

HB_196_SponserAmendment_283622

Uploaded by: Deni Taveras

Position: FAV



HB0196/283622/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

19 FEB 24
14:56:15

BY: Delegate Taveras
(To be offered in the Environment and Transportation Committee
and the Ways and Means Committee)

AMENDMENTS TO HOUSE BILL 196

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “date;” in line 8; and strike beginning with “person” in line 8 down through “belt” in line 10 and substitute “civil action for damages based on a failure to ensure that an occupant of a school bus was wearing a seat belt”.

AMENDMENT NO. 2

On page 3, in lines 3 and 10, in each instance, strike the bracket; strike beginning with “**A**” in line 10 down through “**MOTION**” in line 12; in line 13, strike the first set of brackets; in the same line, strike “**(D)**”; in lines 15, 17, and 19, in each instance, strike the bracket; in lines 15, 17, and 19, strike “**(E)**”, “**(F)**”, and “**(G)**”, respectively; in line 29, strike “**(1)**”; and in the same line, strike “**2024**” and substitute “**2026**”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 2 on page 4, inclusive.

On page 4, in line 25, strike “**(1)**”; and strike in their entirety lines 28 through 30, inclusive.

On page 6, after line 9, insert:

“(4) THE FAILURE OF A SCHOOL BUS OPERATOR TO ENSURE THAT AN OCCUPANT OF A SCHOOL BUS WAS WEARING A SEAT BELT MAY NOT BE THE BASIS OF A CIVIL ACTION FOR DAMAGES AGAINST THE SCHOOL BUS OPERATOR OR A SCHOOL, SCHOOL DISTRICT, OR MUNICIPALITY.”

HB_196_SponserAmendment_563720

Uploaded by: Deni Taveras

Position: FAV



HB0196/563720/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

12 FEB 24
16:20:44

BY: Delegate Taveras
(To be offered in the Environment and Transportation Committee
and the Ways and Means Committee)

AMENDMENTS TO HOUSE BILL 196

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “date;” in line 8.

AMENDMENT NO. 2

On page 3, in line 29, strike “(1)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 2 on page 4, inclusive.

Juliana Aiko Nun~ez Testimony (1).pdf

Uploaded by: Juliana Nunez

Position: FAV

**Juliana Aiko Nuñez
6409 Rock Forest Dr
Bethesda, MD 20817**

February 21, 2025

Judicial Proceedings Committee
Chair Will Smith Jr.
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

SB724 Motor Vehicles - School Buses - Seat Belts

Hello Chairman Smith and committee members, I am here to ask for your favorable report on SB724 Motor Vehicles - School Buses - Seat Belts

My name is Juliana Aiko Nuñez. I'm in fourth grade at Sidwell Friends School in Montgomery County, where I also live. After my dad got his job as the chief of staff for Delegate Deni Taveras, I asked him if he could help make schools safer because of something scary that happened to me on a school bus.

One time, during a field trip, our bus made a really quick turn, and I almost fell off my seat onto the floor. It was very scary. Then, on another trip, the bus stopped so suddenly that I had to put my arms up to protect my face. It made me feel really scared and confused.

Also, my dad showed me a news story about a bus that flipped over. The driver was okay because he had a seat belt, but the kids got hurt because they didn't have any seat belts. That made me think it's not fair for us kids not to have seat belts when it can be so dangerous.

I know adding seat belts to buses might cost more money, but keeping us safe is really important. I want to be an artist and start my own business when I grow up. I'll pay taxes, but I need to be safe and healthy to do that. Please ask the policy analyst to consider my earning potential when updating the financial impact of this law.

In closing, I ask this committee for your favorable report on SB724.

2024-02-29 - MD- School Bus Safety - HB 196 Occupa

Uploaded by: Kristin Poland

Position: FAV



Testimony of
Kristin Poland
National Transportation Safety Board

Before the
House Environment and Transportation Committee
The Maryland General Assembly

— On —

House Bill 196, Motor Vehicles - School Buses - Seat Belts

Annapolis, MD • February 29, 2024



An Independent Federal Agency

Chair Korman, Vice Chair Boyce and members of the committee, the National Transportation Safety Board (NTSB) appreciates the opportunity to provide testimony regarding HB 196 – legislation that would require occupant restraining devices to be installed in every school bus purchased after October 1, 2024.

The NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in the other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

School bus travel is one of the safest forms of transportation in the United States. Children are safer traveling in school buses than in any other vehicle. School buses are designed with a passive form of occupant protection, termed “compartmentalization,” which only requires the passenger to sit properly in the seat facing forward and functions by forming a compartment around the bus occupant. Compartmentalization is designed to contain passengers within their seating compartments during frontal and rear impact collisions. A key aspect of this occupant protection system is that passengers remain within the compartment prior to and during an impact, so that they benefit from the energy-absorbing seat design. However, we have completed numerous investigations that identified occupant protection as a safety issue in school bus transportation, particularly in crashes that include side-impact collisions, rollovers in which compartmentalization is incomplete and provides insufficient protection for occupants, or in circumstances with pre-crash bus maneuvers that move occupants out of the protective seating compartment before the crash occurs. Therefore, we have recommended enhancements to school bus occupant protection systems to address these scenarios.

