

COMMONWEALTH OF PENNSYLVANIA

HOUSE OF REPRESENTATIVES

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 TRANSPORTATION COMMITTEE :
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 PUBLIC HEARING :
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 Re: SAFETY BELTS ON SCHOOL :
 BUSES :
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(PAGES 1 THROUGH 124)

State Office Building
 Rooms 1608-09
 Liberty Avenue
 Pittsburgh, Pennsylvania

Met pursuant to notice at 9:30 a.m. on October 18, 1985.

BEFORE:

- REPRESENTATIVE THOMAS MURPHY, CHAIRMAN
- MR. SCOTT CASPER - MAJORITY STAFF PERSON
- MR. PAUL LANDIS - MINORITY STAFF PERSON
- REPRESENTATIVE V. LESCOVITZ
- REPRESENTATIVE J. STEIGHNER
- REPRESENTATIVE R. NAHILL
- REPRESENTATIVE N. COLAFELLA
- REPRESENTATIVE R. GAMBLE
- REPRESENTATIVE M. VEON

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P R O C E E D I N G S

9:45 a.m.

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3 CHAIRMAN MURPHY: My name is Tom Murphy. I'm the
4 State Legislator from Allegheny County. With me today is
5 Scott Casper, the Majority Staff person of the Transportation
6 Committee, and Paul Landis, the Minority Staff person for the
7 Transportation Committee.

8 A number of other Legislators will be joining us today,
9 but I'd like to get started now.

10 This issue is one that has been discussed before the
11 House of Representatives. There is a resolution that was
12 passed for us to look into the issue. I think most of us
13 are sincerely interested and are confused by it. We're not
14 sure whether because of conflicting information we received,
15 are sure whether seat belts in school buses is going to be
16 beneficial, or in the long run might be more unsafe than
17 safe, so we're anxious to get testimony from varying--various
18 groups today so we can begin to learn what the issues are
19 and, in fact, what the facts are around this issue.

20 The first person to testify today is James Pschirer.
21 Am I pronouncing it wrong? He is the safety director of the
22 J. W. Schmidt Company. Did I pronounce your name correctly?

23 MR. PSCHIRER: Pschirer.

24 CHAIRMAN MURPHY: Okay. I wasn't sure --

25 MR. PSCHIRER: Mr. Chairman and Members of the

1 Subcommittee, I'd like to thank you for the opportunity to
2 appear before the Subcommittee today, to present the views of
3 the Pennsylvania School Bus Association on the issue of
4 safety belts on school buses.

5 My name is Jim Pschirer and I am the safety director
6 for the J. W. Schmidt School Bus Lines, Incorporated, a
7 company in Pittsburgh -- in the North Hills of Pittsburgh,
8 Pennsylvania.

9 The Schmidt Company has been in the school bus
10 contracting business for over twenty years - twenty-eight to
11 be exact - beginning with eight school buses in 1957. J. W.
12 Schmidt today has grown to a fleet of two hundred and fifty
13 school buses.

14 The "PSBA" was founded in the early 1950's to promote
15 and foster the highest degree of safety in the transportation
16 of children. The Association represents approximately fifty
17 percent (50%) of the Commonwealth's 'yellow school bus fleet'
18 with members from all areas of the state.

19 Private school bus contractors, many of them from
20 second and third generation firms, represent seventy-five
21 percent (75%) of the Commonwealth's pupil transportation.

22 The PSBA's prime concern is the safety of the children
23 its members transport daily. In fact, the Association was
24 founded and continues because we are able to get students to
25 and from school in the safest possible manner.

1 Traveling in today's well-equipped 'shiny, yellow bus'
2 is seven times safer than taking the same trip in the
3 automobile.

4 PSBA's major objection to the issue of seat belts in
5 school buses is that it is far from clear whether safety
6 belts would, in fact, make school buses safer. The National
7 School Transportation Association, of which the PSBA is
8 affiliated with, has repeatedly urged the National Highway
9 Traffic Safety Administration to conduct a new study, both to
10 determine whether seat belts would improve the safety of
11 school bus occupants and to determine how the belts will be
12 anchored and what, if any, interior design changes would have
13 to be made.

14 They have also asked the Federal House and Senate
15 Transportation Appropriation Subcommittees to adopt, in this
16 year's appropriation's process, report language directing
17 "NHTSA" to conduct such a study.

18 In no way does PSBA's opposition to mandate seat belts
19 stem from considerations of cost which range from
20 approximately \$1500 to \$2000 per large school bus, according
21 to the various manufacturers.

22 Over the past sixty years, owners of school bus fleets
23 in Pennsylvania, and the Nation, have seen laws and
24 regulations change every year. Every company, naturally, has
25 to comply. Most firms did not pay for one of these changes.

1 Every cent put into every one of the thousands of buses
2 purchased was incorporated into bids for service and was paid
3 for by those using the service and ultimately by the taxpayers
4 of the individual school districts.

5 Some have suggested that the school bus contracting
6 industry opposes seat belts because of a profit motive. This
7 simply does not make sense.

8 The school transportation industry has never shouldered
9 the cost of new safety devices. The purchasers of school
10 transportation services have, however.

11 Our Association is not so much opposed to the use of
12 seat belts in school buses if they were proven safe as it is
13 supportive of the concept of "compartmentalization." We came
14 to this position after years of tests, experiments, and
15 studies, resulting in the NHTSA concluding that
16 compartmentalization provides an adequate level of safety
17 protection.

18 In contrast, there are no standards established for
19 seat belts on large school buses. PSBA believes that com-
20 partmentalization, containing children in a structurally
21 reinforced passenger compartment of fully padded, high-
22 backed seats and crash barriers, is preferable to any form of
23 containment that relies upon the use of safety belts or other
24 similar restraining devices.

25 Furthermore, we believe that the studies and excellent

1 safety record of school buses support compartmentalization.

2 The real safety problems in school transportation, and
3 those that need to be thoroughly addressed by the industry,
4 schools, parents, and the public, are the fatalities and
5 injuries that occur where children get on and off the buses
6 in the loading zones.

7 Those of us who work with children and school buses
8 every day feel that every new item that is added or changed
9 on school buses should be well tested and engineered prior to
10 being mandated as a regulation.

11 This is why the PSBA will continue to support the
12 compartmentalization concept until documented research
13 establishes that seat belts on school buses will raise the
14 level of protection for the occupants.

15 PSBA's concerned that many interested and well-meaning
16 individuals are not informed of the safety record of school
17 buses, the safety features incorporated into school bus
18 construction and why seat belts are not mandated on school
19 buses.

20 For years, safety officials have been telling the
21 American public that seat belts save lives. They do, in
22 automobiles.

23 There is a segment of our population, well-intentioned,
24 concerned people, who are calling for seat belts to be placed
25 on all school buses in the country.

1 At first glance, this seems like a good idea, but upon
2 closer examination, it turns out to be simply not the case at
3 all. The fact to keep in mind is there are major differences
4 between automobiles and school buses and these differences
5 call for different safety solutions.

6 There are basic differences between automobiles and
7 school buses besides that of size. In a school bus, great
8 effort has been made to eliminate protruding objects that
9 could injure a passenger during a crash. Unbelted, an
10 automobile's passenger will fly toward the point of impact in
11 the event of a crash, colliding with any hostile objects that
12 are in the path. The safest place to be in such an event is
13 belted into the seat, which is designed to stay attached to
14 the automobile frame.

15 A school bus is different. Passengers are protected by
16 the lack of protruding objects and by compartmentalization,
17 the careful padding of seats, seat backs, size, and aisles.
18 This compartmentalization is designed to cushion the students
19 in the event of a sudden impact or swerve, and the padding,
20 itself, absorbs most of the impact.

21 There are other differences as well. The outer
22 construction is an excellent example. A school bus is
23 encased in a metal frame, much like a metal rib cage; unlike
24 today's small automobiles, which have very little
25 reinforcement.

1 In addition, the passenger compartment in buses is well
2 above the bumper height of automobile bumpers, so the impact
3 of a collision is not felt on the same level.

4 This is the reason why interstate carriers, school
5 buses, and public transit buses are exempt from safety belt
6 requirements. They have inherent safety advantages related
7 to their size, weight, and interior design that other vehicles
8 do not normally have.

9 School buses are special for other reasons as well.
10 First of all, the public is aware of them because of their
11 shiny, yellow color; their flashing lights; and special
12 markings. This automatically makes the public more cautious
13 around this type of vehicle.

14 Besides, these buses are normally operated at a low
15 speed. They are particularly special because they carry a
16 precious cargo - our children. This knowledge on the part of
17 the bus driver and the motoring public gives this type of
18 vehicle a large advantage when it comes to safety.

19 When all these facts are taken into account it becomes
20 clear that different safety devices must be considered for
21 these two completely different types of vehicles.

22 Every school day nearly 2.5 million Pennsylvania
23 children ride about 17,000 school buses to their schools and
24 back again. Statistically, school buses are the safest
25 vehicles on the road, recording the fewest fatalities per one

1 hundred million vehicle miles. School bus occupant fatalities
2 have declined steadily, nationwide, from 60 in 1978 to 9 in
3 1983. Pennsylvania has averaged two fatalities a year
4 outside the school bus and has not had a fatality inside a
5 school bus in over ten years.

6 Although statistically there are fewer pupil fatalities
7 on school buses, nationally, point four of one percent per
8 one hundred thousand vehicular miles in 1982-83, the school
9 bus industry cannot afford to brag. As long as one child is
10 killed, the quest for safety must be a never ending process.

11 The fact remains, however, that the majority of
12 fatalities in school bus related accidents do not occur on
13 the bus. They happen before, during, or after the loading or
14 unloading procedure.

15 Considering the potential for accidents and the number
16 of children who regularly ride school buses, over twenty-two
17 million nationwide in 1981-82, it is amazing that the number
18 of deaths or injury is not greater.

19 Seat belt proponents continually stress the need for
20 safety aboard the bus and contend that existing standards
21 created by the compartmentalization concept are not adequate
22 protection against side collisions and rollovers.

23 Setting aside the question of whether or not the school
24 bus itself is a safe vehicle, it is important to look at
25 where children are being killed and to examine some of the

1 reasons behind the accidents.

2 It appears that seat belt proponents, instead of
3 correcting the problem at its source, are looking for devices
4 designed to protect students in case of an accident rather
5 than seeking ways to avoid these mishaps altogether.

6 Instead of placing the major emphasis on student
7 protection in the event of an accident, time, money and
8 effort could be best spent on driver training and public
9 awareness.

10 In our view, the approximately 3.4 million it would
11 cost to install seat belts in Pennsylvania's 7,000 school
12 buses could be better spent on these types of programs.
13 According to the National statistics for the 1982-83 school
14 year, twenty-eight school children were killed in school bus
15 related accidents while outside the bus. Of those, 17 were
16 killed by their own bus - 12 at the front and 5 at the rear.
17 The remaining 11 fatalities occurred when vehicles passed,
18 illegally, in most cases a stopped school bus in process of
19 loading or unloading.

20 In Pennsylvania at least two children a year are killed
21 by their own school bus or a passing motorist.

22 Why do these fatalities occur? The cause of the eleven
23 killed by vehicles passing a school bus is ignorance of the
24 safety hazards and a lack of awareness on the part of the
25 motoring public.

1 The transportation industry has not done a very good
2 job in educating the public.

3 In addition, the number and variety of traffic laws
4 around the country specifying procedures to be followed when
5 approaching a bus, loading or unloading, is in itself a cause
6 for confusion for the motorists. Not only do laws vary from
7 state to state and locality to locality, but there are also
8 major differences in warning equipment.

9 For example, the eight-light warning system is not
10 universally required. Neither is the stop-arm nor such less
11 standard lettering such as "Stop on Signal" and emphasis on
12 the Federal deficit makes it unlikely that additional funds
13 will be made available for school bus driver training that
14 the industry benefited from in the past.

15 The end result of this lack of funding means a reduction
16 in school bus driver training. This is particularly
17 lamentable in light of recent studies that show the positive
18 effects of such programs.

19 As an aside, as a father of four, and a grandfather of
20 three, I feel that if I do not have a safe school bus driver,
21 you know, then nothing else matters in the school bus. We
22 have to have good, safe school bus drivers, well trained, and
23 one in particular, a California study, concluded that school
24 bus driver caused accidents declined an amazing twenty
25 percent after a driving training program was initiated in

1 1974.

