I school buses with GVWRs greater than 10,000 lb, which make up 80 to 85 percent of the nation's school bus fleet, the standards do not require seat belts; instead they rely on strong, well-padded, energy-absorbing seats and high seat backs to "compartmentalize" and protect passengers during a crash. NHTSA concluded that the compartmentalization requirements are adequate and that seat belts are not warranted on the larger school buses.

Other individuals and organizations, however, have argued that seat belts are warranted on all school buses and that they should be installed at the time of manufacture. In the last several years a number of school districts, and one state

(New York), have begun ordering seat belts as standard equipment on all new school buses.

The continuing debate over seat belts on school buses led to a provision in the Surface Transportation and Uniform Relocation Assistance Act of 1987 requesting that the National Academy of Sciences examine the causes of school bus accidents and evaluate the effectiveness of safety measures, including seat belts, that might better protect children while they are boarding, riding, and leaving school buses.

### STUDY APPROACH

To conduct this study, the National Research Council, the operating agency of the National Academy of Sciences and the National Academy of Engineering, assembled a committee of experts in highway safety, pediatrics, school transportation, bus manufacture, occupant-restraint systems, and public policy analysis.

The study committee used national and state travel data to determine the nature, frequency, and severity of school bus accidents. It reviewed hundreds of study reports, accident analyses, and technical articles to evaluate the likely effectiveness of measures that might improve the safety of school bus passengers during and after crashes or improve the safety of children at school bus stops. For example, in its review of seat belts, the committee included the results of controlled school bus crash tests, sled tests, clinical analyses of school bus accidents, research



Type I school buses (with GVWRs greater than 10,000 lb) make up 80 to 85 percent of the nation's school bus fleet.

The Transportation Research Board is a unit of the National Research Council, which serves as an independent advisor to the federal government on scientific and technical questions of national importance. The Research Council, jointly administered by the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine, brings the resources of the entire scientific and technical community to bear on national problems through its volunteer advisory committees.

of effectiveness of lap belts in automobiles, and a survey of school districts with belt-equipped buses.

For selected measures, approximate safety cost-effectiveness comparisons were developed. To make these comparisons, the committee estimated the costs of adopting each measure nationwide, identified the types of accidents that might be reduced, and made judgments about the range of fatality and injury reductions that might be expected.

### SAFETY RECORD OF SCHOOL BUSES

Each year the nation's 390,000 school buses travel nearly 4 billion mi to transport 25 million children to and from school or various school-sponsored activities. Considering the amount of travel involved, the safety record of school buses is good. For example, even though school buses transport more passengers per trip, the rate of occupant fatalities per mile driven for school buses is about one-fourth that for passenger cars.

Despite this good record, the death of or injury to any child transported by school bus is a cause for concern. In a typical year, 10 children are killed while riding in large, Type I school buses and another 2 to 3 are killed in other vehicles operated as school buses. About 9,500 school bus passengers (children and some adults) are injured each year.

Children are at greater risk of being killed at school bus stops, after leaving or while trying to board their bus, than they are on board. Nearly 40 children are killed each year at bus stops, and of this number, about two-thirds are struck by a school bus,

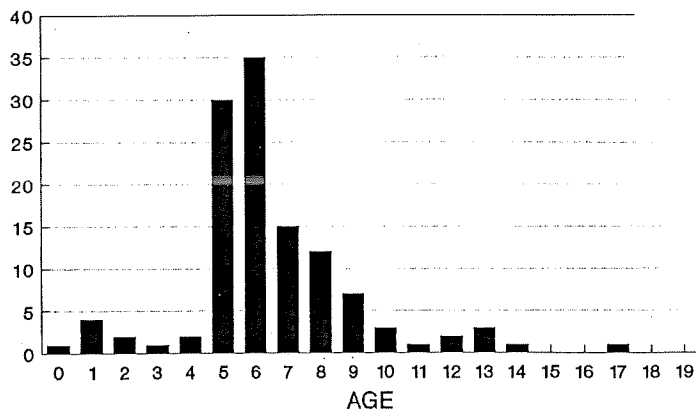


FIGURE 1 Age distribution of children fatally injured by school buses, 1982-1986 (NHTSA data).

usually their own. Although injuries are less frequent at bus stops than on board school buses, they tend to be more severe; about 800 children are injured at bus stops each year. As pedestrians, 5- and 6-year-olds are particularly vulnerable; they account for more than one-half of all the children fatally injured by school buses (Figure 1).

### SAFETY COST-EFFECTIVENESS

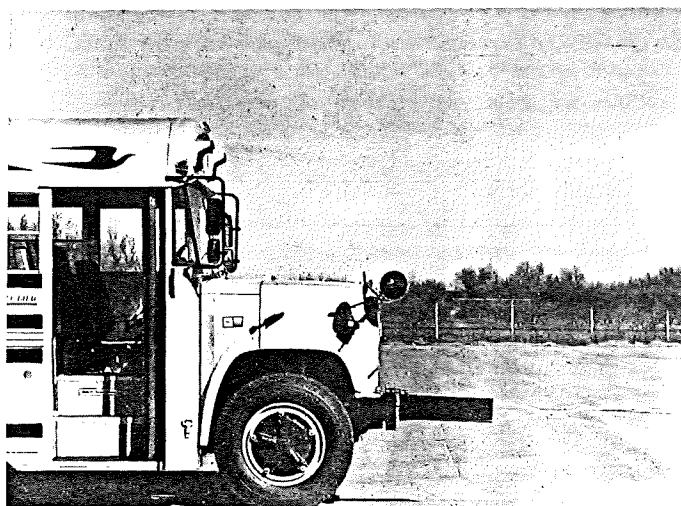
The safety cost-effectiveness of school bus safety measures varies greatly on the basis of the approximate estimates developed in this study for the following selected measures:

- Seat belts on Type I school buses,
- Higher seat backs,
- Adult monitors,
- Crossing control arms attached to the front of school buses,
- Electronic sensors,
- Mechanical sensors,
- Stop signal arms attached to the sides of school buses,
- External loud speaker systems, and
- Pedestrian education programs.

The measures that offer the greatest potential safety improvement per dollar invested are higher seat backs and behavior-

#### FINDINGS AND RECOMMENDATIONS ON SEAT BELTS

- Seat (lap) belts, when properly used on post-1977, Type I school buses, may reduce the likelihood of death or injury to passengers involved in school bus crashes by up to 20 percent.
- If all large, Type I school buses operated in the United States were equipped with seat belts, one life might be saved and several dozen serious injuries avoided each year. The added cost to equip such buses with seat belts would be more than \$40 million/year.
- The study committee concludes that the overall potential benefit of requiring seat belts in large school buses is insufficient to justify a federal standard mandating installation. Most members of the committee believe, therefore, that states and local school districts should not be encouraged to equip new buses with seat belts. Nevertheless, some members believe that a uniform occupant-restraint policy for all motor vehicles is important enough that states and local school districts should be encouraged to equip new school buses with seat belts.
- States and local school districts that choose to require seat belts in new buses must ensure that all school bus passengers wear them and wear them correctly.
- Seat belts should not be installed on buses that were manufactured before April 1, 1977. For post-1977 buses, retrofitting with seat belts is more complicated and costly than installing seat belts as original equipment, and therefore is generally not recommended.