On October 27, 2020, a freightliner truck collided with a school bus in Decatur, Tennessee, killing the bus driver and a 7-year-old passenger and injuring multiple passengers. We found that several of the school bus passengers were not seated properly in their seats, which increased their risk of injury. Lap/shoulder belts would have further mitigated the forward inertial movement of the unbelted passengers on the school bus, keeping them within the protecting seating compartment and reducing their risk of injury especially for those passengers near the impact area.

On November 21, 2016, six students died, and more than 20 others were injured in Chattanooga, Tennessee, when a Hamilton County Department of Education (HCDE) school bus, operated by Durham School Services (Durham), struck a utility pole, rolled onto its right side, and collided with a tree. The bus was carrying 37 students and traveling 52 mph in a 25-mph zone at the time of the crash. The bus driver was transporting the students from the school to their drop-off locations when he answered a cell phone call. The cell phone call was still active when he lost

control of the bus and departed the roadway. We concluded that the Chattanooga school bus driver's speeding, combined with his cell phone use while driving, led to the crash. The Chattanooga school bus passengers were at risk due to the precrash vehicle motions that threw them from their seating compartments prior to the bus striking the utility pole. This rendered compartmentalization ineffective during the rollover sequence. Therefore, we recommended that each state, including Maryland, require that lap/shoulder belts be installed in all new large school buses to provide the best protection for all their occupants.

In February 2012, a school bus transporting students to Chesterfield Elementary School in, Chesterfield, New Jersey, was struck at an intersection by a roll-off truck, resulting in 1 bus passenger fatality, 5 serious injuries, and 11 minor injuries. The fatally and severely injured passengers were seated in the back half of the school bus, in the area of higher impact forces and accelerations. Some students on the school bus wore their lap belts improperly or not at all. As a result of our investigation, we concluded that, in severe side-impact crashes like the Chesterfield crash, properly worn lap/shoulder belts reduce injuries related to upper body flailing that are commonly seen with lap-only belts and, therefore, provide the best protection for school bus passengers. Further, better student, parent, and school district education and training may increase the use and proper fit of passenger seat belts in school buses. Thus, we recommended that school districts provide improved information to parents and students regarding the importance of properly using seat belts on school buses.

We also completed an investigation of a collision involving a school bus and a pickup truck in Helena, Montana where we concluded that the passenger lap/shoulder belts mitigated injuries in this side impact and rollover crash. In November of 2012, a 12-passenger school bus was struck by a Dodge Ram 1500 pickup truck after entering an intersection near Helena. The bus was occupied by the driver, an adult aide, and two student passengers. The pickup truck was occupied by the driver and one passenger. Following the collision, the school bus departed the intersection to the southeast, struck an electrical equipment box, and overturned 90 degrees onto its right side. The four lap/shoulder belted occupants of the bus were treated for minor injuries. We concluded that the passenger lap/shoulder belts helped keep the school bus occupants within their seating compartments during the side impact crash and that the passenger lap/shoulder belts limited occupant-to-occupant contact and associated injuries during the rollover event. None of the bus occupants suffered concussions or other injuries that impeded their ability to evacuate. Such injuries are not uncommon in vehicle rollovers. The absence of head or extremity injuries indicated that the lap/shoulder belts were effective in protecting the bus passengers.

Finally, our investigation of a 2014 single vehicle school bus crash in Anaheim, California demonstrated that the proper use of lap/shoulder belts on the school bus reduced passenger injuries. A 24-year-old male school bus driver was in the process of completing his afternoon route driving middle school-aged children home from school when he lost consciousness as a result of a medical condition. The unconscious driver lost control of the school bus on a downhill graded and leftward curving roadway in a 35-mile per hour zone. The school bus departed the roadway to the right at a video estimated speed of 43-miles per hour. The school bus then mounted the curb, where it struck and dislodged a concrete light post. The bus continued up the

embankment where the front of the bus struck and uprooted a tree. The bus also scraped along a large tree on the left side of the bus from the front axle backward to the rear axle. The bus came to rest at an angle on the embankment, leaning onto the large tree. The tree caused extensive intrusion into the school bus especially in the region near the left side emergency exit door. Importantly, two students seated in the area of maximum crush were wearing their seatbelts at the time of the crash. We found the severity of passenger injuries in the area of maximum intrusion was reduced by the proper use of the available lap/shoulder belts by the student passengers seated in this area.

Although compartmentalization makes school buses extremely safe, passengers without lap/shoulder belts remain vulnerable to either ejection or injury within the school bus (for example, from being thrown into an intrusion area). Therefore, to protect large school bus passengers, we recommend that Maryland amend its statute to require passenger lap/shoulder belts for all passenger seating positions in new large school buses in accordance with Federal Motor Vehicle Safety Standard 222.

Del. Taveras Testimony HB196.pdf

Uploaded by: Deni Taveras

Position: FWA

DENI TAVERAS
Legislative District 47B
Prince George's County

Health and Government
Operations Committee

Subcommittees

Government Operations
and Health Facilities

Insurance and Pharmaceuticals



The Maryland House of Delegates
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Annapolis, Maryland 21401
410-841-3101 · 301-858-3101
800-492-7122 Ext. 3101
Deni.Taveras@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

**Motor Vehicles - School Buses - Seat Belts HB196 Testimony of Maryland State Delegate
Deni Taveras**

Thank you, Chairman Korman, and committee members. It is an honor to be before this esteemed body once again. I am here to ask for your favorable report on HB196 - Seat Belts on School Buses.