2 Similar studies by other states show comparable
3 findings.

4 The suggestion by seat belt proponents that if children
5 are taught to buckle up on a bus they will continue the habit
6 into adulthood is commendable, but unrealistic. No school
7 bus driver operating under less than ideal conditions, at the
8 best of times, could accomplish that which only ten to
9 fourteen percent of the nation's parents, whose children ride
10 in seat belt equipped automobiles, have accomplished in the
11 past twenty-five years, since these devices were introduced.
12 It makes more sense to concentrate energies in teaching in an
13 environment where educational experience has shown that
14 learning is best accomplished.

15 Even if seat belts were made mandatory, in automobile
16 as well as in school buses, the process of teaching children
17 the value and desirability of their use could be accomplished
18 much more effectively in a controlled, educational environment
19 than on a crowded school bus.

20 There is a solution to eliminating a number of school
21 bus related fatalities. It is driver education, and it is an
22 attainable goal.

23 All a driver need do is be certain that he or she knows
24 where the child is who is getting off or on the bus. It's
25 that simple. By counting and not moving until they are sure,

1 the child would not be run over.

2 This message should constantly be in front of every
3 school bus driver.

4 Additional distractions such as assuring that seat
5 belts are properly adjusted and buckled would only divert
6 driver attention from his primary responsibility.

7 If seat belt proponents direct their efforts toward
8 accomplishing this single goal, instead of campaigning for
9 and promoting additional safety equipment, it could be
10 accomplished and the safety of the children will be greatly
11 enhanced.

12 A lot of thought, care and research went into NHTSA's
13 standards for school bus passenger seating and transportation.
14 The underlying philosophy behind these standards was the
15 premise that it is more practical and effective to put
16 passengers in surroundings that could absorb a great deal of
17 the shock and energy generated by collision or sudden swerve
18 than to confine children in seats with seat belts.

19 The standard relies on compartmentalization, between
20 well-padded and well-constructed seats to provide occupant
21 protection on school buses is how NHTSA's language actually
22 reads.

23 These standards are applicable only to large school
24 buses. On the smaller, van-type vehicles, seat belts are
25 required. NHTSA also noted that compartmentalization provides

1 satisfactory protection and that a requirement for belts
2 without the assurance of proper supervision of their use
3 would not be an effective means of providing occupant
4 protection.

5 Compartmentalization involves several things. It calls
6 for higher seat backs; impact absorbing seats; and padded
7 reinforcement of these seats, which also must not separate
8 from the vehicle at any attachment point.

9 Special padding of the rear of the seats is designed to
10 protect children's heads in the event of a sudden impact, and
11 special leg protection zones are specified in the construction
12 requirement. All of this padding is required to be of foam
13 rubber in order to absorb the maximum energy from impact.

14 In 1983, the Federal Motor Safety Standards for school
15 buses were modified to increase the spacing between seats
16 from 21 to 24 inches. This was done, however, only after
17 tests had demonstrated that such an increase would not
18 impair the concept of compartmentalization.

19 Any increase beyond 24 inches might impair the ability
20 of the seats to absorb energy in the manner required by the
21 standards.

22 The benefits of compartmentalization is that it is a
23 passive protection system. The student passengers do not
24 have to do anything to afford themselves this protection. It
25 is built into the vehicle itself.

1 Seat belts on school buses might work under certain
2 conditions and there is even some argument about this, but
3 one thing is clear. They will not do any good at all if they
4 are not fastened, and fastened properly.

5 With compartmentalization the protection is automatic
6 and effective.

7 A recent report by Transport Canada on crash tests it
8 performed, revealed that some types of injuries are more
9 severe in belted than unbelted dummies in school bus crashes.

10 A summary of the 1985 report states that the results
11 indicated that the belted dummies experienced higher head
12 accelerations, lower chest accelerations, and more severe neck
13 extension than the unbelted ones. This indicates that if lap
14 belts are installed on current design of school bus seats --
15 excuse me -- a greater potential for head injury may exist.

16 Other observations suggest that further study is
17 required in the area of glazing strength, attachment of the
18 seats to the floor, fuel filler, mounting and driver
19 protection.

20 The School Bus Safety Study indicates that careful
21 deliberations must be exercised before deciding whether or
22 not to add lap belts to existing designs of occupant
23 protection systems found on today's school buses. The
24 Barrier Crash Test results show that the potential for head
25 injury in frontal collisions increased when lap belts were

1 employed.

2 This conclusion was reached after the subject of
3 school bus safety was investigated in considerable detail.
4 The investigation included a review of existing literature,
5 discussions with bus manufacturers and operators, and a
6 dynamic barrier crash program.

7 The crash program provided data and photographic
8 evidence not before available to compare the reaction of
9 belted and unbelted test dummies in a frontal collision. A
10 summary of Transport Canada's test results is included for
11 the record.

12 If compartmentalization is inadequate for protecting
13 school children, as proponents claim, PSBA supports a new
14 study of the issues by NHTSA. However, PSBA does not support
15 mandated seat belts without such a study, particularly in
16 light of the 1985 Canadian crash test reports.

17 As stated above, PSBA's prime concern lies with doing
18 whatever will ensure the safest possible environment for the
19 children.

20 Thank you.

21 CHAIRMAN MURPHY: Thank you.

22 I'd like to introduce Vic Lescovitz. Representative
23 Vic Lescovitz.

24 Nick - Representative Nick Colafella, and Representative
25 Joe Steighner, who have joined us.

1 Are there any questions?

2 Joe? Vic?

3 REPRESENTATIVE LESCOVITZ: I missed a little bit of
4 your part of your testimony, but what about seat belts, at
5 least in the front part of the bus, the front couple of seats?

6 A Well, the compartmentalization is even throughout the
7 bus. There are all -- All the seats are built, the seating
8 areas are built as a compartment with the high-back padded
9 barrier in front and the high-back in back and, of course,
10 they are on a padded seat. So it's the same all the way
11 through.

12 Even in the front of the bus, there's -- you know,
13 there's no chance of a child going out the door or through
14 the windshield because he's protected by that same area;
15 that's the same protection of compartments.

16 REPRESENTATIVE LESCOVITZ: That's all.

17 CHAIRMAN MURPHY: Nick, do you have any?

18 REPRESENTATIVE COLAFELLA: I have a couple questions.

19 Q You mentioned a study of seat belts in vans. Are they
20 presently used now?

21 A Right.

22 Q Are they required?

23 A If there's a seat belt on the vehicle it should be
24 used, yes.

25 Q Are they required?

1 A Well, the school district requires it. Yes, they're
2 required.

3 Q There's no law requiring them now?

4 A There's no mandate, no.

5 MR. LANDIS: PennDot's regulations say that a van with
6 a belt, they must be used.

7 CHAIRMAN MURPHY: Does the state require them to
8 have belts?

9 MR. LANDIS: Yeah. In the regulations.

10 CHAIRMAN MURPHY: Okay.

11 Q What about the small buses?

12 A Any -- Any vehicle that is equipped with a seat belt, a
13 small bus or van.

14 Q Small buses are equipped with seat belts now?

15 A Right.

16 Q Okay, in driver training, what training does a driver
17 now receive?

18 A In the State of Pennsylvania it is mandated that a
19 driver receive 20 hours of training - 14 in the classroom and
20 6 hours on the road, and then, at that time, he must take his
21 test at the various barracks throughout the state.

22 Q Okay. There's no continuing education?

23 A Every four years the driver has to requalify by taking 7
24 hours of classroom and 3 hours on-the-road training.

25 Q Okay. Do you feel that's sufficient for the state?

1 A I think that's sufficient. If the contractors or the
2 school districts, and which they all do, to my knowledge,
3 follow that up with safety meetings as we have twice a year,
4 and you know, I think we have adequate training.

5 CHAIRMAN MURPHY: Thank you.

6 Any other questions?

7 CHAIRMAN MURPHY: Representative Nick Colafella
8 introduced House Resolution 77 and companion bill, House
9 Bill 928, copies of which are up here. I want to ask him to
10 give us a few moments as to why he introduced this legislation
11 and what he sees as the issue.

12 Nick?

13 REPRESENTATIVE COLAFELLA: Thank you very much.

14 First of all, I'm pleased that the Transportation
15 Committee agreed to come to Pittsburgh to have this hearing.

16 I represent the area of Beaver County and the reason
17 why I introduced this resolution to study this subject is
18 that I had a number of parents from Beaver County, and I have
19 many, many names of people in Beaver County who strongly have
20 a fear that if their youngster is in an accident on a school
21 bus that they will suffer significant injury to their heads
22 and so on.

23 I've had a number of medical doctors who also feel the
24 same way, and I thought since these people all had this fear
25 that schools not having seat belts -- the way it is, I

1 thought it appropriate that we ought to study this subject
2 and for those reasons I introduced House Resolution 77, which
3 enables the House of Representatives to study this issue.

4 Just a little bit of information that I have: That the
5 school buses in the United States travel three million miles
6 a day. In 1976, there were 4300 pupils injured on school
7 buses and 105 pupils were killed. The government then acted,
8 based on these statistics, and in 1977 the government forced
9 manufacturers to make buses safer by putting extra padding
10 around the seats.

11 Today, if an accident occurs, the child hits the
12 padding instead of the hard metal bar which was the case in
13 the past. And the result has been that injuries and
14 fatalities have declined.

15 For example, in 1983, there were only 3300 pupils
16 injured in school bus accidents compared to 4300, and also in
17 1983 there were only 55 pupils killed versus 105 pupils
18 killed.

19 So what I found in my area of Beaver County is that
20 students, parents, and medical personnel have asked me to
21 study this issue and that's what I'm doing by the introduction
22 of this particular resolution.

23 School bus trade groups say that seat belts are
24 unnecessary. They say that studies show that in head-on
25 accidents, seat belts might do more harm than good. The

1 National Safety Council says that more studies are needed
2 before it can determine if belts will reduce injuries and
3 save lives.

4 Communities in the United States, like Klamath Falls,
5 Oregon, Dalton, Georgia, and Dearborn, Michigan, are equipping
6 seat belts at about fifteen hundred dollars per bus.

7 A significant case occurred recently in Texas. There
8 was a threat of a lawsuit by a Texas family recently who sued
9 for negligence because the bus in which their child was
10 killed didn't have seat belts. They settled for five hundred
11 thousand dollars.

12 USA's pediatricians, who have treated the injured
13 children in emergency rooms are campaigning for seat beats.

14 Installing seat belts in buses can be an important step
15 to have children buckle up in a school bus, and will continue
16 to buckle up at sixteen, when he or she is driving a car.

17 I think a significant thing to keep in mind is that
18 all of you are probably aware that probably very soon in
19 Pennsylvania that we will have a mandatory seat belt bill for
20 automobiles, and I think one of the things that this may do,
21 if we would ever get into seat belts for school buses, is to
22 get children at a very young age to begin thinking about
23 putting their seat belts on when they get into a moving
24 vehicle.

25 So, possibly, if seat belts were ever mandated in

1 school buses that it would protect as well as educate.

2 I think that the whole area of seat belts for school
3 buses ought to be studied and I think that this is a first
4 step. Hopefully we will have more information. If we find
5 out down the road that seat belts on school buses won't
6 significantly reduce accidents, or won't make an attitudinal
7 change in some way with youngsters, then I don't think we
8 ought to do it, but I think that the amount of fear that
9 people in Beaver County express to me about the fact that
10 youngsters aren't wearing seat belts, I think warranted me to
11 introduce this resolution and I'm glad we're studying this
12 subject.

13 That's it.

14 CHAIRMAN MURPHY: Does anybody have any questions of
15 Nick?

16 REPRESENTATIVE STEIGHNER:

17 Q Nick, has there ever been a study done of the number of
18 accidents, or percentage of accidents, that are caused when a
19 student in the back of the bus, wherever they're seated in
20 the bus, gets up, moves around and starts some chaos and
21 starts confusion. The bus driver looks in the mirror, and
22 whatever, while he's trying to discipline the students, he
23 slams into the rear end of somebody, and I'm trying -- What
24 I'm asking then, if they're seat belts, then at least that's
25 going to cut down on the kids running back and forth and so

1 on?