Crossing control arm mounted on front bumper of school bus (in open position).

## OTHER MAJOR FINDINGS AND RECOMMENDATIONS



School bus equipped with stop signal arm.

based pedestrian education programs for pupils. For each \$1 million invested annually, either of these measures might save up to 1 life every 2 years as well as avoid a substantial number of injuries. Adult monitors on school buses offer the smallest safety improvement per dollar invested; for each \$1 million spent annually, this measure would save 1 life, on average, every 50 to 143 years.

### POST-CRASH FIRES

Post-crash fires in school bus accidents are rare. No evidence was found during the study that any *school* bus accident fatalities resulted from fire or smoke inhalation. Nevertheless, the *church* bus crash and fire in Carrollton, Kentucky, May 14, 1988, that involved a pre-1977 bus and resulted in the deaths of 27 bus occupants serves as a grim reminder that post-crash fires can and do occur in bus accidents. Partly as a result of the Carrollton crash, both industry and government are considering measures that might make the fuel systems on school buses safer (relocating the fuel tank, substituting diesel engines for gasoline engines, etc.).

- The standards issued by NHTSA in 1977 have substantially improved the crashworthiness of school buses. All states, local school districts, and private contractors that are still operating pre-1977 school buses should replace these vehicles with post-1977 school buses as rapidly as possible.

- Passengers who are not properly seated during a school bus crash may sustain unnecessary injuries and endanger others as they are thrown about inside the bus. The committee recommends that all states prohibit standees on school buses.

- Raising the minimum height of school bus seat backs from 20 to 24 in. (as measured from the seating reference point) would provide passengers with added crash protection, particularly for the head, at little added cost. The committee recommends that NHTSA revise its standards to require that seat backs be at least 24 in. on new school buses.

- A larger share of the school bus safety effort should be directed to bus stops and loading zones. For immediate action the committee recommends that

- All states establish minimum criteria for school bus driver training.

- NHTSA require stop signal arms—stop signs with flashing red lights that extend from the left side of the school bus when it stops to load or unload passengers—on all new school buses and states and local school districts consider retrofitting older buses with stop signal arms.

- States and local school districts review their school bus routes annually to ensure that the routes have been safely planned and are being followed as intended.

- States and local school districts provide behavior-based pedestrian safety education programs to children from kindergarten through grade 6.

- NHTSA reexamine its standards for cross-view mirrors to determine whether current specifications can be modified to give the driver a better view of the area in front of and immediately beside the bus.

- Other measures to improve bus stop safety be field tested and evaluated, including electronic and mechanical devices that detect children in the path of the bus; crossing control arms that force children to walk far enough in front of the bus for the driver to see them; external loud speaker systems that allow the driver to communicate with children outside the bus; and the California practice of requiring the driver to escort children from kindergarten through grade 8 across the street when they leave the bus.

#### CHILDREN KILLED IN SCHOOL BUS ACCIDENTS (NHTSA 1982-1986)

	Avg per Year
<b>School Bus Passenger</b>	
Type I school bus	9.6
Other vehicles used as school buses	<u>2.4</u>
	12.0
<b>Pedestrian at Bus Stop</b>	
Struck by Type I school bus	24.0
Struck by other vehicle used as a school bus	1.8
Struck by other vehicle	<u>11.6</u>
	<u>37.4</u>
	49.4

Other actions that should be taken by NHTSA include (a) monitoring the development of new seating materials that may provide the energy-absorption characteristics needed for school bus seats and at the same time provide improved fire resistance; (b) reconsidering the minimum number of emergency exits that are required on school buses; and (c) prohibiting the installation of seats that obstruct emergency doors.



Bender

Senate Concurrent Resolution No. 1620

By Committee on Education

3-28

0017 A CONCURRENT RESOLUTION commending efforts made by
0018 school districts to insure the safe transportation of pupils,
0019 encouraging school districts to analyze school transportation
0020 programs as a means of enhancing safety records of school
0021 transportation operations, urging boards of education of cer-
0022 tain school districts to install passenger safety restraint sys-
0023 tems in school buses or to acquire school buses equipped with
0024 passenger safety restraint systems.

0025 WHEREAS, Each year some 21 million pupils are transported
0026 to and from school each school day in school buses; and

0027 WHEREAS, Even though school bus transportation is the
0028 safest form of surface transportation according to the United
0029 States department of transportation and the national highway
0030 traffic safety administration, school bus passenger injuries and
0031 fatalities do occur; and

0032 WHEREAS, Because all 50 states and the District of Columbia
0033 now have mandatory child passenger safety restraint laws, the
0034 issue of mandating passenger safety restraint systems in all
0035 school buses has become a greatly increased topic of public
0036 discussion; and

0037 WHEREAS, The safe, efficient and cost effective transporta-
0038 tion of pupils to and from school and school-related activities is
0039 of vital concern to parents, schools, the legislature and other
0040 governmental entities: Now, therefore,

0041 Be it resolved by the Senate of the State of Kansas, the House
0042 of Representatives concurring therein: That the Legislature,
0043 being fully aware of the concentrated efforts being made by
0044 school districts to insure the safe, efficient and cost effective
0045 transportation of pupils, hereby commends the same; and

0046 Be it further resolved: That the Legislature, in recognition of
0047 the fact that school districts are constantly seeking ways to
0048 enhance the safety records of school transportation operations,

0049 hereby encourages all school districts to study and analyze their
0050 school transportation safety programs and to consider incorpora-
0051 tion therein of such components as: (1) The presence in every
0052 school bus of a safety guard to assist the driver in monitoring
0053 pupils when boarding and being discharged from school buses
0054 and while being transported therein; (2) the preparation of a
0055 school vehicle safety manual covering such subjects as loading
0056 zone behavior, behavior when boarding, being discharged from
0057 and being transported in school vehicles, responsibilities of and
0058 respect due school vehicle drivers and safety guards, the proper
0059 use of passenger safety restraint systems and the benefits to be
0060 derived therefrom; (3) discussions by pupils, teachers, school
0061 vehicle drivers and safety guards and parents or guardians of
0062 pupils concerning the information contained in the school vehi-
0063 cle safety manual and the rules and regulations of the school
0064 district governing the conduct, control and discipline of pupils
0065 while being transported and the penalties for violations of such
0066 rules and regulations; (4) the provision of time and facilities to
0067 personnel of law enforcement agencies, the state department of
0068 transportation and the state department of health and environ-
0069 ment for the purpose of acquainting school personnel, pupils and
0070 their parents or guardians with pupil transportation safety rules;
0071 (5) the installation of passenger safety restraint systems in school
0072 district owned or leased school buses; and (6) the acquisition of
0073 new school buses that are equipped with passenger safety re-
0074 straint systems; and

0075 Be it further resolved: That the Legislature hereby strongly
0076 urges every board of education which has been presented with a
0077 petition signed by a majority of the patrons of the school district
0078 and requesting the installation of passenger safety restraint sys-
0079 tems in school buses or the acquisition of school buses equipped
0080 with passenger safety restraint systems to accede to such re-
0081 quests as soon as practicably possible; and

0082 Be it further resolved: That the secretary of state is hereby
0083 directed to transmit enrolled copies of this resolution to the
0084 commissioner of education for duplication and transmittal to the
0085 board of education of every school district in the state.