This bill addresses the safety of children on school buses and proposes seat belts on buses to enhance student safety during school bus transportation. The bill mandates the installation of seat belts on future school buses. This legislation aims to strike a balance between improving safety through seat belts and acknowledging existing safety measures in school buses.

The importance of this bill is highlighted by the fact that only 8 states currently require seatbelts on buses. Furthermore, between 2011 and 2020, there were 1,009 fatal school-transportation-related crashes resulting in 1,125 fatalities, averaging 113 fatalities per year. This includes 113 school transportation vehicle occupants, with 53 drivers and 60 passengers among the deceased.

Recent studies, including one conducted in Alabama, have concluded that seatbelts can make school buses safer. This finding is further supported by states like California, Florida, and New York, which require new buses to be equipped with seatbelts. Moreover, the potential for improved student behavior on buses equipped with seatbelts cannot be overlooked. For instance, the Bartholomew Consolidated School Corporation of Columbus, Indiana, reported a significant decrease in disciplinary write-ups for misbehaving students in buses with seat belts.

While it is true that school buses are designed with safety in mind and employ 'compartmentalization' to protect passengers, the National Transportation Safety Board (NTSB) has pointed out that this protection is incomplete. It does not sufficiently safeguard passengers during side-impact crashes or rollovers. The tragic school bus crash in Chattanooga, Tennessee, where the absence of seatbelts was a contributing factor, underscores the urgency of this issue.

Additionally, a recent accident in Howard County, where a school bus carrying 19 students from Hammond Middle School overturned, resulted in several students being hospitalized. This

incident underestimates the potential safety risks associated with school bus travel, despite the overall safety record of bus transportation.

Moreover, this bill is about taking a proactive approach to ensure the safety of our children. It aligns with the evolving standards of school transportation safety and responds to the concerns of parents, educators, and the community at large. While Maryland's school buses are among the safest forms of transportation, the addition of seatbelts can provide an extra layer of protection, potentially saving lives and increasing peace of mind for all involved.

In closing, as such I ask this esteemed committee for your favorable report on HB196.

HB196 Amend #2.pdf

Uploaded by: Deni Taveras

Position: FWA



HB0196/513724/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

26 FEB 24
17:50:55

BY: Delegate Taveras

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 196

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “date;” in line 8; and strike beginning with “person” in line 8 down through “belt” in line 10 and substitute “civil action for damages based on a failure to ensure that an occupant of a school bus was wearing a seat belt”.

AMENDMENT NO. 2

On page 3, in lines 3 and 10, in each instance, strike the bracket; strike beginning with “**A**” in line 10 down through “**MOTION**” in line 12; in line 13, strike the first set of brackets; in the same line, strike “**(D)**”; in lines 15, 17, and 19, in each instance, strike the bracket; in lines 15, 17, and 19, strike “**(E)**”, “**(F)**”, and “**(G)**”, respectively; in line 29, strike “**(1)**”; and in the same line, strike “**OCTOBER 1, 2024**” and substitute “**JULY 1, 2027**”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 2 on page 4, inclusive.

On page 4, in line 25, strike “**(1)**”; and strike in their entirety lines 28 through 30, inclusive.

On page 6, after line 9, insert:

“(4) THE FAILURE OF A SCHOOL BUS OPERATOR TO ENSURE THAT AN OCCUPANT OF A SCHOOL BUS WAS WEARING A SEAT BELT MAY NOT BE THE

HB0196/513724/01
Amendments to HB 196
Page 2 of 2

Taveras

**BASIS OF A CIVIL ACTION FOR DAMAGES AGAINST THE SCHOOL BUS OPERATOR
OR A SCHOOL, SCHOOL DISTRICT, OR MUNICIPALITY.**"

HB196 Amend. #1.pdf

Uploaded by: Deni Taveras

Position: FWA



HB0196/773423/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

27 FEB 24
10:13:06

BY: Delegate Taveras
(To be offered in the Environment and Transportation Committee
and the Ways and Means Committee)

AMENDMENTS TO HOUSE BILL 196

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “with” insert “certain”; and in line 8, after “have” insert “certain”.

AMENDMENT NO. 2

On page 3, in line 29, strike “**OCTOBER**” and substitute “**JULY**”; in the same line, strike “**2024**” and substitute “**2027**”; in line 30, after “**WITH**” insert “**3-POINT**”; in line 32, strike “**OCTOBER**” and substitute “**JULY**”; in the same line, strike “**2024**” and substitute “**2027**”; and in line 33, after “**HAVE**” insert “**3-POINT**”.

On page 4, in line 1, strike “**OCTOBER**” and substitute “**JULY**”; in line 2, strike “**2026**” and substitute “**2027**”; and in line 6, after “of” insert “**SUBSECTIONS (A) AND (B) OF**”.

HB196 Amend. #3.pdf

Uploaded by: Deni Taveras

Position: FWA



HB0196/563720/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

12 FEB 24
16:20:44

BY: Delegate Taveras
(To be offered in the Environment and Transportation Committee
and the Ways and Means Committee)

AMENDMENTS TO HOUSE BILL 196

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “date;” in line 8.

AMENDMENT NO. 2

On page 3, in line 29, strike “(1)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 2 on page 4, inclusive.

MAPT Letter HB196 Hearing 2-29-24.pdf

Uploaded by: Jeffrey Thompson

Position: FWA



Re: HB 196 School Buses - Seat Belts

Chair Korman and members of the Environment and Transportation Committee,

The Maryland Association of Pupil Transportation (MAPT) is an organization that is composed of pupil transportation leaders from each Local Education Agency (LEA). MAPT is where you will find the most knowledgeable professionals involved in transporting Maryland public school students.