2 A Well, I don't know of any study, but let me say just one
3 other thing. I've also introduced a Bill in reference to
4 this because quite frankly, it would be very difficult for a
5 school bus driver to ensure that youngsters have their seat
6 belts on. I don't think that's possible. I don't think it's
7 fair to a school bus driver, as well as the school district,
8 because if a youngster didn't have their seat belt on, --
9 Let's assume there was an accident; that youngster got hurt;
10 the school bus driver would be liable, okay?

11 I know that's highly improbable. We would probably
12 never mandate seat belts on school buses, but I would probably
13 like to see, if the studies would conclude that seat belts
14 are a good idea, is for school buses to have seat belts on a
15 bus and for school districts to provide instruction to
16 youngsters that they ought to wear the seat belts, and
17 possibly if a school district ever wanted to, maybe impose
18 some type of a discipline if a youngster did not wear a seat
19 belt in some way. Maybe a study hall after school, or
20 something like that, but I just wanted to make that point, in
21 that I don't think a school bus driver should ever be held
22 liable if a youngster in the back of the school bus unbuckled
23 and there was a car accident.

24 But I think schools can provide a training program for
25 the youngsters and things like that.

1 Q Nick, do you have any sense of the number of accidents
2 in Pennsylvania - fatalities or injuries?

3 A No, I don't. I have not researched that subject.
4 There's very little information about this subject. The only
5 thing I hear is that there was a study done by the Federal
6 government that said that seat belts aren't warranted on
7 school buses, because they're not going to be any safer than
8 the way buses are now. I find that hard to believe, and the
9 reason why I find that hard to believe is based on a question
10 that someone asked a few minutes.

11 If seat belts are a good idea for vans, why would they
12 not be a good idea for school buses? I find a difference
13 there that's hard for me to recognize.

14 REPRESENTATIVE STEIGHNER: Thank you.

15 CHAIRMAN MURPHY: Marjery Mitnick, member National
16 Coalition for Seat Belts on School Buses.

17 MARJERY M. MITNICK: My name is Marjery Mitnick.

18 I'd like to thank you for the opportunity to appear
19 today. I'm a member of the National Coalition of Seat Belts
20 for School Buses, and I am a parent in the Fox Chapel Area
21 School District.

22 "One dead, dozens hurt in school bus accident."

23 --Freemont, California, June, 1985.

24 "Truck-school bus crash kills girl."--McGrath,
25 Minnesota, April, 1984.

1 **"Four-year-old girl suffers partial amputation of**
2 **right arm in school bus accident."--Levenworth,**
3 **Kansas, October, 1984."**

4 **Headlines such as these might have been prevented if**
5 **children in these accidents had been given the opportunity to**
6 **wear seat belts.**

7 **The 1977 Federal standards of high-back, padded seats,**
8 **and improved bus structure were a step toward safer bus**
9 **interiors and have indeed greatly reduced fatalities, but the**
10 **number of injuries to children in bus accidents has not**
11 **changed significantly. Unbelted children still have little**
12 **side collision and no rollover protection.**

13 **The statement that school buses are the safest vehicles**
14 **on the road today gives parents a false sense of security.**
15 **Many school districts do not report accidents which occur on**
16 **school property or which occur outside of regular school**
17 **hours, such as on a field trip. For example, the 29 children**
18 **killed during a field trip in Martinez, California, in 1976,**
19 **were not included in school bus statistics compiled by the**
20 **California Highway Patrol. Even the National Safety**
21 **Council, in its own 'Accident Facts' publication, admits that**
22 **under-reporting is widespread.**

23 **Between 1981 and 1983, conservative estimates of the**
24 **number of school bus related injuries range from 5,000 to**
25 **11,000. The actual total was probably much higher. Accurate,**

1 complete records were not kept, but what is certain, according
2 to police on the scene, is that many of these injuries could
3 have been avoided, or their severity lessened, if these
4 students had been wearing seat belts.

5 Seat belts on school buses offer an excellent
6 opportunity to teach children the life-saving habit of
7 buckling up. Children who are already wearing seat belts in
8 the family car are being denied the right to the same
9 protection in the school bus. They don't even have a choice.
10 -- The belts are not there.

11 Diane Steed, Administrator of the National Highway
12 Traffic Safety Administration, has stated that if the absence
13 of belts in buses is breaking children of the habit of using
14 them in cars, then her department would have to reconsider
15 its opposition to seat belts on buses.

16 Let's look at the compartmentalization argument.
17 Opponents of seat belts on buses have stated that
18 compartmentalization between high-back padded seats offers
19 sufficient protection. In reality, that protection is
20 incomplete. Seat backs are not at a sufficient height to
21 protect the average high school student who sits head and
22 shoulders above the federally mandated 24" high-back seat.
23 Those seats provide no whiplash protection in rear-end
24 collisions, which account for one-third of all school bus
25 accidents.

1 In 1967, a major study on school bus construction and
2 safety features was conducted at UCLA at the request of the
3 United States Department of Transportation. That study
4 recommended a minimum seat-back height of 28" to reduce
5 chances of injuries sustained by passengers being hurled
6 against one another, regardless of their size.

7 Only the state of New York has so far adopted the 28"
8 seat-back height recommended by UCLA. The argument of
9 compartmentalization protection, so strongly advocated by
10 opponents to seat belts, could be strengthened if
11 Pennsylvania would follow New York's lead and require the
12 28" seat-back height.

13 But that would only help in a front-end or rear
14 collision, which brings us to another problem with the
15 myth of compartmentalization as providing sufficient
16 protection. Children would still be unprotected without seat
17 belts in a side impact or rollover accident, when the children
18 are thrown outside their compartments.

19 Rollover accidents occur more often in buses than cars
20 because of the buses' higher center of gravity. As the bus
21 tips, it's easy to imagine the results.

22 In Kansas, in October, 1984, a little girl's body was
23 thrown from one end of the bus to the other. Her arm flew
24 out the window and was crushed and had to be amputated
25 because the bus rolled over on it.

1 Five children were ejected from a school bus in
2 Snowhill, North Carolina. They were killed and others were
3 seriously injured when their bus was hit from the side.

4 Contrast these fatal fatalities to the lack of
5 fatalities when a large 1984 school bus rolled over in
6 Florida this past April. Because these children were in
7 special education, they were given the opportunity to wear
8 seat belts. The only critical injury was the aide who wasn't
9 wearing her seat belt, and a Velcro seatbelted child in a
10 wheelchair. The other children wore seat belts. They were
11 treated and released.

12 The fear of belted children hanging upside down in the
13 event of a rollover is also a weak argument. A report from
14 Nassau County, New York, about a rollover accident involving
15 a small, van-type bus, noted that 4 to 7 year-old children
16 were able to unbuckle themselves and escape without panic.

17 Just recently, on October 10th, 1985, in Roxbury, New
18 Jersey, in Morris County, a van rolled over when it was
19 caught between a car and a truck in an accident. The two
20 children, ages 7 and 10, on the van at the time, were belted
21 in. In spite of hanging upside down, they were uninjured.
22 The driver, who was not wearing her seat belt, died.

23 The Federal government has required belts on small
24 buses, under 10,000 pounds, since 1977. If seat belts are so
25 damaging to the students' safety, why isn't anyone clamoring

1 to have them removed?

2 Fifty percent of the occupant fatalities in school
3 buses occur in rollover accidents, and 14.7 percent of the
4 occupant fatalities occur in side impacts.

5 Reading a passage from the National Highway Traffic
6 Safety Administration, "It is in these types of accidents
7 that safety belts might be most likely to provide additional
8 safety benefits to school bus occupants. One reason for this
9 is ejections, which could be prevented by belts, represent
10 one-fourth of all fatalities."

11 Frontal crashes, with or without a rollover, account
12 for 55.9% of all school bus fatalities. If compartmentaliza-
13 tion is sufficient, why are more than half the fatalities
14 occurring in the very type of accident for which the seat was
15 designed?

16 Supporters of seat belts in buses aren't opposed to
17 compartmentalization. A high-back, padded seat is absolutely
18 preferable to the pre-1977 seats, but what we have is
19 insufficient.

20 What we need to do is to guarantee that the children stay in
21 this compartment during a collision. That is what seat belts
22 will do.

23 Opponents claim that studies such as the 1984 Canadian
24 crash test prove that seat belts are dangerous in school
25 buses.

1 In that study, there were three belted and three
2 unbelted dummies on each bus. On the large, 66-passenger
3 bus, the only dummy experiencing life-threatening forces was
4 an unbelted dummy. All belted dummies were well within
5 acceptable limits. The seat on that bus was designed to
6 protect children in a front-end collision, and yet the only
7 one that would have died was the unbelted dummy in a front
8 collision.

9 The Canadian study was flawed in many ways. Only one
10 size dummy was tested, and these were rigid dummies which did
11 not respond like a child would in a crash situation.

12 The Canadian study also disregarded the effects of
13 lateral and rear-end collisions, as well as school bus
14 rollovers, by only testing front-end collisions. Are you
15 aware that the typical school bus accident, according to the
16 Pennsylvania School Bus Association - I have their report
17 right here - is a sideswipe, so why do transportation people
18 place so much faith in a study that tested only front-end
19 crashes?

20 When a film of the Canadian crash study is viewed,
21 dummy number 4, unbelted in the center seat, is seen to fly
22 forward until its throat strikes the top of the seat-back.
23 In a high force frontal crash such as this, the resulting
24 throat injury would have been severe or fatal. Just how much
25 force was actually absorbed by the throat is not determined

1 because, unfortunately, the researchers decided not to
2 instrument the necks of the dummies.

3 According to Dr. Russ Fine, at the United States Spinal
4 Cord Injury Data Collection Center, the Canadian researchers'
5 argument against belts "flies in the face of the accepted
6 practice of restraining airline passengers who are also very
7 scrupulously compartmentalized and who are at risk of
8 experiencing a deceleration type injury that is almost
9 without exception of the severe frontal collision variety."

10 Dr. Fine also states that "it is absurd to dignify the
11 contention that unbelted occupants (specifically children)
12 are at lesser risk of physical injury than belted occupants.

13 The American Academy of Pediatrics also disagrees with
14 the conclusions of the Canadian researchers. Even the
15 National Highway Traffic Safety Administration says "the
16 results of the Canadian tests should be viewed with caution."
17 Further, according to NHTSA, "It is important to emphasize
18 that the Federal standards specify the minimum safety
19 requirements applicable to school buses. Nothing prohibits a
20 State or local jurisdiction from purchasing buses equipped
21 with safety belts."

22 The Thomas Bus Company recently funded a study to
23 investigate lateral collisions.

24 They used two dummies in each seat instead of one dummy
25 per seat, as in the Canadian study. One dummy was belted and

1 the other was unbelted. The belted dummy acted as a padded
2 side arm and held the unbelted dummy in the compartment.
3 Thomas will use their test to demonstrate that their seat
4 works during side collisions. Most observers won't realize
5 that the belted dummy restrains the unbelted dummy.

6 Further, you can see in the film that the throats of
7 the unbelted dummies crash on the seat backs, but no
8 instrumentation was taken on the throat, so we can't tell the
9 true extent of the injuries.

10 Dr. John States, a professor of orthopedics at the
11 University of Rochester, who has studied passenger safety in
12 cars and buses, said seat belts on school buses would prevent
13 many of the head and spinal injuries that come from "being
14 thrown to the roof of a bus in a rollover or ...to the
15 opposite side of the bus if it's hit on the side."

16 Safe evacuation in an emergency is also quicker with
17 seat belts, because students are not unconscious from the
18 force of a collision. They are not panicked by broken limbs.
19 They are not tripping over other students lying in the
20 aisles, and ejections are eliminated.

21 Opponents of seat belts fear that students will be
22 trapped in a burning school bus. Fires occur in less than
23 one half of one percent of all motor vehicle accidents.

24 During the rare occurrence of a fire, the best situation
25 is to have seat-belted children who are conscious and alert

1 and haven't been thrown into the aisle and thus are able to
2 quickly evacuate the bus.

3 In 1984, a Montana school bus without seat belts caught
4 fire after a collision. The coroner's report stated that all
5 fatalities were caused by injuries sustained from impact --
6 not as a result of the fire. The sheriff's department
7 reported that several unconscious and injured passengers had
8 to be thrown out of the rear emergency door.

