

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.