MAPT had concerns with the original iteration of HB196 Motor Vehicles - School Buses - Seat Belts. Those concerns regarded the retrofitting of older school buses, which is not feasible, and more importantly concerns that the bill in its original iteration placed an unrealistic expectation on school bus drivers. It is MAPT's understanding that the amendments made to HB196 have addressed these concerns. The amendments to HB196 remove the requirement for retrofitting of older school buses and include language to protect school bus drivers similar to laws established in other states who require seat belts on school buses. Based on these changes, MAPT now requests a favorable report with amendments for HB196.

Please feel free to contact me if you have any questions on the topic of seat belts on school buses or any school bus related item. You can reach me at (301) 475 4256 ext 34132 or by email at jkthompson@smcps.org.

Sincerely,

Jeffrey Thompson
President

ALLEGANY – ANNE ARUNDEL – BALTIMORE CITY – BALTIMORE COUNTY – CALVERT – CAROLINE – CARROLL – CECIL – CHARLES – DORCHESTER – FREDERICK – GARRETT – HARFORD – HOWARD – KENT – MONTGOMERY – PRINCE GEORGE'S – QUEEN ANNE'S – ST. MARY'S – SOMERSET – TALBOT – WASHINGTON – WICOMICO – WORCESTER

HB 196.School Bus Rules and Seatbelts Mandate.pdf

Uploaded by: John Woolums

Position: FWA

BILL: House Bill 196
TITLE: Motor Vehicles - School Buses - Seat Belts
DATE: February 29, 2024
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Environment and Transportation
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the state's local boards of education, supports House Bill 196 with amendments.

As introduced, this bill would impose significant and costly mandates on local school systems by requiring seatbelts on every school bus purchased after October 1, 2024 and the retrofitting of seatbelts on all other school buses by October 1, 2026. In addition, the bill would prohibit the operation of a school bus unless the driver and passengers are seated and restrained by a seat belt.

On behalf of local boards of education, MABE greatly appreciates the underlying principle of this legislation in support of the safe transport of students on school buses. MABE represents 24 local boards of education with a unified commitment to ensuring student safety in all school-related activities, and especially school bus safety. However, the magnitude of the unfunded mandates proposed in this legislation far outweighs the benefits to student safety through the operation of student transportation systems. Student transportation systems have been challenged by critical shortages of qualified bus drivers and the transition to electric school buses. House Bill 196 would compound the ability of local school systems to recruit and retain bus drivers and invest in electric school buses and the infrastructure needed to support them. In addition, the well-intended provisions to require assurances that all students are seated and using their seatbelts are simply not practicable and therefore not appropriate for a statutory mandate. Strict adherence to these standards would require an attendant on every bus, because bus drivers are prohibited from leaving their seats to inspect students and their behavior.

School bus safety involves a wide array of activities: bus driver training, providing safe bus stops, maximizing student safety through the use of security cameras on buses, enforcing traffic laws for reckless drivers who illegally pass buses, and the design and construction standards of the buses themselves. In these ways local school systems, bus contractors, and local law enforcement agencies work to ensure the safest possible transport of students to and from school.

According to the National Highway Traffic Safety Administration (NHTSA), school buses are approximately seven times safer than passenger cars or light trucks. Recognizing that seat belts are required in these other vehicles, NHTSA has answered the question as to why school buses are safer.

“There is no question that seat belts play an important role in keeping occupants safe in these vehicles, however school buses are different by design and use a different kind of safety restraint system that works extremely well.”

“Large school buses are heavier and distribute crash forces differently than do passenger cars and light trucks. Because of these differences, the crash forces experienced by occupants of buses are much less than that experienced by occupants of passenger cars, light trucks or

vans. NHTSA decided that the best way to provide crash protection to passengers of large school buses is through a concept called “compartmentalization.” This requires that the interior of large buses provide occupant protection such that children are protected without the need to buckle-up. Through compartmentalization, occupant crash protection is provided by a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing seat backs.”

<https://www.nhtsa.gov/road-safety/school-buses>

However, under federal and state requirements, smaller school buses, weighing 10,000 pounds or less, must be equipped with seat belts. According to NHTSA, “since the sizes and weights of small school buses are closer to those of passenger cars and trucks, seat belts in those vehicles are necessary to provide occupant protection.” In this way, federal requirements regarding seat belts are reasonably related to the size and relative safety of school buses. In addition, newly purchased electric school buses must be equipped with seatbelts. However, the scope of this mandate is limited by the scope and pace of the transition to electric school buses.

Again, MABE’s opposition to House Bill 196 as introduced is grounded in a strong commitment to student safety and the belief that current school bus design and safety requirements already achieve a very high standard of protection against serious injuries to students being transported to and from school. MABE greatly appreciates the bill sponsor’s cooperation on amendments.

For these reasons, MABE requests a favorable report on House Bill 196 with the sponsor’s amendments.