9 Let's look at the special problem of field trips.
10 School buses have a lower accident rate than cars because
11 they usually travel well-known routes during daylight hours,
12 but fifty percent of all fatal bus accidents occur during
13 field trips -- situations in which the reasons buses have
14 relatively few accidents don't apply.

15 Even parents who choose to drive their children to and
16 from school, buckled in their own cars, will have to make a
17 decision before the inevitable field trips during the year
18 when bus transportation will be required. Why should these
19 parents have to compromise their children's safety, just so
20 the children can participate in these activities with their
21 classmates?

22 Would you like further medical evidence? The desire
23 for this added measure of safety is not held only by parents.
24 The efforts of the National Coalition for Seat Belts on
25 School Buses are endorsed by the medical community. How can

1 opponents claim that seat belts can cause worse injuries,
2 when the American Medical Association, the American Academy
3 of Pediatrics, the American Academy of Orthopedic Surgeons,
4 and the Physicians for Automotive Safety, just to name a few,
5 so strongly favor seat belts on school buses?

6 Twenty-one million children across the country ride
7 school buses every day. Why do we need a law to protect them?

8 A comprehensive law including, but not limited to the
9 requirements of the proposed House Bill 928 would ensure that
10 a well-intentioned school district ordering seat belts will
11 receive a proper installation. Belts should be attached to
12 the posterior seat frame under the seat cushion, and not to
13 the walls of the bus or the leg of the seat. The proper
14 length of straps will fit children from kindergarten through
15 high school - and this has to be emphasized because there are
16 straps that will not fit all children and that's what we need
17 to avoid by a law.

18 The belts should have a short end of 16" and a long end
19 of 29". The aisle positions must have the short 16" end to
20 avoid a tripping hazard. Using different colors for each of
21 the three sets of belts per seat eliminates any confusion
22 regarding which two straps to use. Putting like-buckle parts
23 on both aisles eliminates the danger from children buckling
24 belts across the aisles.

25 These guidelines have been developed by the many school

1 districts with experience using seat belts on buses. We can
2 draw from their positive experiences.

3 Most evidence suggests installing seat belts only on
4 new buses, although post-1977 buses are supposed to be strong
5 enough for retrofitting. The 28" high-back seats would be an
6 essential improvement, with or without seat belts.

7 Some districts use monitors to see that children buckle
8 up; some do not. Compliance seems to be the same either way.
9 A reminder from the bus driver to buckle up is usually
10 sufficient after the first few days.

11 If there is a problem with a student, administrators
12 handle it as they would any other discipline problem.
13 Testimonies are available from school transportation directors
14 and school bus drivers who have found that discipline problems
15 in general are greatly reduced after belts are installed.
16 The drivers can pay more attention to their driving and watch
17 out for the students crossing the street after exiting the
18 bus.

19 Overloading must also be eliminated. Routes must be
20 planned for only the number of students who can properly fit
21 in each belt when seated--three elementary children, or
22 possibly only two high school students.

23 It might be expected that high school students would be
24 less likely to use their seat belts, since they may not be in
25 the habit already. But the younger elementary children, who

1 have been protected by infant and toddler car seats their
2 whole lives, expect to be buckled up in any moving vehicle,
3 and they will continue to wear seat belts into their high
4 school years, when they start driving, and beyond, unless
5 their habit is broken during their school years by riding
6 beltless buses.

7 What about cost? A March, 1985, survey of major
8 school bus manufacturers, regarding factory installation
9 costs of belts on new buses, found the following:

10	Wayne, Inc.	\$1,175
11	Carpenter Body, Inc.	1,650
12	Ward (approximately)	2,000
13	Blue Bird	1,870
14	Thomas-Built Bus, Inc.	1,400

15 West Orange, New Jersey, recently installed belts on
16 25 new buses at an additional cost of only \$1,000 per bus.
17 Their buses, by the way, have 28" high seat backs, too.

18 The additional cost of 28" over the federally mandated
19 24" seat back averaged around \$200 per bus in 1982.
20 Considering the life expectancy of a bus is around ten years,
21 the cost should not be a determining factor.

22 Weigh the cost of the belts versus the liability for
23 not having them. The family of a child fatally injured in a
24 school bus accident in Texas was recently awarded more than
25 five hundred thousand dollars as a settlement in a suit that

1 charged negligence for not providing seat belts.

2 Increasing the safety of children exiting the bus and
3 crossing the street has been a focus of many groups concerned
4 with student safety. All safety issues are important. We
5 must work for the elimination of standees, better driver
6 training and bus maintenance, and better education of children
7 regarding the "death zones," but let's not stop there. Seat
8 belts are important for injury reduction, and the habit of
9 using seat belt on a school bus has increased usage for
10 those children in cars.

11 Greenburgh, New York, School District, in 1979 became
12 the first in the nation to require set belts on school buses.

13 Suffock County, New York, passed a local ordinance
14 requiring that all school buses acquired after January 1,
15 1986, have seat belts.

16 Seventy-two districts around the country have now
17 decided to put seat belts on some or all of their buses.

18 Insurance rates have not gone up, there is no seat belt
19 weaponry (although lunch box and book weaponry still exist),
20 and usage rates are high, with or without monitors on the bus.

21 There is interest in passenger safety. All fifty
22 states have laws protecting infants in cars. Several states
23 have recently passed laws requiring seat belt usage in
24 passenger cars.

25 Interest in seat belts in buses has gained wide

1 attention more recently, but it is growing steadily. The
2 time will come when this, too, will be law in all fifty
3 states.

4 Why wait and allow thousand more children in
5 Pennsylvania to be injured. It could happen to my children
6 -- or yours. Act now to protect the school children in
7 Pennsylvania with seat belts on their buses.

8 This is what we're talking about. This is all.

9 (Holding up a seat belt)

10 Everybody's had them in their car for years. Most of
11 you hopefully will use them. It's not a big deal to put it
12 in but it is such a big deal to leave them out.

13 It's up to us to ensure that children raised under the
14 child restraint laws, who have never ridden in a motor
15 vehicle without being restrained, won't ride their first
16 school bus and have to ask, "Where is my seat belt?"

17 Thank you.

18 I have copies of the Pennsylvania School Bus Association
19 Report that talks about the sideswipe.

20 CHAIRMAN MURPHY: I'd like to welcome Representative
21 Nahill to the meeting.

22 Does anybody have questions?

23 REPRESENTATIVE NAHILL: I'm sorry I missed the first
24 part of your testimony.

25 Q Do you go further than just seat belts or are you

1 talking about the higher seats and padding and bolting,
2 etcetera?

3 A Well, the padding and bolting was accomplished somewhat
4 in 1977. If there are improvements to be made to that,
5 that's fine. Yes, I talked quite a bit about the 28" seat
6 which New York also has, and which we should have, with or
7 without the belts. There's absolutely no question about
8 that, and the getting on and off the bus, the dangers which
9 the gentleman before me talked about, that's true. We need
10 help with all aspects of busing.

11 REPRESENTATIVE NAHILL: Thank you.

12 CHAIRMAN LETTERMAN: Joe.

13 REPRESENTATIVE STEIGNER: Just an observation. You
14 seem to put an awful lot of weight on field trips when to a
15 large degree many accidents take place on field trips, one
16 because there's many more miles involved and two, because
17 it's obviously unfamiliar surroundings.

18 A Absolutely.

19 Q I've been known to be rather slow at times and I'm a
20 little confused. It seems as though the debate, at least
21 what I've read and what I've heard, and I came in somewhat
22 late myself for the first testimony, we seem to be debating
23 whether seat belts will actually help in the bus or not.

24 I can't buy a motor vehicle in this country without
25 having one and it would seem as though, at least to me, that

1 that debate is somewhat moot, based on the studies of the
2 AAA; based on the National Traffic Association and so on,
3 that people with seat belts have fewer accidents and injuries,
4 primarily, than people who don't use them.

5 A Right.

6 Q Comment on that, please.

7 A You're absolutely right. I think the evidence is
8 indisputable that seat belts save lives. You'll often read
9 in the paper of a policeman says "I've never unbuckled a dead
10 man." You know, that's usually the case.

11 The reason I brought up the part about the field trips
12 are for the reasons that you state, but the reasons buses are
13 usually safe don't apply on the field trips. A parent that,
14 as I mentioned, who will drive their own children to school
15 because they want them belted, doesn't really have much
16 choice when it comes to a field trip.

17 My own school district told me that they use five, six
18 buses at a maximum on most field trips and we have 40 large
19 buses. I would be delighted if even just the first year they
20 put in belts on six buses and tried to always use those buses
21 for the field trips. I think that would be an excellent
22 first step. And then --

23 Q Is the opposition you've seen across the country and/or
24 in Pennsylvania with the school districts or the bus
25 owner/operator, is it primarily the cost?

1 A The only organized opposition I see is the bus
2 manufacturers and the bus transportation industry, and it was
3 stated earlier that economics is not their reason because
4 they would pass on the cost. Well, I think economics has to
5 be part of the reason because when you pass on the cost, then
6 you might sell fewer buses or replace buses less often, so I
7 don't think you can just say that that's not part of the
8 issue.

9 The cost, even though the survey shows about \$1,500,
10 West Orange, New Jersey, just got their buses for only a
11 thousand dollars more.

12 If the belts were mandated everyone would be making the
13 belts and attaching them; the cost would then become
14 competitive as it would be with anything else that's mandated
15 and the cost should go down, which would make the belts
16 available to the school districts who don't have quite as
17 much money to spend on something like this.

18 Right now, it's possible that of these 72 districts,
19 most of them are the wealthier districts; I don't really
20 know, because I'm not familiar with, you know, the economics
21 of each school district, but I think if it were competitive
22 and the buses - the prices came down, then it would be
23 reasonable for every school district to be able to buy them.

24 Q Does your association - I was looking at some of these
25 other school districts who have provided seat belts - Is the

1 insurance rates lower for those districts which provide seat
2 belts in buses compared to a school district in the same area?

3 A So far, the evidence shows that there's been no change.
4 Although I know there are some auto insurance companies that
5 lower rates for seat belt users and it would be likely to
6 assume that once the belts are more common the rates might
7 come down. So there are bus companies who try to claim that
8 either the rates will go up or they can't get insurance
9 because the belts aren't required. That's absolutely not
10 true. It has not happened in the 72 districts across the
11 country and these districts are in at least fifteen states
12 and so far no state requires the belts. So it's impossible
13 to say that we're not allowed to do it because our state
14 doesn't require it. It's being done all over the country.

15 Q So, in other words, the insurance industry really
16 hasn't recognized whether there's a difference?

17 A They haven't acted on it, but they also have not
18 increased their cost, which some people try to claim, and you
19 can call the 72 districts and they'll tell you that.

20 Q Okay. Secondly, has your association ever studied the
21 whole bus situation, with seat belts on public transit, or
22 the coach type of transit buses, and is there any statistics
23 that we can try to compare with that also?

24 A As far as I know, they haven't. It's a relatively new
25 organization made up of interested people across the country,

1 but I don't see why the same things would not apply, and I
2 don't think you'd find anybody whose in support of seat belts
3 on buses that wouldn't be delighted to have them on public
4 transportation - on Greyhound bus, on taxicabs.

5 Q Well, I was just relating to the accident part.

6 A They don't get into that as far as I know. I don't
7 know if there are studies.

8 CHAIRMAN MURPHY: Nick.

9 REPRESENTATIVE COLAFELLA: Yes.

10 First of all, let me say that I'm really impressed with
11 your testimony.

12 When I introduced this resolution, I figured that I was
13 going to be criticized severely by many people in my area,
14 and I think I probably will be, because by introducing a
15 resolution like this, in an area that I represent - Beaver
16 County, there will be a lot of people saying that seat belts
17 on school buses will mean higher taxes and so on, and I
18 represent a county which has very high unemployment, and so I
19 quite frankly was fearful of all the criticism that I will
20 receive on this matter.

21 Now that you've provided this testimony, I'm glad I did
22 introduce it.

23 I was pleased to learn from your testimony, which is so
24 comprehensive, about all these medical associations who
25 strongly favor seat belts on school buses. American Medical

1 Association, on and on.

2 Q Are they lobbying actively for seat belts on school
3 buses or is it just a blanket endorsement, do you know?

4 A I can't speak for all states. I have spoken to the
5 President of the Pennsylvania Chapter of the American Academy
6 of Pediatrics, who is very concerned about the issue. They
7 have put most of their efforts thus far into the infants and
8 toddler buckling programs. That's been their focus. They
9 were instrumental in getting those laws passed, but everywhere
10 they go, people ask about the belts on the buses, and they
11 are starting to take a real interest, and hopefully with my
12 encouragement, we'll be continuing that. They may be finding
13 somebody to head up this whole thing in Pennsylvania.