Att. 3

# Kansas Coalition for Drug-Free Driving

8212 BRIAR PRAIRIE VILLAGE, KANSAS, 66203 913-649-1177

February 15, 1990

RE: House Bill # 2842

Members of the committee;

I am Ruth Meserve, Lobbyist for the KANSAS COALITION for DRUG FREE DRIVING a statewide coalition made up of members of Mothers Against Drunk Driving Kansans for Highway Safety, Kansas PTA, Insurance Women of Wichita and ASAP Associations. Representing over 10,000 concerned citizens.

The COALITION asks for your support of house bill #2842 for equipment of safety belts or passenger restraints for use by all pupils and personnel, or any other rider, in school transportation vehicles.

To many have been killed or injured for not having any kind of restraints in these vehicles and the protection is so needed.

Thank you for your support

Ruth Meserve, Registered Lobbyist

Att. 4



# State of Kansas

Mike Hayden, Governor

Department of Health and Environment

Division of Health

Stanley C. Grant, Ph.D., Secretary

Landon State Office Bldg., Topeka, KS 66612-1290

(913) 296-1341  
FAX (913) 296-6231

Testimony presented to  
House Transportation Committee

by

The Kansas Department of Health and Environment

House Bill 2842

School buses are the safest form of surface transportation, transporting some 22 million children to and from school each weekday. Nationally in 1988, there were 40 school bus related fatalities, including 40 pupils, 5 bus drivers, and 65 other persons. (These national estimates are projected from data received from 35 states and the District of Columbia) Of the pupils killed, 10 were passengers on the school buses and 30 were pedestrians either approaching or leaving a loading zone. More than half the pupil pedestrians were struck by the school bus which they were entering or leaving. In Kansas, according to the Kansas Department of Transportation, in 1988 there were 111 passenger injuries and four fatalities reported.

National Highway Traffic Safety Administration reports that the majority of school bus accidents can be attributed to driver inattention. Conduct on buses with safety belts improves according to the School Bus Safety Belt Coalition, cutting down on distractions and thus increasing the drivers concentration on the road.

The issue of safety belts on large school buses has become a topic of much discussion, because all 50 states and the District of Columbia now have mandatory child passenger safety laws.

Currently, van-type school buses (under 10,000 pounds gross vehicle weight) are required by federal law to be equipped with safety belts. These small school buses respond in a crash in a similar manner as cars because of their weight and design.

The AMA and American Academy of Pediatrics supports the concept of seat belts in school buses, based on the new information refuting the 1984 Canadian Crash tests that claimed that the use of seat belts would increase risk of injury. According to John States, M.D., Chairman of the New York Coalition for Safety Belt Use, Inc., the educational benefits to the school children are the principal reason for the installation of seat belts in school buses. It is essential that children learn this habit, which in the future will almost certainly protect them from a disabling injury and, possibly save their lives. Children are now entering school having worn child restraints while traveling in their parents' cars. It is essential that they can continue this habit while riding in school buses. (December, 1985)

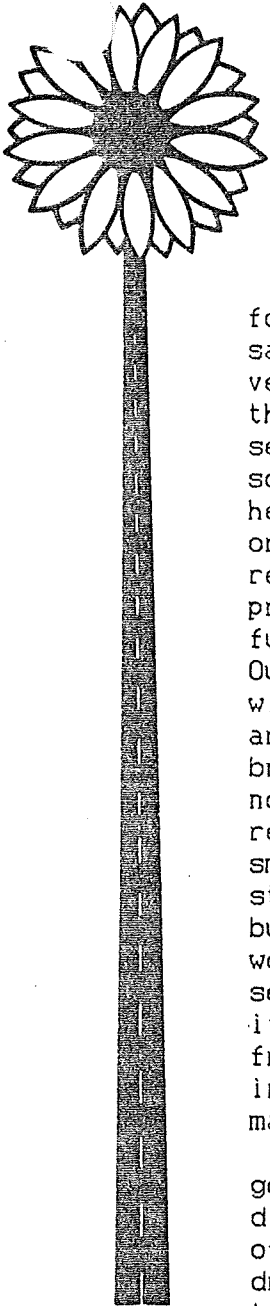
Results of a study conducted by the National Academy of Sciences and the National Academy of Engineering found that seat (lap) belts, when properly used on post-1977 school buses, may reduce the likelihood of death or injury to passengers involved in school bus crashes by up to 20 percent. The Academy recommends that seat belts should be installed on new buses.

The Kansas Department of Health and Environment recommends passage of H.B. 2842. We believe that all vehicle occupants should be properly restrained, whether that means a safety belt or an infant/child restraint seat, in all motor vehicles on all public roadways. The bill does **not** require **existing** school buses to install safety belts and is consistent with the recommendations of the National Academy of Sciences.

Testimony presented by:

Jenny Ransom, MA  
Health Promotion Administrator  
Kansas Department of Health and Environment  
February 15, 1990





## Kansans for Highway Safety

February 15, 1990

Kansans for Highway Safety supports HB2842. This bill provides for a reasonable method of phasing in a requirement of passenger safety restraining systems on school transportation vehicles as new vehicles are purchased. Indeed Kansas has been very fortunate to date that we have had few school bus accidents resulting in fatal or serious injuries. I am sure that if a study were to be done in those school districts where fatal school bus accidents occurred, we would hear "I never thought it would happen here." No one can foresee when or where these incidents will happen. We can not afford to be reactive in this safety measure. We must take a proactive approach to protecting our school children. The children of Kansas are our future, we must provide them the protection that seat belts provide. Our children can't learn if they don't arrive safely at school. It will be difficult for them to support themselves in adulthood if they are permanently paralyzed in a school bus accident. They can't help bring in the crops if they are in a wheel chair. The cost of this is not excessive, about \$800 to \$1000 per bus. A small price to place on reducing the potential of death and injury of our children. And a small price compared to the cost to a school district of educating students who become handicapped from injuries suffered in a school bus accident, not to mention the cost of litigation and claims that would follow such an accident. The majority of the fatalities and serious injuries in school bus accidents occur when the bus rolls on its side throwing the children around inside the bus or ejecting them from the bus. Many injuries also occur with children being thrown into the back of the seat in front of them. Studies have shown that many of these are not reported as accidents.

Requiring passenger safety restraining systems in school buses goes beyond the post collision safety factor. Indications from school districts that have passenger restraints show they assist in control of the students on the buses, thus reducing the distraction of the driver from the primary job of safely operating the bus. The best way to avoid injuries in accidents is to avoid the accident. It is also an educational process of our children, teaching them to take responsible precautions to protect themselves from the everyday perils of life.