HB 196 - Motor Vehicles - School Buses - Seat Belt

Uploaded by: Mary Pat Fannon

Position: FWA



Mary Pat Fannon, Executive Director

1217 S. Potomac Street

Baltimore, MD 21224

410-935-7281

marypat.fannon@pssam.org

BILL: HB 196
TITLE: Motor Vehicles - School Buses - Seat Belts
DATE: February 29, 2024
POSITION: Favorable with Amendments
COMMITTEE: House Environment and Transportation Committee
CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **supports HB 196 with amendments.**

This bill requires every school bus purchased on or after October 1, 2024, and registered in the State to be equipped with seat belts that are accessible to passengers for every seat on the school bus. Likewise, every school bus in operation before October 1, 2024, must have seat belts that are accessible to passengers installed for every seat on the school bus by October 1, 2026. Local school systems must provide student instruction on school bus safety and the proper use of seat belts on school buses, as part of an existing program of safety education. A person may not operate a school bus that is equipped with seat belts unless the person and each occupant are restrained by a seat belt. A person convicted of a violation of this requirement is subject to a fine of up to \$50. As under current law, "seat belt" is defined as any belt, strap, harness, or like device. Persons responsible for pupils on a school bus may not allow any pupil to stand while the school bus is in motion.

PSSAM appreciates the intent of House Bill 196 and the sponsors' concern for the safety and well-being of students on school buses. The safe transportation of our students is a top priority for all local superintendents. PSSAM is pleased to support this bill with amendments to be presented by the sponsor that do the following:

1. Remove the requirement for retrofitting buses.
2. Remove liability from bus drivers for students who unbuckle.
3. Generally address concerns about pupils standing while the bus is in motion.
4. Make the bill prospective for purchases of new school buses starting in fiscal year 2027.
5. Clarification on the type of seat belt.

While we still believe that school buses are almost 40 times safer than any other form of ground transportation in preventing serious injury or death**, we understand that the installation of seat belts on buses is a matter of when, not if; and, we appreciate the sponsor's willingness to work with school systems to mitigate the financial and operational impact of changing our bus fleet.

We particularly want to thank the sponsor for taking our concerns seriously regarding student behavior on school buses. Although we implement numerous strategies and procedures to lessen the chance of inappropriate action on the part of students, this can be a difficult task in addition to ensuring each student is buckled and sitting in their seat for the entire ride.

Therefore, PSSAM **supports** House Bill 196 with amendments crafted by the sponsor and urges a favorable **with amendments** committee report.

**School bus safety requirements are rigid and go well beyond those required for all other passenger vehicles. School buses are constructed with high back padded seats, compartmentalized seating, reinforced chassis, and front and rear bumpers. Compartmentalization provides a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing seat backs. Local school systems adhere strictly to these guidelines. School buses have done an exceptional job of protecting students from serious injury or death in severe head-on and rear-end collisions.

2024 HB196 Seat Belts w Amendments - Taveras.pdf

Uploaded by: Steve Nelson

Position: FWA



February 27, 2024

The Honorable Marc Korman and Members
Environment and Transportation Committee
House Office Building
Annapolis, MD 21401

Re: SUPPORT WITH AMENDMENTS – HB 196 - Motor Vehicles - School Buses - Seat Belts

Dear Chair Smith and Members of the Committee:

In its current form, the Maryland School Bus Contractors Association (MSBCA) is concerned about *HB 196 – Motor Vehicles - School Buses - Seats Belts* which would prohibit certain persons from allowing pupils to stand in a school bus while the school bus is in motion; requiring that school buses purchased after October 1, 2024, be equipped with seat belts that are accessible to passengers; requiring school buses in operation on October 1, 2024, to have seat belts installed that are accessible to passengers for every seat on the bus on or before October 1, 2026; prohibiting a person from operating a school bus unless the person and each occupant are restrained by a seat belt; etc. **However, with the Amendments offered by Delegate Taveras, MSBCA can support this bill with the corresponding amendments listed below.**

MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State.

First and foremost, MSBCA remains committed to the safety of the students they transport and considers it a privilege to do so. The Association also remains committed to the position that the **yellow school bus is by far the safest mode of transporting children to and from school, with or without seat belts**. School buses have been demonstrated as the safest mode of transportation for many years, thanks to the manufacturers' dedication to passenger safety and responsible school bus contractors and drivers.

There are over 480,000 public school buses operating in the United States, transporting approximately 26 million students about 5.7 billion miles annually. Students are nearly eight times safer riding in a school bus than with their own parents and or guardians in cars. The fatality rate for school buses is only 0.2 fatalities per 100 million vehicle miles traveled compared to 1.5 fatalities per 100 million VMT for cars, per the NHTSA. From 2012 to 2021, about 70% of the deaths in school bus-related crashes were occupants of vehicles other than the school bus, and 16% were pedestrians. About 5% were school bus passengers, 5% were school bus drivers, and 3% were cyclists. This is thanks to the school bus's fortified exterior as well as the use of compartmentalization, which provides passive protection for unbelted passengers. Passengers remain in compartments between the high backed, padded bus seats and, in the event of an accident, the seat backs absorb passenger crash energy.

MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State.

With or without seat belts, the school bus is without a doubt the absolute safest means by which a student can travel to school.

While MSBCA cannot and does not unequivocally oppose the requirement of seat belts on newly manufactured buses, we have several significant concerns with the indirect and unintended consequences of seat belts on school buses.

Requiring seat belt installation and usage on Maryland school buses creates a number of challenges for school systems and contractors, whose primary function is safely transporting children to and from school.