14 REPRESENTATIVE COLAFELLA: I spoke to a Dr. Carey(ph)
15 from Beaver County, who is a neurosurgeon, and Dr. Carey had
16 told me about a number of physicians who are very much
17 concerned about this because they see youngsters, who after a
18 minor accident, suffer some real head injuries, and that's the
19 reason why he wanted me to introduce the resolution. I wasn't
20 aware of that.

21 A Yes, sir.

22 REPRESENTATIVE COLAFELLA: But I'll tell you, your
23 testimony is excellent, and I think it provided a lot of
24 answers to a lot of questions that I had about this whole
25 problem. I thank you for coming.

1 A Thank you.

2 CHAIRMAN MURPHY: Question.

3 Q On page one, you indicate that the number of injuries,
4 quote: "...the number of injuries to children in bus
5 accidents has not changed significantly." The information in
6 previous testimony indicated that there's been almost a fifty
7 percent drop from '74 to '84 in injured children. That's a
8 significant drop.

9 A Yes, but the reason is because of the improvements in
10 1977. The buses -- The buses are safer buses. They are not
11 the same type of bus. You have the high-backed seats; you
12 have the padding --

13 Q I understand that, but your statement recognizes the
14 '77 Federal Standards, but it says the number of injured
15 children in buses have not changed significantly. It seems
16 to me that, in fact, the number of injuries --

17 A Fine. I see.

18 Q --have changed. They have dropped significantly. You
19 know --

20 A Okay.

21 Q --in the last ten years by those changes. Not to say
22 that they might not drop further by seat belts but --

23 A It's possible, that depending on where you get your
24 statistics, you will get a different report. As I tried to
25 show in here, statistics have not been very accurate across

1 the years and, in fact, until recently, --

2 Q Right. I guess one of the problems I'm having is just
3 that -- to frame in what the extent of the problem is. You
4 don't have any information on Pennsylvania accidents or
5 fatalities, do you?

6 A No.

7 Q Okay. Do you agree with this information that was
8 handed out indicating that in 1983, thirty-three hundred
9 students were injured in bus accidents?

10 A It's possible. I was told by one source that only in
11 1984 were actual accidents counted, and before 1984, there
12 were estimates of accidents, so whether that's accurate or
13 not, I really couldn't say.

14 Q Okay. So we -- What you're telling us is we don't know
15 what the extent of the problem is right now?

16 A If you want to only look at statistics, it could be
17 debatable, but I don't think the major argument is statistics
18 here, anyway.

19 Q Okay. Well, in part it is. I mean, if only a few
20 people are being hurt it might be that seat belts are not
21 going to solve that problem.

22 A Well, I don't know if you've seen -- Well, attached to
23 my testimony, I believe, is Dr. Joseph Zanga's testimony
24 before the House of Representatives that he made recently,
25 and he made a statement that only ten fatalities a year is

1 not a lot of fatalities, unless you're the parents of those
2 ten children, so I would like you to keep that in mind.

3 Q You indicate on page ten of your statement also that
4 seat belts are important for injury reduction and the habit
5 of using seat belts in a school bus has increased usage for
6 these children in cars. Can you document that?

7 A The National Coalition on Seatbelts could document that
8 because they're in touch with these 72 districts. They've
9 provided me with that information.

10 Q And there's been an actual study done correlating the
11 use of seat belts in school buses with private use of seat
12 belts?

13 A They must have some documentation to be able to make
14 the statement.

15 Q Could you provide us with that? I mean, the previous
16 statement was simply that that does not follow. That because
17 people use seat belts in school buses does not necessarily
18 follow that they will then use it when they drive, when they
19 turn sixteen.

20 A Okay. You would like me to get --

21 Q You're telling me that that is in fact --

22 A Um-hmm.

23 Q There is a correlation there, and I'd like to see
24 documentation of that.

25 A Okay. I can call them within the next few days.

1 CHAIRMAN MURPHY: Okay. Why don't you send it to
2 us.

3 Thank you.

4 MR. CASPER: One moment. I just had a question, too.
5 Reflecting on what Representative Colafella had to say,
6 it was an excellent presentation. Thank you for taking the
7 time to come.

8 Q Just one comment on what Representative Murphy asked
9 you. On your statement, it would appear that the previous
10 statement of Mr. Pschirer - is that the most important thing
11 for the kids to see is the example of their parents? If the
12 parents don't buckle up and tell the kids, "now, you buckle
13 up and when you're sixteen, you buckle up" it has sort of a
14 hollow ring. It's like a chain smoker telling his son or
15 daughter, "whatever you do, don't smoke. It's no good." You
16 know, it doesn't have that effect.

17 In any event, you mention here the costs of the belts
18 on the buses. Perhaps I should ask this of the bus
19 manufacturers, but your statement prodded the question.

20 I understand possibly the total cost of a bus is
21 twenty-six thousand, is that...?

22 A Thirty to thirty-five thousand.

23 Q So that the cost of the belts would be compared to what
24 we already have and would be added on?

25 A Right.

1 Q So it's a relatively small percentage of the cost?

2 A Right.

3 MR. CASPER: Fine. Thank you.

4 CHAIRMAN MURPHY: I do have one more question.

5 Q The representatives from the school bus association
6 base a lot of their opposition to seat belts on the fact
7 that in '77 the manufacturers went to the theory of compart-
8 mentalization, I guess, for a protection, and obviously that
9 has had some effect. You do not believe that it is the
10 solution, though, obviously, and they've also used that as
11 the reason to oppose seat belts, in effect saying that that's
12 more effective and, in fact, seat belts could disrupt that
13 system of protection. You don't buy that argument?

14 A No one who wants seat belts says "give me seat belts
15 and take away the compartmentalization" and I made that
16 statement. The improved seat back, the height and the
17 padding are absolutely safer than what we had before. Nobody
18 would want to take that away, but the combination of the two,
19 the passive and the active, will provide the most protection.

20 Q Do you agree, then, also, that you can't really compare
21 vans or automobile travel with bus travel because of their
22 difference in construction, so it does not necessarily follow
23 that because seat belts are safer in automobiles they will be
24 necessarily be safer in school buses, because of the
25 difference in construction?

1 A It's possible not to make a direct comparison, but
2 there are studies - in the UCLA study and the flaws of the
3 Canadian study itself show that seat belts help in the big
4 bus.

5 CHAIRMAN MURPHY: Okay. Thank you.

6 The next witness is Judy Grumet, President of the Fox
7 Chapel Elementary School PTA.

8 MS. JUDY GRUMET: I am Judy Grumet, a resident of
9 Allegheny County.

10 I am speaking today in support of legislation requiring
11 seat belts be placed on school buses. As it happens, my
12 testimony is a natural progression from that of the previous
13 speaker. You have heard the statistics: I will address the
14 educational aspects.

15 As a volunteer at Magee-Women's Hospital, I am chairman
16 of 'babysafe,' a volunteer-run program involving infant car
17 seats and car safety for newborns.

18 In 1983, when I began preliminary information gathering
19 on behalf of my volunteer organization, infant safety in
20 vehicles was becoming a popularly supported idea.

21 Counties, health departments, and churches were offering
22 loaner or rental programs for car seats. As a result of a
23 law passed that year, effective January 1, 1985, children up
24 to age one must be in a car seat when riding in a parent's
25 car. Children age one to four must be in a car seat when

1 riding in the front seat, and wearing a seat belt while
2 riding in the rear seat.

3 This law applies only to children riding in their
4 parent's cars, but it has provided an impetus for infant and
5 child safety. Parents and care-takers of children are
6 protecting them in all vehicles. They have made infant
7 safety a priority.

8 The expectant parents with whom I have the pleasure of
9 working are motivated to provide safety for their babies.
10 They are aware of their obligations under Pennsylvania law,
11 of course; they know that nearly every infant death in a car
12 accident is preventable by use of a car seat. The newborns
13 leaving Magee-Women's Hospital are securely buckled into
14 child restraint devices in about 99% of cases.

15 I review the child restraint law and its effects
16 because it illustrates so strikingly that a law, however
17 limited, can have a far-reaching, educational value. A law
18 requiring seat belts on school buses is needed in Pennsylvania
19 for safety reasons, and also to provide a positive education.

20 By not providing seat belts on school buses, children
21 are receiving a negative education regarding seat belt use.
22 This carries over to the family car and the cars of relatives
23 and friends as well.

24 We do have an obligation to try to protect children
25 from their number one killer - the automobile accident.

1 Teenagers, under tremendous pressure, not to wear belts
2 when they drive, would be required to wear belts in their
3 buses twice a day, one hundred eighty days a year, making
4 seat belt use a habit.

5 Studies indicate improved behavior and a decrease in
6 discipline problems when cars seats or seat belts are used in
7 automobiles. School districts using seat belts on their
8 buses report that quote, "discipline has simultaneously
9 improved."

10 As an elementary school PTA president in a district
11 where children ride buses over winding roads for moderate
12 distances, I hear the concerns of parents. What I am hearing
13 is a common sense approach to a practical problem. Place
14 seat belts on the school buses and instruct the children in
15 their proper use and the necessity to use them every ride.

16 As a parent of three children, two now riding school
17 buses twice daily, I agree.

18 The children, without belts, could fall out of their
19 seats on the bus during everyday swerves, incurring injuries
20 unnecessarily. The PTA's of three of the four elementary
21 schools in my district have written letters to our school
22 board asking for belts on the buses, or pilot projects. Our
23 school board voted this summer to conduct a trial study by
24 ordering belts be installed in one bus and the outcome
25 carefully analyzed.

1 Opponents of placement of seat belts on school buses
2 cite enforcement problems. Districts or bus companies must
3 instruct their drivers to exert a reasonable effort to get
4 the children to use the belts.

5 Drivers have recourse to administrators at the schools
6 - notifying the principal, for example, of a non-compliance
7 with a particular student or busload. It should be pointed
8 out here that drivers already report bus safety infractions.
9 This would not necessarily cause extra time or work.

10 Studies in Nassau County, New York, in 1984, show that
11 the presence of adult monitors does not affect usage rates,
12 noting 80-90% usage, with most success on the elementary
13 level.

14 I urge you to recommend passage of legislation
15 requiring seat belts on school buses. Pennsylvania's children
16 clearly need the protection. The Commonwealth can offer a
17 far safer ride as well as an education of value over the
18 lifetimes of our young people.

19 Thank you for the opportunity to speak today in your
20 effort to gather public sentiment in this issue. Whatever we
21 can imagine, we can accomplish, together.

22 CHAIRMAN MURPHY: Thank you. Mr. Nahill.

23 REPRESENTATIVE NAHILL: I just wanted to make one
24 comment, and I just suddenly thought of it. A few months
25 ago, from PennDot, there was a traffic poll seat belt

1 convincer. Are any of you aware of it?

2 MR. CASPER: Yes.

3 REPRESENTATIVE NAHILL: Have you ever used it?

4 MR. CASPER: I was forced to once by Senator Ed
5 Early. I told him I was a proponent, there was no need to
6 convince me.

7 CHAIRMAN MURPHY: Do you know what we're thinking
8 about?

9 REPRESENTATIVE NAHILL: You may be talking about it
10 too if you're talking about peer pressure against seat belts.

11 I took it over the high school and in about four hours
12 we run about four hundred kids through it.

13 MS. JUDY GRUMET: What is it?

14 REPRESENTATIVE NAHILL: It's a -- You come down a
15 slide. It simulates a five mile per hour collision. Believe
16 me, it jars you. It really jars them, and if you stand there
17 and have the other kids watch, all of a sudden you realize
18 what a five mile per hour accident is, and you multiply that
19 by seven or ten or what the average parents drive. You know
20 a kid - it's a very, very effective tool. Common sense, and
21 an awful lot of kids are starting to buckle up.