Ed Klumpp  
President

Testimony on HB 2842  
before the  
House Transportation Committee

by

EDWARD J. LINDSAY  
PAST PRESIDENT OF KANSAS STATE PUPIL TRANSPORTATION ASSOCIATION  
SPOKESMAN FOR UNITED SCHOOL ADMINISTRATORS ON TRANSPORTATION  
CHAIRMAN OF KANSAS DELEGATION TO ELEVENTH NATIONAL CONFERENCE ON  
SCHOOL TRANSPORTATION  
P.O. BOX 267  
MERIDEN, KANSAS 66512  
913-484-3444

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, WE APRECIATE THE OPPORTUNITY TO APPEAR BEFORE YOU ON BEHALF OF THE KANSAS STATE PUPIL TRANSPORTATION ASSOCIATION AND UNITED SCHOOL ADMINISTRATORS OF KANSAS, I HOPE THAT YOU WILL HELP DEFEAT ANY LEGISLATION FOR SEAT BELTS ON SCHOOL BUSES. WE ARE OPPOSED TO THIS LEGISLATION BECAUSE AS THE FOLLOWING RESEARCH POINTS OUT, BELTS AND COMPARTMENTALIZATION DO NOT WORK TOGETHER.

1. UNIVERSITY OF CALIFORNIA 1968 CRASH TEST

"THE LEAST INJURIES OCCURRED TO PASSENGERS WHO WERE UN-SECURED IN THE BUS"

2. NATIONAL HIGHWAY TRAFFIC ADMINISTRATION 1968 - 1974

"THOSE CRASH TESTS CONCLUDED THAT PASSENGERS SECURED TO BENCH SEATS BY LAP BELTS SUFFERED THE MOST SEVERE INJURIES IN THE EVENT OF COLLISION"

3. NATIONAL MOTOR VEHICLE RESEARCH FOUNDATION 1972

"CONDUCTED 200 CRASH TESTS WITH SEAT BELTS AND CONCLUDED THAT AT LEAST 40 INCHES OF UNOBSTRUCTED AREA MUST EXIST IN FRONT OF BELTED PASSENGER IN ORDER TO PROTECT THE PASSENGER FROM FRONTAL IMPACT" (SEATS IN BUSES ARE USUALLY SPACED ONLY 22 TO 28 INCHES APART)

4. VIRGINIA POLYTECHNIC INSTITUTE FOUND: "THAT SEAT BELTS IN SCHOOL BUSES ARE IMPRACTIAL"

5. CALIFORNIA HIGHWAY PATROL COMMISSIONED SOUTHWEST RESEARCH INSTITUTE TO STUDY SEAT BELTS IN BUSES IN 1976. THEY CONCLUDED:

A. AUTOMOBILES ARE DIFFERENT THAN BUSES.

A + t. 7

B. RELEASE OF PASSENGERS FROM BUSES IN MAJOR ACCIDENTS FROM OUTSIDE WAS IMPRACTICAL.

C. THE AMOUNT OF TIME REQUIRED TO ENSURE USE BY THE DRIVER OR AIDE WOULD BE PROHIBITIVE.

D. VANDALISM TO BELTS, AND BELTS BEING USED AS WEAPONS, MADE THEM IMPRACTICAL.

6 . THE NATIONAL ASSOCIATION OF INDEPENDENT INSURORS 1974

"MAJOR QUESTIONS UNANSWERED ABOUT LIABILITY"

7. NATIONAL SCHOOL TRANSPORTATION ASSOCIATION 1974-1976

"STATED COST, HAZARD, ENFORCEMENT, VANDALISM, AND ATTITUDINAL FACTOR AS REASONS TO BE AGAINST BELTS ON BUSES"

8. CANADIAN GOVERNMENT 1985

A. COMPARTMENTALIZATION PROVIDES EXCELLENT PROTECTION.

B. THE USE OF LAP BELTS MAY RESULT IN MORE SEVERE HEAD AND NECK INJURIES.

9. THOMAS BUILT BUS COMPANY 1985

COMPARTMENTALIZATION APPEARS TO WORK AS DESIGNED AND SEAT BELTS WOULD NOT MAKE A SIGNIFICANT DIFFERENCE

10. UNITED STATES DEPARTMENT OF TRANSPORTATION AND NATIONAL HIGHWAY SAFETY ADMINISTRATION JUNE OF 1985

A. SCHOOL BUSES ARE THE SAFEST FORM OF SURFACE TRANSPORTATION.

B. NHSTA BOARD, ON EXTENSIVE RESEARCH CONCLUDED IN 1977 THAT COMPARTMENTALIZATION IS AN "AUTOMATIC" SYSTEM TO PROTECT CHILDREN EFFECTIVELY IN SCHOOL BUSES WITHOUT REQUIRING SAFETY BELTS.

C. ALL AVAILABLE TEST DATA AND REAL WORLD ACCIDENT DATA INDICATE THAT THIS CONCEPT HAS WORKED EXTREMELY WELL.

D. THE NATIONAL TRANSPORTATION SAFETY BOARD REVIEWED THIS MATTER IN 1983 AND FOUND CURRENT STANDARDS APPEAR TO BE EFFECTIVE IN ELIMINATING OR SUBSTANTIALLY REDUCING THE MAJORITY OF SCHOOL BUS PASSENGER INJURIES. " WE DO NOT BELIEVE THAT FEDERAL REQUIREMENT FOR SAFETY BELTS IN LARGE SCHOOL BUSES IS WARRANTED."

11. NATIONAL TRANSPORTATION SAFETY BOARD MARCH OF 1987

A. BASED ON THE FINDINGS OF THIS STUDY, THE SAFETY BOARD DOES NOT RECOMMEND THAT STATES OR SCHOOL DISTRICT ALLOCATE FUNDS TO RETROFIT OR ORDER LARGE POSTANDARD SCHOOLBUESES WITH LAP BELTS FOR PASSENGERS. THE SAFETY BOARD ALSO DOES NOT RECOMMEND THAT FEDERAL SCHOOLBUS SAFETY STANDARDS BE AMEND TO REQUIRE THAT ALL NEW LARGE SCHOOLBUSES BE EQUIPPED WITH LAP BELTS FOR PASSENGERS. THE SAFETY BENEFITS OF SUCH ACTIONS, BOTH IN TERMS OF REDUCED INJURIES FOR SCHOOLBUS PASSENGERS AND IN SEAT BELT USE HABIT FORMATION, HAVE NOT BEEN PROVEN.

12. NATIONAL ACADEMY OF SCIENCES 1989

THE COMMITTEE CONCLUDES THAT THE OVERALL POTENTIAL BENEFIT OF REQUIRING SEAT BELTS IN LARGE SCHOOL BUES IS INSUFFICIENT TO JUSTIFY A FEDERAL MANDATING INSTALLATION . THE FUNDS USED TO PURCHASE AND MAINTAIN SEAT BELTS IN THE NATION'S FLEET OF SCHOOL BUESES - MORE THAN \$40 MILLON/YR- MIGHT BETTER BE SPENT ON OTHER SCHOOL BUS SAFETY PROGRAMS AND DEVICES TO SAVE MORE LIVES AND REDUCE MORE INJURIES. MOST MEMBERS OF THE COMMITTEE BELIEVE, THEREFORE, THAT STATES AND LOCAL SCHOOL DISTRICTS SHOULD NOT BE ENCOURAGE TO EQUIP NEW BUSES WITH SEAT BELTS.