Eight states (NCSL) currently require some form of seat belts on school buses; however, most of those do not mandate the use of the belt and at least half of them explicitly exempt owners and operators and their agents from liability in the case of personal injury to a passenger not wearing a seat belt. This is imperative as the potential for lawsuits is enormous and are being filed even in those states that simply require that buses be equipped with seat belts and do not mandate their use. It will be virtually impossible to find a driver willing to drive a school bus unless the issue of liability is adequately addressed.

Another obstacle for bus contractors and drivers is enforcement. Drivers have an already difficult job in safely transporting children to and from schools on crowded roadways during peak travel periods. It would be an almost impossible task to have drivers to police students' utilization of seat belts as they are focused on the road and the process of driving.

Retrofitting school buses in many cases void the manufacturer's coverage of the existing bus. These vehicles are engineered with safety in mind from the start and changes to seats and other components of a bus may compromise the integrity of design. Furthermore, if a retrofit were required, costs to schools' systems would be cost prohibitive as estimates would approach \$25,000-\$30,000 per bus. So, to retrofit just the contracted buses currently in operation, (approximately 3500) it would cost the state's school systems more than \$120 Million.

By mandating that school buses be equipped with seat belts for all passengers, SB 724 is likely to create displacement by reducing the number of pupils able to ride each bus. Such displacement would greatly decrease the safety of those affected students since school buses are without question the absolute safest way to transport children to and from school. In fact, the National Student Transportation Association (NSTA) estimates that the increased risk from students finding alternative, less safe means of getting to and from school could result in an increase of school fatalities annually.

MSBCA is also extremely concerned about the potential for entrapment in the case of a bus fire. There have been at least two instances in recent years in which school buses have caught fire and the student passengers have had just 1 or 2 minutes to evacuate. While thankfully these instances resulted in no fatalities, we are concerned this would not have been the case if those students had been wearing seatbelts and were forced to unhook them in the total blackness and panic of a smoke-filled bus.

We also anticipate that seat belts on school buses would lead to far more lengthy stops for buses and it would lead to problems with existing routes and bell times as well as people passing buses that are idling longer.

Additional concerns include a lack of equivalent protection for school children being transported to and from school on MTA buses in Baltimore City; potential problems with parents when both school buses with seat belts

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MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland's 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State.

and those without are operating at the same time; and questions regarding the life cycle of the belts and whether a given school bus must temporarily be taken out of operation in the event of a broken or damaged belt.

For these reasons, MSBCA respectfully asks the committee to move favorable on HB 196 with the following Amendments:

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “date;” in line 8; and strike beginning with “person” in line 8 down through “belt” in line 10 and substitute “civil action for damages based on a failure to ensure that an occupant of a school bus was wearing a seat belt”.

AMENDMENT NO. 2

On page 3, in lines 3 and 10, in each instance, strike the bracket; strike beginning with “A” in line 10 down through “MOTION” in line 12; in line 13, strike the first set of brackets; in the same line, strike “(D)”; in lines 15, 17, and 19, in each instance, strike the bracket; in lines 15, 17, and 19, strike “(E)”, “(F)”, and “(G)”, respectively; in line 29, strike “(1)”; and in the same line, strike “2024” and substitute “2026”.

On pages 3 and 4, strike in their entirety the lines beginning with line 32 on page 3 through line 2 on page 4, inclusive.

On page 4, in line 25, strike “(1)”; and strike in their entirety lines 28 through 30, inclusive.

On page 6, after line 9, insert:

“(4) THE FAILURE OF A SCHOOL BUS OPERATOR TO ENSURE THAT AN OCCUPANT OF A SCHOOL BUS WAS WEARING A SEAT BELT MAY NOT BE THE BASIS OF A CIVIL ACTION FOR DAMAGES AGAINST THE SCHOOL BUS OPERATOR OR A SCHOOL, SCHOOL DISTRICT, OR MUNICIPALITY.”

Again, MSBCA looks forward to working with the legislators to make Maryland the safest state in the country for our children.

Sincerely,

Steve Nelson

Steve Nelson
President
Maryland School Bus Contractors Association
1 State Circle
Annapolis, MD 21401
410.268.3099

MSBCA serves as the voice of the private school bus companies that contract with local Maryland school systems in 18 of Maryland’s 24 jurisdictions to own and operate the nearly 3500 contracted school buses that transport schoolchildren across the State.

HB0196-ET_MACo_OPP.pdf

Uploaded by: Brianna January

Position: UNF



House Bill 196

Motor Vehicles – School Buses – Seat Belts

MACo Position: **OPPOSE**

To: Environment and Transportation and
Ways and Means Committees

Date: February 29, 2024

From: Brianna January

The Maryland Association of Counties (MACo) **OPPOSES** HB 196. HB 196 requires every school bus purchased after October 1, 2024, to have seat belts, and every school bus purchased prior to that date to be retrofitted with seat belts by October 1, 2026. **While counties appreciate the safety concerns raised by the bill, complying with its requirements would pose a significant financial and labor challenge for county governments.**

School systems own and operate thousands of school buses and contract with thousands more to transport Maryland's students. On average, outfitting school buses with seat belts costs more than \$10,000 per bus. With no state support offered in the bill, county governments would be on the hook for hundreds of thousands, if not millions, of dollars of procurement and labor to install seat belts. Also concerning is the very quick timeline proposed in the bill, essentially allowing counties only one budget cycle to prepare for and fund this costly, unfunded mandate.