22 CHAIRMAN MURPHY: I think the machine is available
23 from the State Police.

24 MR. CASPER: It was demonstrated in front of the
25 capitol building. I know it's available to be taken around.

1 It's fairly effective.

2 MS. NOVAK: That machine is available through PennDot.

3 CHAIRMAN MURPHY: Nick?

4 REPRESENTATIVE COLAFELLA: Just one quick one.

5 Q You've given me a pretty good idea, and that is maybe
6 we ought to conduct a pilot project on use of seat belts, and
7 I can't imagine anyone opposed to it. I can't imagine a bus
8 manufacturer, a school bus association of Pennsylvania, or
9 parents' groups being opposed to it, because what it would do
10 is simply try to maybe in a controlled situation, maybe in one
11 school district, use monies with seat belts for school buses,
12 to find out the good things about it and the bad things about
13 it.

14 I'm going to meet with the Secretary of Transportation
15 at one o'clock today. He's going to tour my district and I'm
16 going to mention that to him about maybe getting some money
17 from the Budget to do a pilot project or something like that.

18 A You might also want to contact some of the school
19 districts who are now having pilot projects and have their
20 data funneled through your -- your data.

21 Q Which school districts --

22 A Well, my district is starting one. I don't believe the
23 belts have been placed on the buses yet. I keep asking my
24 children, "Have you ridden the one bus with the belts yet?"
25 and they haven't.

1 Q This is Fox Chapel?

2 A Yes. Um-hmm.

3 REPRESENTATIVE COLAFELLA: Thank you.

4 CHAIRMAN MURPHY: I'd like to introduce Representative
5 Ron Gamble. Ron, do you have some questions?

6 REPRESENTATIVE GAMBLE: Yes.

7 Q Do you have any information -- You know, we've seen
8 serious bus accidents in the paper over the years, and we've
9 seen where children have been killed. Do you have any figures
10 saying how many children were killed as a result of a fire on
11 a bus - once it had overturned, as to -- from their bodies
12 being thrown about the bus? Do we have any statistics to
13 prove that the seat belts would have saved more lives or
14 caused more lives?

15 A I don't have any information.

16 CHAIRMAN MURPHY: Ron, in earlier testimony, it was
17 indicated that one half of one percent of accidents -- of
18 school bus accidents, involve fires.

19 Q One half of --

20 CHAIRMAN MURPHY: One half of one percent. I -- We
21 can give you the earlier testimony and you can look at that.

22 One other question.

23 Q Do you know if your school district keeps records of
24 the accidents that they've had over the last five years or
25 ten years? The types of accidents?

1 A I wouldn't have that information.

2 Q It's incredible to me that we've said there's a problem
3 here and nobody knows what the problem is. Could I ask that
4 you talk to the Fox Chapel School District and see if they've
5 kept records of the accidents, what they do with those,
6 whether they report -- We're going to look, talk to the
7 Department of Transportation, the State Police and Department
8 of Education to see if anybody is keeping accurate records of
9 the number of accidents. You, for example, in your testimony
10 you mention that a child without belts could fall out of
11 their seats in the bus during everyday swerves, concurring
12 injury unnecessarily. In fact, has that happened very often
13 is the question, I guess?

14 MR. LANDIS: Tom, Doug Tobin was here, and he should
15 be able to tell you -- I think they are mandated to keep a
16 record of all the accidents.

17 MS. JUDY GRUMET: I only hear what the parents tell
18 me. The chipped tooth, the bruise, that sort of thing.
19 Whether or not that would enter in its district's statistics,
20 if they kept records, I don't know.

21 CHAIRMAN MURPHY:

22 Q May I ask you to ask your district what they report,
23 whether they report those kind of everyday accidents, as
24 school bus accidents, or in effect, the accident's reported
25 if the school bus hits something?

1 A All right.

2 CHAIRMAN MURPHY: Okay. Thank you.

3 Dr. Tim DeBiasse.

4 DR. DeBIASSE: I'm Tim DeBiasse. I'm a practicing
5 pediatrician in Murrysville. That's De B i a s s e.

6 I'm also the co-coordinator of the Pennsylvania Chapter
7 of the American Academy of Pediatrics 'Make Every Ride a Safe
8 Ride Committee. A little background on that and where I come
9 from is in 1980, the American Academy of Pediatrics began its
10 first -- "The First Ride a Safe Ride Campaign" and the aim of
11 that was to get seventy-five percent of all newborns to leave
12 the hospital in an approved car seat.

13 From 1980, until late 1983, we were able to increase
14 usage from ten percent, or less than ten percent, to thirty
15 percent. In 1983, a new program was begun because the
16 majority of states had already passed legislation for car
17 seats and that was the "Make Every Ride a Safe Ride Campaign."

18 The aim of this program is to expand the original
19 program to cover all children, teens and young adults.

20 In late 1983, as you're all aware, the Pennsylvania
21 Legislature passed Passenger Protection Act Number 55, and
22 that put most of our children in infant restraints.

23 I'm certainly not going to be as organized or as
24 wonderful as the last couple of speakers, and I apologize for
25 that. I only found out about this yesterday and was asked to

1 throw a little help.

2 A couple of general things: It is known that safety
3 belts could substantially reduce the incidence of fatality
4 and injury in all people. Forty thousand people die in
5 automobile crashes every year, one person every twelve
6 minutes, five an hour. Thirty-eight thousand are injured
7 every week.

8 Eighty percent of all crashes occur under forty miles
9 an hour; seventy-five percent of all accidents occur within
10 twenty-five miles of your home. One out of five drivers is
11 involved in an accident, and one out of three Americans will
12 be involved in a serious accident during his lifetime. It is
13 said that half of all people will be disabled for a period of
14 time because of an automobile accident.

15 Just to address one of the questions that come up, less
16 than one-half of one percent of all injuries are produced by
17 fire or submerging. Very uncommon. Only on television does
18 that happen. Every time.

19 Chances of being killed in a crash are twenty-five
20 times greater if a person is thrown out of a vehicle. Just
21 some background that I'm sure you're all aware of.

22 The first thing I would like to do is I would like to
23 thank you for all helping get the legislation passed, because
24 I'm sure if it didn't get out of your Committee it would have
25 never been passed.

1 It has had a great effect. I can see it 'cause I look.
2 I'm sure you can see it, too, if you look into automobiles.
3 You see many, fewer children standing on the seats. I think
4 there has been a big change.

5 What Mrs. Mitnick meant, Nick has said, was a lot of
6 what I was going to say so instead of doing that, what I'd
7 like to do is go over some other things that I think were
8 either missed or glossed over.

9 Your job is to look for unbiased facts, and someone can
10 present a study and it will appear one way, and someone else
11 can go back and look at that study again. The best I can say
12 for you to is to get an expert that doesn't fall on one side
13 or the other, or an expert that is an uninterested third
14 party. That's the way that you have to look at it. Studies
15 can say anything that you would like them to say.

16 Accidents are the most common cause of death in people
17 between the ages of one and forty-five years. Far and away
18 the leading cause of accidents is automobile accidents. If
19 you all, the last time you were in your automobile, buckled
20 up your own safety belt, that was probably the most important
21 thing you could do for your own health care.

22 Under some specifics, now, and I'm just going to be
23 jumping all over. Sorry.

24 Flying objects: When you're compartmentalized, if you
25 stay in your compartment, that's wonderful, and you're going

1 to be safe there, but in rollovers, swerves, or other
2 accidents, you may be thrown from that compartment.

3 I'm sure you're aware that airplanes do not allow you
4 to hold anything on your lap. The reason for that is that
5 projectile, if the plane crashes, will immediately be shot
6 away from you, and forward. This is what happens to an
7 unbelted passenger. That's why you have to wear your seat
8 belt in the airplane.

9 They're not protecting you. They're protecting the
10 other guy in front of you, 'cause you will kill him if you
11 run over his head.

12 A projectile is anything that moves about, and a child
13 will certainly move about if he's unrestrained, in many
14 instances.

15 There's been a lot said about fatalities. We're not
16 dealing with fatalities. Not that many children die in bus
17 accidents; not that many children die in car accidents.
18 Quite frankly, not that many children die.

19 When we talk about death statistics in children, we're
20 talking about a very small number, luckily, here in the
21 United States, but there are some things we can help decrease
22 the number of deaths with.

23 More children die from automobile crashes every year
24 than ever have died in the recent past with modern
25 immunizations from diptheria, tetanus, or pertussis.

1 Injuries is something we deal with, and there are many,
2 many injuries.

3 Education has been brought up. Trying to get parents
4 who don't wear their seat belts to remind their children to
5 wear seat belts is very, very difficult.

6 Man is a creature of habit. We have to begin this
7 habit when we're very young, and when you've started a habit
8 there, they're very difficult to break. I'm sure your
9 parents taught you things that you didn't like to do, but to
10 this very day you still do because they told you you had to
11 do it that way.

12 You may brush your teeth; you may put your shoes under
13 the bed a certain way, but when we're taught those things and
14 we start with them early, then we continue them.

15 And, that's a great stride for the seat belt. The car
16 seats. We have now started our children.

17 New York took that angle, and this is with there
18 legislation, and they started up to age five, but then they
19 plan to increase it one year, each year. So those who have
20 begun with the seat belts would continue to use them.

21 Taking my child, who has never ridden in anywhere but
22 her car seat, and putting her on a bus, I'm sure she's going
23 to say to whoever is in charge, "Where's my seat belt? Daddy
24 says I have to wear my seat belt." You suddenly undermine my
25 authority. Aren't I smart? Now, my daughter rides without a

1 seat belt.

2 What do I tell my daughter when she comes home? That's
3 a big car as far as she's concerned. It is structurally
4 somewhat different, but it is moving. It is a car. She
5 needs seat-belted in. She feels better belted in.

6 It was also discussed about distraction on buses.
7 There are studies that show factually that children who are
8 buckled up cause less of a distraction. Bus operators
9 certainly have enough of a hassle just driving the bus and
10 not have to worry about what's going on behind them.

11 We've all ridden on buses. We know what kids do on
12 buses.

13 Studies have shown, statistically proven, that
14 distractions are less when children are buckled up.

15 The statement was made by the first gentleman that
16 spoke that they'd like to decrease the number of accidents
17 and to increase the safety. Bus accidents are going to
18 occur. Seat belts are one way to decrease the injuries from
19 these accidents. The reason they call them accidents is no
20 one wants them to occur.

21 Compartmentalization is an excellent idea. Good, high
22 seat backs, as has already been stated the 28" is what was
23 really recommended, and good padding which is now being used
24 somewhat, are very, very good, and very important.

25 I wondered, sitting there, why there are seat belts in

1 the back of my car. In the back of my car there's better
2 padding than there is in the back of that seat belt. Most
3 incidents happen from the front. Why did they mandate that
4 seat belt to be installed in the back of the car?

5 We all know that the safest position in an automobile
6 is the middle of the back seat. Why is there a seat belt
7 there?

8 Price has been discussed already a little bit.

9 Seat belts - installation about a thousand dollars for
10 a bus costs the bus company about thirty thousand dollars.
11 Just add to that that a bus life is somewhere between ten and
12 thirteen years. That leaves an average cost per year to put
13 seat belts on a bus at seventy-seven dollars.

14 A statement was made that if the parents don't tell the
15 kids to buckle up, kids don't buckle up.

16 Well, I have a practice, and my children tell the
17 parents to buckle up, and it really works. I have a poster
18 hanging in my waiting room that says -- with a little child
19 sitting in back in a car seat, and underneath it says:
20 "Mommy and daddy didn't wear their seatbelts. Who do I live
21 with now?"

22 Lobbying. I wasn't going to say anything about this,
23 and I'm sure you must be aware, but I get a lot of
24 information, and there's something I'd just like to bring to
25 your attention.

1 I'm going to read from something from testimony
2 delivered before the New York Legislature on "Critical
3 Transportation Choices." This was December 8th, 1983.

4 "At this point I feel it's time to ask a few
5 questions and at some to time to rebut some of
6 the arguments against seat belts.

7
8 "Why were seat belts and even seat belt anchorages
9 eliminated from the original Federal Standard 222.

10
11 "The National School Bus Contractors Lobby may explain
12 and their National School Transportation Association
13 know this letter, and I quote:

14 'The NSDA is enjoying a major
15 victory due to the elimination
16 of mandatory seat belt
17 anchorages from Docket 73-3
18 Number 5.