ORGANIZATIONS OPPOSING SEAT BELTS IN LARGE BUSES

1. KANSAS ASSOCIATION OF SCHOOL BOARDS
2. KANSAS STATE PUPIL TRANSPORTATION ASSOCIATION
3. KANSAS ASSOCIATION OF SCHOOL BUSINESS OFFICALS
4. KANSAS UNITED SCHOOL ADMINISTRATORS
5. KANSAS NATIONAL EDUCATION ASSOCIATION

NATIONAL ORGANIZATIONS

1. NATIONAL ASSOCIATION OF PUPIL TRANSPORTATION
2. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
3. CANADIAN GOVERNMENT
4. UNITED STATES DEPARTMENT OF TRANSPORTATION
5. ASSOCIATION OF SCHOOL BUSINESS OFFICALS INTERNATIONAL
6. NATIONAL EDUCATION ASSOCIATION
7. AMERICAN FEDERATION OF TEACHERS

YOUR HELP IN DEFEATING ANY LEGISLATION FOR SEAT BELTS IN LARGE SCHOOL BUSES WOULD BE VERY INSTRUMENTAL IN HELPING TO PREVENT POSSIBLE INJURIES AND DEATHS.



Testimony on HB 2842  
before the  
House Transportation Committee

by

Norman L. Reynolds, Director of Education Services  
Kansas Association of School Boards

February 20, 1990

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you on behalf of the 302 member boards of education of the Kansas Association of School Boards and, at their request, Schools for Quality Education (SQE) with regards to HB 2842.

In early December, 1989, the delegate assembly of the Kansas Association of School Boards, which is representative of the 302 member districts of the Association, voted to oppose the required installation of seat belts on school buses. It is interesting that information recently released by the National Highway Traffic Safety Administration supports this same position.

The NHTSA report recommends that the estimated cost for purchase and maintenance of seat belts in school buses each year be spent on other school bus safety programs. A portion of the supporting data offered by NHTSA is that the chances of a student fatality is almost four times greater for students in loading zones around school buses than for students riding on school buses, i.e., an average of 10 students are killed while riding the 4 billion bus miles traveled each year transporting students in

the United States. At the same time, an average of 38 are killed in loading zones around school buses.

The membership of KASB and SQE are supporters of student safety and would like for all students to be safe when traveling to and from school regardless of their mode of transportation. To this end, and with the latest test results showing no supporting evidence that seat belts on school buses would improve safety of students, we agree with the NHTSA report that student bus safety would be better served if expenditures on safety were used to advance other programs rather than for the purchase and maintenance of seat belts.

KASB appreciates the opportunity to provide testimony on HB 2842 and recommends that the bill be adversely reported.

I would be happy to respond to any questions the committee may have.





# KANSAS TRIAL LAWYERS ASSOCIATION

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T. MICHAEL WILSON, WICHITA  
W. FREDRICK ZIMMERMAN, KANSAS CITY  
JAMES B. ZONKER, WICHITA

## TESTIMONY of the KANSAS TRIAL LAWYERS ASSOCIATION before the HOUSE TRANSPORTATION COMMITTEE

HB 2842

The Kansas Trial Lawyers Association appears today for the limited purpose of pointing out to the Committee that adoption of mandatory seat belt law must be considered in light of other related law which can have a dramatic and often unwanted effect.

The adoption of a mandate for the installation of safety belts in school busses would raise the question of whether or not there is a duty on the part of the schools which operate busses to insure that the passengers utilize the belts when they are riding the bus. If an accident would occur in which bus passengers are injured and the accident was caused by someone other than the bus driver, it is possible that the failure to use seat belts by passengers could be used against the passengers when they try to recover their damages from the negligent driver who caused the injuries. This could occur largely due to the fact that the Kansas law on comparative negligence would allow the evidence of non-use of a seat belt to be introduced as trial evidence and used in reducing or possibly denying recovery of damages due to contributory negligence by the injured victim.

The Kansas Trial Lawyers Association is not opposed to mandatory installation of seat belts in school busses. What we are opposed to is the use of evidence of non-use of seat belts in comparative negligence cases which have the effect of unfairly shifting liability to victims and causing them to recover less than their full damages.

To address this situation, we suggest that HB 2842 be amended to provide that evidence of non-use or misuse of safety devices in the vehicle be specifically prohibited from use as evidence in cases involving comparative negligence or mitigation of damages. A copy of a proposed amendment is attached for your consideration.

## HOUSE BILL No. 2842

By Representatives Everhart, Grotewiel, Hensley, Hochhauser,  
Roy, Sawyer, Sebelius and Wagnon

2-6

10 AN ACT relating to school transportation vehicles; requiring pas-  
11 senger safety restraining systems.

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) All school transportation vehicles, which are pur-  
14 chased after the effective date of this act, shall be equipped, in  
15 addition to any other equipment required by law, with safety belts  
16 or passenger safety restraining systems for use by all pupils and  
17 school personnel when being provided or furnished transportation.

18 (b) For the purpose of this section, the term "school transpor-  
19 tation vehicles" means every motor vehicle, bus and school bus  
20 designated for use by a school district to provide or furnish trans-  
21 portation under the provisions of paragraph (1), (2) or (3) of subsection  
22 (d) ~~(c)~~ of K.S.A. 72-8301, and amendments thereto.

23 (d) ~~(c)~~ of K.S.A. 72-8301, and amendments thereto.  
24 Sec. 2. This act shall take effect and be in force from and after  
25 its publication in the statute book.

(c) "Evidence of failure of any person to use a safety belt shall not be  
admissible in any action for the purpose of determining any aspect of com-  
parative negligence or mitigation of damages."



SM

MARVIN E. SMITH  
 REPRESENTATIVE, FIFTIETH DISTRICT  
 SHAWNEE AND JACKSON COUNTIES  
 123 N.E. 82ND STREET  
 TOPEKA, KANSAS 66617-2209



TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 VICE-CHAIRMAN: TAXATION  
 MEMBER: EDUCATION  
 TRANSPORTATION

HOUSE TRANSPORTATION COMMITTEE

HOUSE BILL 2863

Mr. Chairman and Members of the Committee:

Over the past ten years I have had numerous calls from constituents that have been visited and/or contacted to remove signs that are on private property. Some of the signs have been on the location for approximately twenty years. Indeed, if economic development is as important to Kansas economy and jobs, what is wrong with directional signs to farms and businesses off the highways?

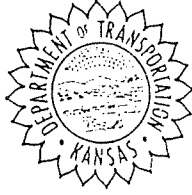
It appears that in the legislation proposed in HB 2863 to increase the size of signs to 32 sq. ft., this would be an economic plus for Kansas. If directional signs erected on agricultural zoned land could be increased in size, this would be good news for rural Kansas.

The Kansas Department of Transportation has created some real bad public relations with the dialogue and confrontation between state employees and private landowners. I guarantee you that K.D.O.T. would have an improved image with many people if this proposal is adopted. I can give you some real bad stories concerning the present and past procedures.

A++ 10

Joe Kra!  
KDO.