Counties also have concerns about the challenges HB 196 poses to the already strained school bus workforce. The bill prohibits any students from standing on the bus and prohibits buses from moving while students are standing. To enforce this to the wording of the bill, school buses could conceivably require additional in-vehicle staff at a time when school systems across the country are struggling to hire and retain school bus drivers, even at premium contracted rates.

Maryland's counties are facing an unprecedented wave of fiscal effects. Revenues are softening – and are even in decline – as federal support recedes from the national economy and high-interest rates slow real estate sales. Costs of workforce, construction, and legal liability are all mounting dramatically. Additionally, the Blueprint for Maryland's Future poses costs for education that, for each county, will absorb or exceed their projected new revenues from current sources.

Furthermore, county options for generating meaningful revenues are limited, with most counties already at the state's income tax rate cap, leaving the regressive property tax as the principal remaining alternative. Placing new operational or fiscal burdens on county governments in this precarious setting is untenable and unrealistic.

For these reasons, MACo **OPPOSES** HB 196 and urges an **UNFAVORABLE** report.

HB0196-ET_MACo_OPP.pdf

Uploaded by: Brianna January

Position: UNF



House Bill 196

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For these reasons, MACo **OPPOSES** HB 196 and urges an **UNFAVORABLE** report.

HB 196 -Motor Vehicles School Buses Seat Belts OPP

Uploaded by: Cyndy Watts

Position: UNF



House Bill 196

Motor Vehicles-School Buses-Seat Belts

Position: UNF

Date: **February 27, 2024**

To: **Environment and
Transportation,
Ways and Means**

The Caroline County Commissioners **OPPOSE** HB 196. This bill would require the installation of seat belts on all county school buses. While the Commissioners understand the importance of ensuring the safety of students during transportation, the provisions outlined in this bill present several concerns that warrant careful consideration.

The mandate for seat belts on school buses imposes a significant financial burden on school districts already grappling with budgetary constraints. The costs associated with retrofitting buses with seat belts, as well as ongoing maintenance and inspection requirements, could divert essential funds away from other educational priorities. The effectiveness of seat belts in improving safety on school buses is a matter of ongoing debate among transportation experts. Studies have shown that the compartmentalization design of school bus seats provides a high level of protection in the event of a crash, and the addition of seat belts may not necessarily result in a significant reduction in injuries or fatalities.

Lastly, the implementation of seat belts on school buses raises logistical challenges, particularly concerning younger students who may require assistance with buckling and unbuckling their seat belts. This could potentially create delays in boarding and disembarking buses, leading to disruptions in the daily transportation schedule.

The Commissioners urge a reconsideration regarding provisions of HB 196 and explore alternative measures to enhance school bus safety that are both effective and cost-efficient. Collaborative efforts between lawmakers, transportation officials, and other stakeholders are essential to ensuring the well-being of our students without unduly burdening school districts and taxpayers.

For these reasons, the Commissioners urge an unfavorable report on HB 196.

Sincerely,

J. Travis Breeding, President

HB0196 Howard Co BOE Testimony 022924 for E&T W&M

Uploaded by: Staff Howard County

Position: UNF



**Board of Education of Howard County
Testimony Submitted to the Maryland House of Delegates,
Environment and Transportation Committee
Ways and Means Committee
February 29, 2024**

**Board of Education
of Howard County**

Jennifer Swickard Mallo, *Chair*

Yun Lu, Ph.D., *Vice Chair*

Linfeng Chen, Ph.D.

Jacky McCoy

Jolene Mosley

Robyn C. Scates, Esq.

Antonia Watts

Lamia Ayaz
Student Member

William J. Barnes
*Acting Superintendent,
Secretary/Treasurer*

**HB0196: UNFAVORABLE
Motor Vehicles - School Buses - Seat Belts**

The Board of Education of Howard County (the Board) opposes **HB0196 Motor Vehicles - School Buses - Seat Belts** as an unfunded mandate on local school systems.

HB0196 initially requires schools to include instruction on school bus safety and the proper use of seat belts on school buses within a program of safety education. After removing provisions related to allowable instances of students standing on buses, HB0196 also prohibits the person responsible for students on a bus from allowing those students to stand on a bus while in motion.

Addressing use of seat belts on school buses, HB0196 requires all buses purchased after October 1, 2024, to be equipped with seat belts for every seat on a bus. For those buses in operations before October 1, 2024, seat belts must be installed on every seat on a bus by October 1, 2026. The bill further prohibits a person from operating a school bus equipped with seat belts unless each occupant is restrained by a seat belt.

Seat belts are currently used on special education transportation buses in Howard County. Moreover, school bus safety education is addressed both through the Howard County Public School System (HCPSS) curriculum and the HCPSS Transportation Office. Specifically, a kindergarten health education curricular objective includes instruction that takes place during the Safety and Violence Prevention unit and includes identifying ways to stay safe when riding in a vehicle or bus. School bus drivers in Howard County also discuss bus safety with riders in conjunction with two bus evacuation drills conducted systemwide by the Transportation Office each school year. While the use of seat belts on regular school buses has been debated under prior introductions of similar bills, and staff supports the potential to improve safety for all students, two specific areas of concern with HB0196 are costs and logistics.

The Maryland Association of Pupil Transportation has indicated there would not be enough supplies available by October 2026 to outfit all Maryland school buses with new seat belts along with replacement seats to accommodate the belts. They have estimated for school transportation personnel that the cost to retrofit a 12 row school bus would be approximately \$23,000. Additional costs of \$15,000 per bus would be added for the manufacture of new buses, which for Howard County would be factored into future transportation services bids with costs spread over the term of the contract. As a legislative platform, the Board opposes unfunded mandates such as HB0196.