19 'Docket 73-3 originally contained 28"
20 high seat backs and seat belts.
21 Notice Number 4 eliminates high seat
22 backs. This is due to intense pressure
23 applied by the NSTA Board of Directors
24 working in concert with the public school
25 officials.

'NSTA wishes to say, 'thank you' to all of
you for your help, letters, telegrams, and
trips to Washington, again and again and
again.

'The effort will save every purchaser of
school buses over three hundred dollars
per bus.

'NSTA and its Board members spent well

1 over a hundred thousand dollars over a
2 two and a half year period to reach
3 this happy conclusion.

4 'If you feel as pleased as we do, NSTA
5 could use some financial assistance to
6 pay for the numerous obligations incurred
7 for Docket 73-3, Number 5.'"

8 According to this newsletter, it is the School Bus
9 Contractors' Lobbying that influenced the NHTSA to lower
10 Standard 222.

11 Seat belts save lives.

12 CHAIRMAN MURPHY: Are there any questions?

13 REPRESENTATIVE NAHILL: You've raised a very
14 interesting question that nobody else has even talked about.
15 Projectiles. I know when my son gets on a school bus he's got
16 his school bag slung over his shoulder, and so does everybody
17 else that's getting on there.

18 Q Any suggestions on that? I mean, it sounds like we're
19 going to buckle our kids up and then start sling stuff at
20 them?

21 A The book's a little heavier than his body.(sic) You're
22 absolutely right. That's the entire problem with airplanes.
23 That's why you can have carry-on luggage.

24 Q Nobody seems to have addressed that problem at all,
25 though.

A I think until you get the heaviest object that's going
to have the most weight -- that's probably more important
than the belts, although you're absolutely right, that the

1 books are important.

2 You take the speed of the vehicle times the weight of
3 the object and that tells you the weight of impact when it
4 hits you.

5 CHAIRMAN MURPHY: Any questions? Ron Gamble?

6 REPRESENTATIVE GAMBLE:

7 Q Do you have any information, doctor, as to how many
8 fatalities there were on school buses, or was this prior to
9 my getting here, over the past few years?

10 A Yeah. They have those statistics. Somebody presented
11 those.

12 CHAIRMAN MURPHY: We have the numbers. I think there
13 was some disagreement, again, I think, to the injuries, the
14 number of injuries, but we do have those, Ron.

15 REPRESENTATIVE GAMBLE:

16 Q Okay. Getting back to the one-half of one percent that
17 died as a result of fire. If that is all accidents,
18 automobile, do we have any isolated statistics just on
19 school buses?

20 A I --

21 Q I have a problem agreeing with a half of one percent of
22 the deaths on school buses were caused by fire. I seem to
23 think that that statistic is higher. Do we have anything
24 on that?

25 A I personally do not. I think you will find that it is

1 very, very low, maybe even lower than that.

2 CHAIRMAN MURPHY: We're going to try to get that
3 information. Thank you, Doctor.

4 DR. DeBIASSE: I have a hand out. I didn't make
5 enough copies.

6 CHAIRMAN MURPHY: The next speaker is Elaine Farrell,
7 Executive Director, Pennsylvania School Bus Association.

8 (off the record for recess.) (11:15 - 11:30)

9 CHAIRMAN MURPHY: What did you do to everybody that
10 they left?

11 Okay, you're on.

12 MS. ELAINE FARRELL: Thank you, Mr. Chairman and
13 members of the Subcommittee.

14 I do not have written testimony. My purpose for being
15 here is really for some follow-up information and to answer
16 some of your questions.

17 The Pennsylvania School Bus Association, and I know
18 it's been mentioned many times today, is a private association
19 of private school bus contractors, and we do represent about
20 seventy-five percent of the busing in the State of
21 Pennsylvania.

22 We do not represent the manufacturers, although some of
23 the dealers of school buses are members.

24 I think, as we've heard this morning, there are some
25 very strong opinions for seat belts in school buses in those

1 of us who believe that seat belts will not be an added safety
2 benefit, based on the limited information available to us
3 today.

4 I don't want to be redundant. You've heard all the
5 arguments pro and con. I've been listening to the arguments
6 for about three years out of the five that I've been with the
7 Association, and we're still not off dead center, and I
8 guess I question why.

9 Everyone in this room is here for safety reasons. Our
10 Association promotes safety and the proponents of seat belts
11 certainly are concerned with safety because they feel seat
12 belts do work in automobiles, and I agree with that one
13 hundred percent.

14 Each group is sticking very closely to their cause.
15 They feel they have valid reasons, although sometimes some
16 things are taken out of context.

17 Some of the things I've heard today, for example,
18 insurance rates. No, insurance rates have not gone up right
19 now for those school districts that have had seat belts. Our
20 contractors are experiencing 300, 400 percent increases in
21 liability insurance for every day running.

22 I think that if seat belts were installed in school
23 buses you would be seeing more liability lawsuits, perhaps
24 down the road. For example, if a child was belted and was
25 killed and a child that was not belted and was killed, there

1 could be some potential lawsuits, and perhaps maybe five to
2 ten years from now we'd see some increases, so it's hard to
3 say.

4 For every physician, for example, that can provide
5 testimony that seat belts would protect children in a crash
6 situation, I can probably come up with some physicians that
7 have seen the crash tests, that would agree that there would
8 be increased head injuries to children.

9 In terms of weapon use, we'd like to think that children
10 are one hundred percent good, that they won't use a seat belt
11 as a weapon, but this is an example right in the City of
12 Pittsburgh.

13 I have a discipline report from the City of Pittsburgh
14 that one little boy hit another little boy with a seat belt,
15 causing a nose bleed, and that was his fourth offense, so
16 there are situations where the seat belt will be used in
17 weapons and we can't guarantee that they will not be.

18 I know there's a gentleman here asking about fire in a
19 school bus and the number of accidents related to fire. It
20 takes three and a half minutes for a school bus interior to
21 catch on fire. There was an accident in Montana last year
22 where the school bus occupants had about a minute to evacuate
23 the school bus because fire erupted, and we have to question
24 if they were belted in seat belts, would they be able to get
25 out on time. There were no serious injuries or fatalities.

1 If they were belted in, there could be.

2 So what I'm getting at, for every time we say that fire
3 is not a problem in a school bus, maybe it's only one half of
4 one percent of the accidents, there are situations where it
5 will occur, and we have to address that.

6 In terms of using seat belts, we have heard testimony
7 that compartmentalization will not work if the children are
8 not in their seat, and that's true. Seat belts will also not
9 work if they don't buckle them up.

10 I did ride on one of the school buses in the Greensburg
11 School District where they are using school bus seat belts
12 for the last several years, and I found about sixty percent
13 usage. Certainly, there was not one hundred percent usage.

14 I found that teachers had to get on the bus for the
15 kindergarteners and buckle them up. I also found the
16 kindergarten children unloosening the belts, turning their
17 feet around (demonstrating) and kicking them in the aisle so
18 they were not properly using the seat belts and so if the bus
19 were in a crash they could slide out and potentially have
20 their belts hanging around their neck. So, we have to be
21 realistic. Both things are going to happen.

22 There were Federal hearings on seat belts in school
23 buses just last June, and I think what came out of those
24 Federal hearings - I was down there, and Congressman Bud
25 Schuster was at those meetings - that the conclusion was that

1 we do need more evidence in this area before we start
2 mandating seat belts in school buses.

3 The National Highway Traffic Safety Administration, as
4 Mr. Pschirer pointed out, rejected many petitions from groups
5 requesting seat belts in school buses and anchorage systems
6 for a lack of evidence. They still continue to support
7 compartmentalization.

8 And as also was mentioned, the Canadian study produced
9 conclusive evidence that there is a potential for head injury
10 in frontal collisions which increased when the lap belts were
11 employed on those students. Some groups don't agree on that.
12 Some groups do tear the Canadian crash study apart.

13 I have yet to see conclusive findings or evidence
14 produced from the scientific community to discredit the
15 adequacies of the dummies used in the test.

16 And I think, as I opened my talk, that we are dead
17 center, and I'd like to start getting off dead center on this
18 issue. We're, I know, in our Association, I devote a lot of
19 my energies to seat belt talks, and by doing this, we're
20 neglecting some of the problems outside the bus where the
21 children in Pennsylvania get run over by their school bus or
22 a passing motorist, continually.

23 Over the last ten years, in Pennsylvania, we have not
24 had a inside fatality.

25 In addition to all this, our energies being directed in

1 the wrong areas, Federal dollars, as Jim had mentioned,
2 stopped and we have to absorb those costs now to train school
3 bus drivers.

4 Finally, there was a lot of talk about injury, and I
5 don't know what PennDot's recording, or statistical
6 department's show, but I know we really can't still
7 differentiate the severity of the injuries reported, where
8 they're happening, and in which type of accident that they're
9 happening. Perhaps we have to work towards that area also.

10 We've got many questions, many "ifey" situations, and
11 I'm still looking for some answers. We need studies, and we
12 need research, and we need scientific reports to give us some
13 answers.

14 I guess I'm amazed at the statistics that were stated
15 by the last gentleman on all the automobile seat belt
16 statistics available, and we just don't have any of those
17 statistics for the school bus industry.

18 I think it's too premature to answer the questions on
19 whether seat belts will be an additional benefit -- additional
20 safety benefit on school buses today. We have to answer
21 driver distraction questions. If there are seat belts on
22 school buses, who is going to monitor their use? This has to
23 be done. There is no way a school bus driver can do that.
24 Two seconds his eyes are off the road, and that bus can be
25 involved in a school bus accident.

1 Liability problems still have to be answered. The
2 question that the crash tests show, the potential for injuries
3 for those children belted in, we have to look at that a
4 little bit, in more detail, and the evacuation concerns that I
5 expressed with fires. Do we put three, or two belts per
6 seat? Are we going to increase our fleets as a result of it?

7 I'm really here to answer some questions that you have,
8 but I would like to see this issue get off dead center myself.

9 CHAIRMAN MURPHY: Nick?

10 REPRESENTATIVE COLAFELLA:

11 Q Ms. Farrell, why do you think when you're on an airplane
12 that they have you put your seat belts on when you're taking
13 off or when you're landing? Do you have any idea why they
14 would do that?

15 A Why you have your seat belts on in an airplane? Well,
16 the obvious protection, I guess, because of the speed of the
17 airplane which is quite a bit more than a school bus or an
18 automobile, that you don't get thrown.

19 Q Don't you -- Don't you think seats, the compartmentali-
20 zation of airplane seats are almost the same as school buses?

21 A I really can't say. I don't know.

22 Q Are you adverse to having a study done to study this
23 issue, funded say by the Department of Transportation?

24 MR. CASPER: Pilot project.

1 REPRESENTATIVE COLAFELLA:

2 Q Pilot project. Would you be in favor of something like
3 that?

4 A Representative Colafella, I think our Association would
5 if it was a scientific study, a controlled study done by a
6 reputable organization and done in various parts of the state.
7 You might have--find, come up with different conclusions if
8 you're doing it in Philadelphia as opposed to Montour County.

9 Q Ms. Farrell, let me say this. Okay? I came here at
10 this meeting today saying, "I don't know whether we need seat
11 belts on school buses." What I did say was that the -- that
12 the reason why I introduced this resolution is because I had
13 a medical doctor who told me about his medical doctor friends
14 who have said that youngsters come to them in minor bus
15 accidents who have severe problems because they weren't
16 wearing school buses (sic). That's where I'm coming from.
17 I'm not saying that I'm in favor of seat belt or I'm against
18 them. I knew so little about the issue until I came here
19 today, but what I am surprised about is why you wouldn't
20 really want to have as many studies as possible.

21 Why haven't your Association conducted some studies on
22 this issue? Why haven't you interviewed a whole lot of
23 doctors who have treated youngsters who have been in school
24 buses? Have you ever done that?

25 A No. That's a good question. We haven't done it, but I

1 think - and this is not an excuse - but the proponents come
2 up with physicians that say one thing, and we have come up
3 with some physicians that say another, so we are getting that
4 conflicting information.

5 We really are not set up as an organization to do
6 research, so I think it's a good idea to NHTSA, the National
7 Highway Traffic Safety Administration or our own Department
8 of Transportation, you know, to do a...