STATE OF KANSAS



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KANSAS DEPARTMENT OF TRANSPORTATION  
*Docking State Office Building*  
Topeka 66612-1568  
(913) 296-3566

Horace B. Edwards  
*Secretary of Transportation*

Mike Hayden  
*Governor of Kansas*

February 20, 1990

MEMORANDUM TO: HOUSE TRANSPORTATION COMMITTEE

RE: HOUSE BILL 2863

Mr. Chairman and members of the Committee. The Department of Transportation has recognized the need for rural business and farm or ranch directional signs, and several years ago implemented an informal, unofficial policy to accommodate the need for basic directional information in rural areas. We believe that the present approach being followed by KDOT is about as far as we can go without provoking the Federal Highway Administration, which monitors compliance with the Federal Highway Beautification Act. We have been advised by FHWA that enactment of HB 2863 would violate federal law and regulations. This violation could subject the State of Kansas to a penalty which is 10 percent of funds appropriated under 23 USC 104. We estimate that the penalty would be in excess of 13 million dollars. KDOT is, therefore, opposed to enactment of this legislation.

Att. 11

2-6-90

ACCIDENTS BY HOUR OF THE DAY  
FATAL ACCIDENTS

YEAR	1986-1988	1986-1988	1986-1988
AGE	UNDER 16	16	17
HOUR			
0000	1	4	2
0100	1	1	4
0200	1	0	1
0300	0	1	2
0400	1	0	0
0500	0	0	0
0600	1	0	0
0700	0	1	1
0800	0	1	0
0900	0	0	2
1000	1	0	2
1100	1	0	0
1200	1	2	1
1300	1	0	0
1400	1	0	1
1500	1	1	4
1600	2	2	4
1700	3	1	0
1800	1	1	1
1900	3	3	0
2000	2	0	4
2100	1	1	1
2200	1	2	0
2300	0	3	2

2-6-90

ACCIDENTS BY HOUR OF THE DAY  
ALL INCAPACITATING AND NON-INCAPACITATING  
INJURY ACCIDENTS

YEAR	1986-1988	1986-1988	1986-1988
AGE	UNDER 16	16	17
HOUR			
0000	17	70	90
0100	11	52	71
0200	8	27	43
0300	3	20	31
0400	3	9	25
0500	3	8	12
0600	11	11	20
0700	39	95	83
0800	32	48	52
0900	17	28	37
1000	27	27	38
1100	41	65	66
1200	53	65	64
1300	42	55	56
1400	58	76	85
1500	110	189	170
1600	111	156	159
1700	103	142	119
1800	65	103	82
1900	63	95	102
2000	44	97	90
2100	39	82	88
2200	28	97	120
2300	18	78	105

1988

AGE	NO INJURY	FATAL	INCAPACITATING INJURY	NON INCAPACITATING INJURY	POSSIBLE INJURY	TOTAL
====	=====	=====	=====	=====	=====	=====
15 & LESS	1378	10	81	225	145	1839
16	3359	7	131	423	327	4247
17	3795	8	168	450	392	4813
18	3608	10	176	483	400	4677
19	3166	15	159	413	325	4078
20	2643	14	137	361	295	3450

1987

AGE	NO INJURY	FATAL	INCAPACITATING INJURY	NON INCAPACITATING INJURY	POSSIBLE INJURY	TOTAL
====	=====	=====	=====	=====	=====	=====
15 & LESS	1380	8	81	217	146	1832
16	3550	9	142	408	343	4452
17	3769	12	134	468	363	4746
18	3679	13	157	494	375	4718
19	3122	15	158	374	315	3984
20	2809	13	127	375	287	3611

1986

AGE	NO INJURY	FATAL	INCAPACITATING INJURY	NON INCAPACITATING INJURY	POSSIBLE INJURY	TOTAL
====	=====	=====	=====	=====	=====	=====
15 & LESS	1425	6	87	234	158	1910
16	3357	8	124	443	331	4263
17	3460	12	131	420	330	4353
18	3172	17	146	453	363	4151
19	3031	8	122	416	307	3884
20	2766	5	134	386	309	3600

1986 through 1988

AGE	NO INJURY	FATAL	INCAPACITATING INJURY	NON INCAPACITATING INJURY	POSSIBLE INJURY	TOTAL
====	=====	=====	=====	=====	=====	=====
15 & LESS	4183	24	249	676	449	5581
16	10266	24	397	1274	1001	12962
17	11024	32	433	1338	1085	13912
18	10459	40	479	1430	1138	13546
19	9319	38	439	1203	947	11946
20	8218	32	398	1122	891	10661

KANSAS MOTOR VEHICLE  
ACCIDENTS PER MILES DRIVEN  
1986 THROUGH 1988

AGE	AVG. MILES PER YEAR PER DRIVER	NUMBER OF LICENSED DRIVERS	TOTAL MILES DRIVEN PER YEAR (MILLIONS)	AVERAGE ACCIDENTS PER YEAR	ACCIDENTS PER MILLION MILES	AVG. NUMBER OF FATAL AND INCAPACITATING INJURY ACCIDENTS PER YEAR	FATAL AND INCAPACITATING INJURY ACCIDENTS PER MILLION MILES
14	259	5533	1.43				
15	618	15842	9.79				
14 & 15			11.22	1860	165.73	91	8.11
16	1389	24897	34.58	4321	124.95	140	4.05
17	2948	30030	88.53	4637	52.38	155	1.75
18	5928	33137	196.44	4515	22.98	173	.88
19	7990	32542	260.01	3982	15.31	159	.61

SOURCES:

AVERAGE MILES DRIVEN PER YEAR FOR AGES 16 THROUGH 19:

Federal Highway Administration:  
Personal Travel in the US, Vol. 1, 1983-1984  
Nationwide Transportation Study  
Washington, D. C.

US Department of Transportation, 1986

AVERAGE MILES DRIVEN PER YEAR FOR AGES 14 and 15:

Calculated from data in source for 16 through 19 year old drivers using trend of percentage decrease per year of age decreasing from age 18.

NUMBER OF LICENSED DRIVERS:

1988 Drivers License Statistical Report  
Kansas Department of Revenue

NUMBER OF ACCIDENTS:

Kansas Department of Transportation Planning Bureau

PREPARED BY: Ed Klumpp, Kansans for Highway Safety, Feb. 1990

## NEIGHBORING STATES

NEBRASKA	MINIMUM DRIVING AGE 16.
IOWA	FULL LICENSE AT 18. 16 AND 17 ONLY DURING VERIFIED EMPLOYMENT.
MISSOURI	MINIMUM DRIVING AGE 16.
ARKANSAS	FULL LICENSE AT 16. 14 AND 15 ONLY WITH LICENSED ADULT.
OKLAHOMA	MINIMUM DRIVING AGE 16.
COLORADO	MINIMUM DRIVING AGE 16. STEP PROGRAM-RESTRICTED AT 16, PROVISIONAL AT 18, FULL AT 21.
WYOMING	MINIMUM DRIVING AGE 16.