Board of Education of Howard County
Testimony Submitted to the Environment and Transportation Committee & the Ways and Means
Committee
February 29, 2023

From a logistical perspective, staff have a concern for requirements under HB0196 that prohibit a driver from operating a school bus unless all occupants are restrained. While drivers are currently instructed to inform students they need to be seated, and should buses include seat belts the same expectation for use would apply, but the specific language barring operation of the bus if a student refuses to comply could cause extensive delays in bus routes.

For these reasons, we urge an UNFAVORABLE report of HB0196 from this Committee.

HB 196_MSDE_INFO

Uploaded by: Akilah Alleyne

Position: INFO

BILL: House Bill 196 **DATE:** February 27, 2024

SUBJECT: Motor Vehicles - School Buses - Seat Belts **COMMITTEE:** House Environment and Transportation Committee

POSITION: Information Only

CONTACT: Akilah Alleyne, Ph.D.
410-767-0504
akilah.alleyne@maryland.gov

EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding House Bill (HB) 196 – Motor Vehicles - School Buses - Seat Belts, which would require Local Education Agencies (LEAs) to exclusively purchase school buses with “seat belts” installed on all seats beginning October 1, 2024, and to retrofit all school buses currently in use to have “seat belts” retrofitted beginning October 1, 2026. The bill would also prohibit students from standing while a bus is in motion and prohibit a school bus from being operated if any student is not secured in their seat. HB 196 mandates that an education component on the proper use of seat belts be included in the public school safety education program.

In exploring the issue of seatbelts and students’ safety, industry experts and federal agencies have reviewed accident data and studies on the safety of students on school buses. According to the National Highway Safety Transportation Administration (NHTSA):

“Students are about 70 times more likely to get to school safely when taking a bus instead of traveling by car. That’s because school buses are the most regulated vehicles on the road; they’re designed to be safer than passenger vehicles in preventing crashes and injuries; and in every State, stop-arm laws protect children from other motorists.”

Seat belts have been required on passenger cars since 1968, and 49 States and the District of Columbia have enacted laws requiring the use of seat belts in passenger cars and light trucks. There is no question that seat belts play an important role in keeping passengers safe in these vehicles. However, school buses are different by design and include a more advanced and highly effective safety restraint system. Large school buses are heavier and distribute crash forces differently than passenger cars and light trucks. Due to these differences, bus passengers experience significantly less crash force than those in passenger cars, light trucks, and vans.

The NHTSA decided the best way to provide crash protection to passengers on large school buses is through a concept called “compartmentalization.” This requires that the interior of large school buses protect children without the need for seat belts. “Through compartmentalization, children are protected from crashes by strong, closely spaced seats that have energy-absorbing seat backs. Whereas small school buses (with a gross vehicle weight rating of 10,000 pounds or less) must be equipped with lap and/or lap/shoulder belts at all designated seating positions. Since the sizes and weights of small school buses are closer to those of passenger cars and trucks, seat belts in these types of vehicles are necessary to provide occupant protection.

Some states have passed legislation requiring school buses to have seatbelts and have clearly defined the term “Seat Belt,” as recommended by the National Transportation Safety Board (NTSB), which states, “Any state law requiring “Seat Belts” for school buses, the term “Seat Belt” must be clearly defined as a “... (3-point) passenger lap/shoulder belts for all passenger seating positions in accordance with 49 CFR §571.222, Federal Motor Vehicle Safety Standard No. 222; School bus passenger seating and crash protection” Three-point seat belts are similar to seat belts in standard vehicles, with the belt going over the shoulder and across the body, in addition to across the lap.

Currently, MSDE is not involved in the purchase or acquisition of school buses across the state. Under Maryland Education Law 7-804, A school bus can operated for 12 years, unless the county is Allegany, Anne Arundel, Calvert, Caroline, Cecil, Charles, Dorchester, Garrett, Kent, Queen Anne’s, St. Mary’s, Somerset, Talbot, Wicomico, or Worcester which can operate for 15 years. As LEAs can purchase or contract with more or less school vehicles every year, it is difficult to predict the number of school buses that will be in use the following year let alone purchased and delivered in the same time period.

Additionally, certain states that have laws that require seat belts on school buses (New York, New Jersey, Florida, Louisiana, Arkansas, Texas, Nevada, and California), and that students must wear the belts. In these cases, immunity is typically provided to bus drivers from any liability if students are not belted. This removal of liability allows school systems to continue to provide transportation of students regardless of whether a student is standing or unbelted.

Following a strict “no operation of a school bus if a student is not in a seat belt” while the bus is in motion rule would greatly hinder the transportation of students getting to or from school if one student does not follow the requirement to be secured in their seat.

In implementing this legislation, LEAs would be required to only transport students belted while the bus is in motion. This bill would dramatically increase the number of students not being transported at the start of the school year; a time when students are added to existing routes and loads are being adjusted. HB 196 would likely increase the number of school buses and drivers needed to deal with the reduced flexible capacity for school buses and impact the current and ongoing shortage of drivers in many LEAs.

We provide this information and respectfully request that you consider this information when you deliberate on **HB 196**. For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or Akilah.alleyne@maryland.gov.