## RESTRICTIONS IMPOSED FOR DRIVERS UNDER 18.

STATE	MINIMUM AGE OF FULL LICENSE	RESTRICTIONS
Arizona	18	<u>PARENTAL CONSENT REQUIRED UNDER 18.</u>
California	18	<u>HARDSHIP CASES ONLY</u> under 16. <u>Full license at 16 with drivers ed.</u>
Colorado	18	Restricted license at 16. Provisional license at 18. Drivers ed required under 18.
Connecticut	18	<u>ONLY WITH ADULT</u> if under 18.
Delaware	18	Drivers ed required under 18.
Iowa	18	<u>UNDER 18 ONLY FOR WORK</u> with verified employment. Drivers ed required under 18.
Louisiana	17	<u>5 AM to 11 PM sun-thu; 5 AM to Midnight Fri &amp; Sat.</u>
Massachusetts	18	<u>4 AM to 1 AM; other times with adult.</u>
Michigan	18	<u>EXTENUATING CIRCUMSTANCES ONLY</u> under 18. Drivers ed required under 18.
New Hampshire	18	
New Jersey	17	<u>DAYLIGHT ONLY.</u> Drivers ed required under 17.
New York	18	Unknown restrictions at age 16.
Pennsylvania	18	<u>5 AM TO MIDNIGHT; other times with parent, guardian, spouse.</u>
Rhode Island	18	Restricted at 16 with <u>parents approval.</u> Drivers ed required under 18.
Vermont	18	Restricted at 16 with <u>parents approval.</u> Drivers ed required under 18.
West Virginia	18	Full license at 16 if <u>attending school.</u>

*Gregory*

GILBERT ERNEST GREGORY  
REPRESENTATIVE, ELEVENTH DISTRICT  
BOURBON, CRAWFORD  
AND LINN COUNTIES  
STATE CAPITOL  
TOPEKA, KANSAS 66612  
(913) 296-7662



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
MEMBER: ECONOMIC DEVELOPMENT  
ELECTIONS  
TRANSPORTATION  
  
120 S. NATIONAL  
FORT SCOTT, KANSAS 66701  
(316) 223-5025

HOUSE COMMITTEE ON TRANSPORTATION

TESTIMONY

on

HOUSE BILL NO. 2941

February 20, 1990

by

REPRESENTATIVE GILBERT E. GREGORY

House Bill No. 2941 will provide for designation of certain highways running along the eastern corridor of Kansas from Fort Leavenworth south to the Oklahoma border as the Frontier Military Highway. The precise route of the Frontier Military Highway is described by the attachments hereto.

The historic significance of this particular stretch along the eastern corridor is that the route to be designated hereby is the modern analogue of the 1830's-1840's Military Road used extensively during the Civil War. Located along the route are numerous Kansas State Historical Society sites and Civil War sites which are listed on the attachments.

The primary objective behind House Bill No. 2941 is to take one of many small steps toward an overall objective of promoting tourism in Southeast Kansas for economic development. Further, the Frontier Military Highway offers a means to link numerous historically significant attractions for the cultural and educational benefits of future generations.

*G. Gregory*

Gilbert Ernest Gregory  
State Representative



# KANSAS

## FRONTIER MILITARY HIGHWAY

### ROUTE:

Beginning at the Main Gate of the Fort Leavenworth Military Reservation in Leavenworth, Kansas.

South on U.S. Highway 73 and Kansas Highway 7 to their junction with Kansas Highway 5.

Southeasterly on Kansas Highway 5 to its junction with Interstate Highway 435.

South, then East on Interstate Highway 435 to its junction with U.S. Highway 69.

South on U.S. Highway 69 to its junction with U.S. Highway 69 Alternate just North of Crestline, Kansas.

South on U.S. Highway 69 Alternate to the Kansas–Oklahoma border.

### MILITARY ROAD:

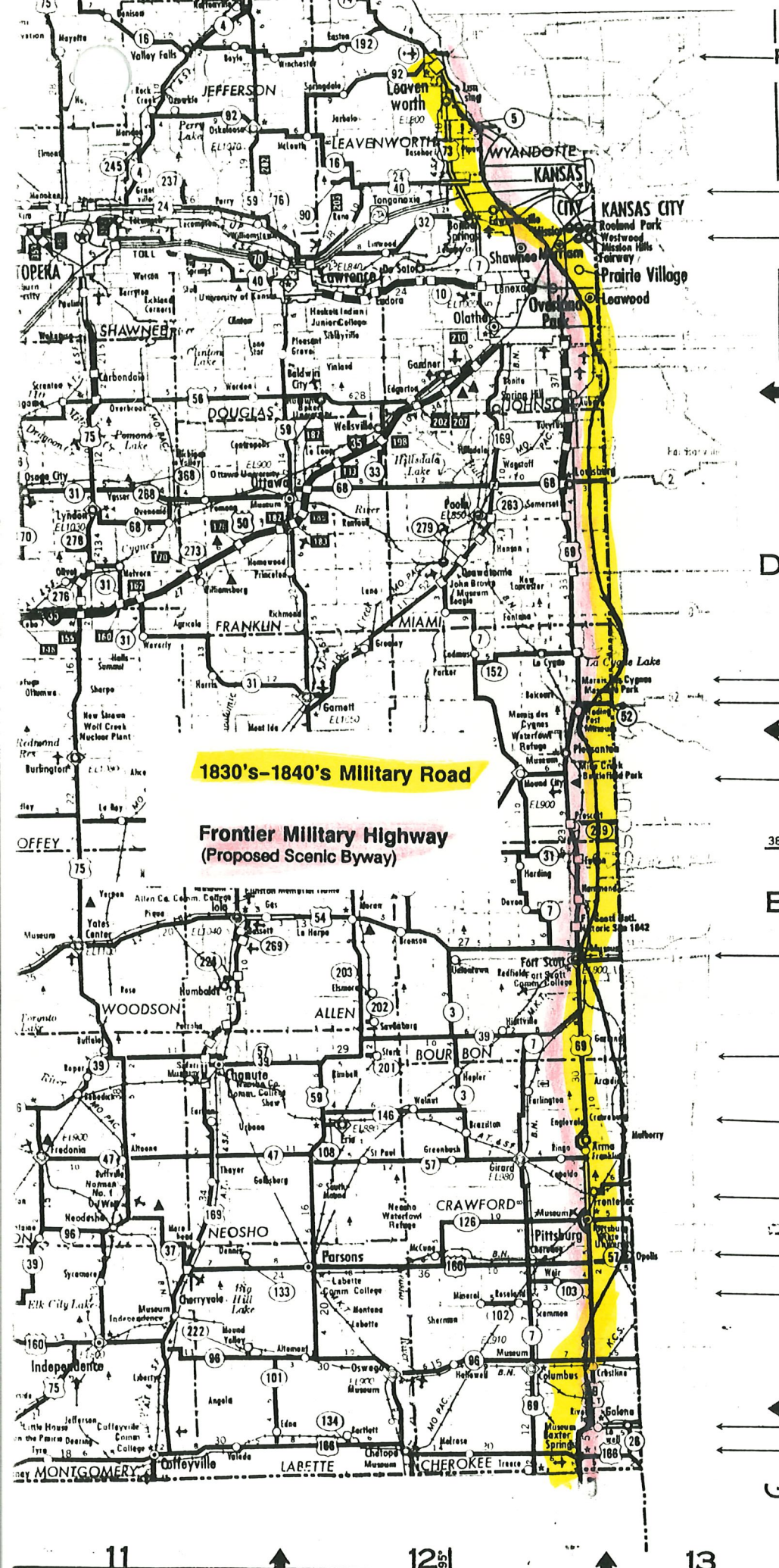
The Military Road was built in the 1830's and early 1840's along the "Permanent Indian Frontier". Historically significant in itself, the Military Road was a key route used by many important participants in early Kansas history. Historic sites along or near the route include Fort Leavenworth, Grinter's Ferry (KSHS\*), the Shawnee Methodist Mission (KSHS\*), the Marias Des Cygnes Massacre (KSHS\*), the Battle of Mine Creek (KSHS\*) \*\*, Fort Scott National Historic Site\*\*, Drywood Creek \*\*, the Osage Trail, Cow Creek \*\*, 19th. Century coal and lead mines, Big Brutus, the Spring River, and Baxter Springs (Civil War and historic cattle drives site).

### FRONTIER MILITARY HIGHWAY:

As the modern analogue of the 1830's–1840's Military Road, the Frontier Military Highway gives physical access to and a perceptual linkage between these important historic sites. It offers a means for telling the story of Kansas' border counties in a coherent fashion, thus improving the public's understanding of this historically rich area. The Frontier Military Highway would offer a means for Eastern Kansas communities to join together to attract more visitors to the region than might be attracted by otherwise isolated historic sites.

\* Kansas State Historical Society Site

\*\* Civil War Site



- ← Fort Leavenworth
- ← Grinter's Ferry
- ← Kansas State Historical Society Site
- ← Shawnee Methodist Mission
- ← Kansas State Historical Society Site
- ← Prairie Village
- ← Leawood
- ← Marias Des Cygnes Massacre (KSHS)
- ← Trading Post
- ← Battle of Mine Creek
- ← Kansas State Historical Society Site
- ← Civil War Site
- ← Fort Scott National Historic Site
- ← 1840's Military Post
- ← Bleeding Kansas and Civil War Site
- ← Drywood Creek Civil War Site
- ← The Osage Trail
- ← American Indian Site
- ← 19th. Century coal and lead mines
- ← Cow Creek Civil War Site
- ← Big Brutus
- ← One of three largest coal shovels in the world.
- ← Spring River
- ← Baxter Springs
- ← Civil War and cattle drive site

**1830's-1840's Military Road**

**Frontier Military Highway  
(Proposed Scenic Byway)**

Pollock

7 Statement of Bill Pollock of Fort Scott, Kansas before the Kansas House Transportation Committee, February 20, 1991

Thank you Mr. Chairman. I am Bill Pollock from Fort Scott. I am wearing the dress uniform of the United States Dragoons who built Fort Scott on the banks of the Marmaton River in 1842. Those same Dragoons also built a road, beginning in 1838. That road connected Fort Leavenworth to Fort Gibson in what is now Oklahoma. It was part of the Permanent Indian Frontier, running from Fort ~~Leavenworth~~ <sup>Snelling</sup> in what is now Minnesota, to Fort Jessup in Louisiana.

Many important events of Kansas history took place on or near that Military Road. The map I've passed ~~out~~ <sup>you have</sup> lists those historic sites. The route of the Military Road is highlighted in yellow. The proposed Scenic Byway is highlighted in pink. The proposed Frontier Military Highway is the modern analogue of the historic Military Road. It will help us tie those historic sites together in a larger package for tourists, which we hope will help us attract more tourists to Eastern Kansas.

Fort Scott's Historic Preservation Association, in association with the Fort Scott Area Chamber of Commerce, is preparing an audio-visual program for use in schools and elsewhere to tell the story of the Frontier Military Highway. The staff of the Fort Scott National Historic Site is providing technical advice for this project.

The Fort Scott Area Chamber of Commerce will spend about \$80,000 to promote tourism in our town this year. While we primarily want to promote Fort Scott we think we will help ourselves while helping other communities along this route if we can associate our efforts with this historic corridor. You can help us do that by approving House Bill Number 2941 designating the Frontier Military highway.

Thank you.

Att. 13

Powers

I am Ramon Powers, Executive Director of the Kansas State Historical Society. I appear before you in support of H.B. 2941 designating various highway routes along the eastern border of Kansas as the Frontier Military highway. Although these highways are not on the old Fort Leavenworth-Fort Scott road, they parallel that road sufficiently to justify the designation.

The original Fort Leavenworth-Fort Scott road was a military and supply road that served the posts that guarded the "permanent Indian frontier" which was a line from Minnesota to Texas and included the eastern border of Kansas. The posts served as the guard against white intrusion into Indian Territory and the military presence for controlling intertribal warfare. I would note that the "permanent Indian frontier" was a place designed to limit the "negative" influence of whites on Indians and where the tribes could undergo a gradual process of becoming christianized and civilized. The Mexican War, the opening of Oregon, the discovery of gold in California, and the drive for a transcontinental railroad route undermined the "permanent Indian frontier." In 1854, Kansas was made a territory without any land available for white settlement. Within two decades the territory had become a state and almost all Indian titles to land had been vacated.

Why designate these highways as a "Frontier Military highway"? We feel that heritage tourism, i.e. an emphasis upon history in promoting the state, is an important asset which the state should encourage. In addition, we should emphasize the importance of historical features in our state whenever possible to better ground our citizens in the history and culture that made the state.

Att. 14



Hemmens

February 20, 1990

Testimony concerning--

**House Bill 2941-Designation of U.S. 69 as a Scenic/Historic Byway  
FRONTIER MILITARY HIGHWAY**

Chairman Rex Crowell and Members of the Transportation Committee:

Thank you for the time to say a bit about support for the designation of route U.S. 69 as a Scenic and Historic Byway.

The region this highway serves is rich in history. Many of you are from this area or are neighbors of this north/south roadway. You have heard such as names Marais des Cygnes Massacre Park, Mine Creek Battle Field, Ft. Scott National Historic Site, Big Brutus at West Mineral and other museums devoted to the heritage of the region, as well as Baxter Springs --The First Cowtown which is also the site of a Civil War skirmish. These are just a few of the many attractions along this Indian and pioneer pathway still left intact.

This area along Route 69 is looking for and waiting for the support of tourism. The economic development potential is great. As a Historic Byway it would strengthen the already growing regional effort.

In the language of tourism this region must now fight the image of being known as a "pass-through" area. The tourists pass through it to get to the tourist regions in the states bordering Southeast Kansas (Oklahoma, Arkansas and Missouri). This highway designation would play an important role in further development and in calling national attention to the area just at the other historically designated highways have to their regions. For example: The Great River Road on the east bank of the Mississippi River.

Economic development for this region is a must! Tourism possibilities are in place and are an answer to economic development. Highways, tourism, and an appreciation of our heritage combined mean growth. People from these counties are working together. They need positive action from the legislature to show them they aren't alone in this endeavor.

Please, for the future of Kansas help develop the rich past of Kansas. Designate U.S. 69 a Scenic/Historic Byway--The Frontier Highway.

Thank you.

Evelyn J. Hemmens  
Pittsburg, Kansas

Memberships held:  
Board of Directors, Big Brutus, Inc., West Mineral  
Chamber of Commerce, Pittsburg  
and  
Southeast Kansas Tourism Region, Inc.

Att. 15