9 Q You're in favor of a study, then?

10 A Most certainly.

11 REPRESENTATIVE COLAFELLO: Good. I'm glad to hear
12 that. Okay. That's all I have.

13 CHAIRMAN MURPHY: Ron Gamble?

14 REPRESENTATIVE GAMBLE: How many fatalities would you
15 say were received, in say, as a result of school bus accidents?

16 A In Pennsylvania?

17 Q Yes.

18 A Inside or outside the bus or total?

19 Q In the bus.

20 A In the last ten years there have been no fatalities
21 inside a Pennsylvania school bus.

22 Q No fatalities?

23 A Child fatalities.

24 Q So, it seems if we wanted to save students' lives, we
25 would maybe outlaw football rather than put the seat belts on

1 a bus because we all know there have been fatalities in
2 football. That's an astounding statistic. Have there been
3 any children paralyzed in accidents in the last ten years in
4 a bus?

5 A I wish I could answer that, and I wish that...

6 Q You don't have the degree of injury?

7 A I wish the department had those kind of statistics to
8 share with you, but I don't have those. I'm not -- I would
9 not be surprised if there were a couple. With 17,000 school
10 buses and we transport 1.5 million daily, I'm sure there's a
11 possibility there.

12 REPRESENTATIVE GAMBLE: I'll make it clear. I'm
13 not for outlawing football, but I --

14 MR. CASPER: I'm glad to hear that, Representative
15 Gamble, unless the Eagles lose some more games.

16 REPRESENTATIVE GAMBLE: I thought there had to be a
17 number of fatalities to bring this sort of legislation to the
18 fore, and my theory in Harrisburg, if it isn't broken, you
19 didn't fix it.

20 I have a serious problem with it. I would like some
21 more data myself.

22 CHAIRMAN MURPHY: Representative Nahill.

23 REPRESENTATIVE NAHILL: We've heard a lot, or I have
24 anyway, we've heard a lot of conflicting data today.

25 Q What kind of costs are we talking about to make, what a

1 lot of the testimony has said, a safe bus for our children
2 to go to school? Have you compiled any figures say 500,000,
3 fifteen hundred dollars to bring our buses up to the state
4 that everybody agrees would be perfect?

5 A I think we have a bus already like that.

6 Q Well, okay. In other words, you're saying that -- How
7 much would it take to install a seat belt?

8 A I think the figures we heard today were from fifteen
9 hundred to two thousand dollars per vehicle.

10 Q Per vehicle?

11 A And that's not including, you know, additional
12 maintenance costs, and breakage, replacement.

13 Q Okay. How many school buses are there across the
14 state, do you have any idea?

15 A Seventeen thousand.

16 Q Seventeen thousand.

17 A We have about the fourth largest fleet, I believe, in
18 the United States.

19 Q So, if my math is correct, we're talking about how much?

20 A Three to four million.

21 Q How much?

22 A Three to four million.

23 Q That's a lot of money, but if we started something like
24 on a gradual basis, it probably wouldn't be talking about
25 very much money across the state if the state was involved

1 with it.

2 A Yeah. You probably would not be talking retrofitting.
3 I want to make one comment. You had mentioned - you were
4 talking about projectiles before.

5 In, I know one of the regulations in our school buses
6 in the state is that we are not allowed to even have speakers
7 that are protruding from the school bus. Everything is
8 flush, which is a way of protecting the children, and when
9 you were talking about book bags and that sort of thing, that
10 is a problem, and many of the school districts do not allow
11 band instruments, that sort of thing on a bus, because of
12 that problem.

13 Q Do they have -- like on an airplane, you have room in
14 front, underneath the seat. There's a bar or something --
15 There's a restraint device. Have you ever looked at what a
16 restraint device might be underneath the front of each seat
17 to -- so that the kids can get in and put their books
18 underneath and therefore secure them?

19 A This is the first time it's been brought up, and I flew
20 from Harrisburg this morning. I know exactly what you're
21 talking about. I know that bookracks are not allowed in the
22 school bus either, or any kind of a rack. That might be
23 something to look into. That's certainly --

24 Q I don't think it would probably cost an awful lot.

25 A I can't imagine, but I don't know, if you start bolting

1 things into the floor if that could be, you know, loosening
2 the floor.

3 Q Maybe it might be possible if, indeed, we're going to
4 go ahead with this study through PennDot, maybe we could look
5 at both features at once. It seems kind of silly to do a
6 study of seat belts and then permit projectiles flying all
7 over the bus like an anti-tank, grenade might do.

8 Scott, maybe you might mention that to Nick.

9 MR. CASPER: Sure.

10 REPRESENTATIVE NAHILL: That might be something
11 interesting to investigate.

12 Thank you.

13 CHAIRMAN MURPHY: Representative Steighner.

14 REPRESENTATIVE STEIGHNER: Thank you, Mr. Chairman.

15 Q Elaine, with no fatalities in Pennsylvania over the
16 last ten years, inside a bus, were there any fatalities to a
17 student who was injured in an accident inside the bus and
18 consequently went to the hospital and died there?

19 A I would imagine that would be included as an inside
20 fatality and would be reported to PennDot. We have to report
21 every school bus accident, whether it be a field trip or a
22 regular to and from run to PennDot.

23 I have the statistics which I'd be happy to send you
24 that detail each fatality in our state in the last year, and
25 there might be a situation like that. I'm sure there's at

1 least one.

2 Q So there would be at least one.

3 A There might be. I can't say. I did not think to review
4 that this morning.

5 Q Okay. Are the figures I have in front of me somewhat
6 correct - at least if it's in the ball park - that we have
7 had injured students involved in accidents inside a bus of
8 over 40,000 in the last ten years?

9 A Forty thousand in the last ten years? Are you talking
10 nationwide or...

11 Q Nationwide.

12 A I mean, if that's what they're reporting, I have the
13 National Safety Council latest book here, and I'm sure it's
14 in there. Methods of reporting change, believe it or not,
15 each year and I know the National Safety Council is trying to
16 get a consistent reporting mechanism so some of these stats
17 can start looking a little bit, or can start saying something
18 over the next several years, and I can't even answer that,
19 because from a broken mirror to a tree limb could be included
20 in those accidents.

21 Are you talking fatalities, injuries? Yeah, I'm not
22 even sure if those are inside accidents or outside accidents.
23 Nobody seems to detail where they're coming from. I can't
24 say if they sound right to me. If that's what the report
25 says.

1 Q Well, this is what was attached to Margery Mitnick's
2 testimony?

3 A Right. Okay. If that's the Council's reporting then
4 that's what we go by.

5 Q Do you have an idea of those 47,000 how many are from
6 Pennsylvania?

7 A The only thing I can say is last -- two years ago, I
8 think there were about 3300.

9 Q Thirty-three hundred?

10 A No. I'm sorry. I think that's way off. That was for
11 the Nation last year. Ours was probably a couple hundred.

12 Q The National Safety Council's accident facts, do you
13 know if in their study they showed if it went back ten years
14 what the health care costs was for 1974 as compared to the
15 health care costs in 1984?

16 A Their statistics, I don't believe have a column for
17 costs, but I have seen statistics like that and they would be
18 available, I'm sure, somewhere.

19 REPRESENTATIVE STEIGHNER: If you come across them, if
20 you could furnish those to the Committee, I think it would be
21 helpful to us.

22 That's all I have.

23 CHAIRMAN MURPHY: There was testimony that in Texas
24 there was an out-of-Court settlement for five hundred thousand
25 dollars.

1 Q Has your Association looked at that?

2 A I'm familiar with it, Mr. Murphy, but that's about it.

3 Q Are the facts that were given to us correct, then, that
4 the settlement was five hundred thousand dollars based on the
5 facts that the school did not have...

6 A That is what I read in the newspaper.

7 Q Isn't Texas law essentially the same as ours in that
8 they do not require seat belts on their...

9 A That's correct.

10 Q So that that raises the potential liability
11 problem--serious liability problem for all -- Have you talked
12 about that in your Association?

13 A No. It's an isolated situation. I don't know the
14 details. It's what I read in the newspaper, but you know,
15 when I -- I think I better take a look at that.

16 Q Well, given what's happening with the liability
17 insurance market, I would think --

18 MR. CASPER: Especially for public entities.

19 CHAIRMAN MURPHY:

20 Q --that you'd want to do that, and your liability
21 and insurance has gone up substantially, I'm assuming.

22 A Three to four hundred percent.

23 Q Yeah. That's true with most. So we're looking at an
24 added -- If in fact, through your investigation, you found
25 that your members, their liability, because of this court

1 case, has increased substantially, what would your position
2 be at that point? In fact, if seat belts were not available,
3 that your members were liable, potentially liable for
4 substantial damages?

5 A I guess if accurate data showed that we'd have to take a
6 serious look at that, but I really can't say now, Mr. Murphy.

7 Q Do you intend to look at that court case, then?

8 A I certainly do.

9 Q Will you let us know the conclusions on that - whether
10 it's an isolated incident or whether it looks like it could
11 be applicable to Pennsylvania law also?

12 A I'd be happy to.

13 Q Ms. Farrell, I guess one of my problems has been that
14 -- in this discussion, is that the proponents of the issue
15 have brought to us information and I have found the School
16 Bus Association generally reacting very defensively to the
17 question rather than attempting to reach a factual conclusion
18 as to whether seat belts are helpful or not.

19 The previous testimony indicates it's a "wash" for you,
20 financially. You concur with that, I assume, that it is not

21 --

22 A That it's a "wash" financially. You know, I know
23 you've mentioned the proponents have come with lots of acts
24 but I have to personally question where the facts are
25 coming...

1 Q No, I said it's a "wash" economically for you?

2 A Yes.

3 Q So it doesn't -- It has no impact on you at all?

4 A No.

5 Q On your association, and its members economically...

6 A Absolutely not.

7 Q So your interest is only to get to the truth so to
8 speak as to whether seat belts are safe or not, and yet your
9 reaction to the issue indicates that - in the defensive
10 nature of your action - indicates that you're not as much
11 interested in the truth as opposing the use of seat belts.

12 If you were interested in getting to the truth, there
13 seems to be a more constructive way to get there than just
14 simply to say there's nothing indicating that seat belts make
15 sense. Do you understand what I'm saying?

16 A Yes. That's a hard statement. We are very interested
17 in the truth and I think Jim Pschirer provided testimony for
18 the Association. I'm here saying we're still on dead center,
19 and I would very much like to see...

20 Q But it seems to me that your-- you are, your Association
21 is a big reason why we are still on dead center. Rather than
22 taking the -- That's my criticism, is rather than taking the
23 initiative to reach, in effect, a reasonable conclusion on
24 this, your Association has kept us on dead center.

25 A You're probably partially true, Mr. Murphy, and there's

1 a Board meeting tomorrow, and I certainly will take that back
2 to them to see what area we can start working in.

3 CHAIRMAN MURPHY: May I suggest that you could be more
4 constructive and creative in this issue.

5 You obviously have the ability to work with us or
6 against us at this point. We're, I think, interested in
7 getting to the truth also, and we'd like your cooperation in
8 that rather than your opposition. I hope you take that to
9 your members.

10 MS. ELAINE FARRELL: I certainly will.

11 REPRESENTATIVE GAMBLE: I would like to give you
12 credit, and I'm sure you will do better, but when you consider
13 that two and a half million people, or two and a half million
14 students ride a bus every day, 180 days a year, and they ride
15 it two times, and they sit in their seat two times, and you
16 have two and a half million students riding a bus, 3,600
17 times over a ten year period, and not one fatality. Again, I
18 think that's a startling statistic, and with statistics like
19 that, and if the other ones are the same, I don't even know
20 what we are doing with this issue. Thank you.

21 DR. DeBIASSE: If I could just ask you just one
22 question?

23 CHAIRMAN MURPHY: We don't do -- permit that.

24 Any further questions?

25 MR. LANDIS: I have one, Tom.

1 CHAIRMAN MURPHY: Yes.

2 MR. LANDIS:

3 Q On the accident statistics, and this is something
4 that's been bothering me throughout this whole hearing, we're
5 talking about school buses, but as you know, there are
6 different types of school buses. We have the mini van which
7 is a school vehicle. With our new definition of a bus,
8 starting in July, it's not just a van, and the van requires
9 and a handicapped school bus per se requires seat belts, and
10 also wheel chair restraints as part of the equipment. Do you
11 have any statistics that could isolate where the fatalities
12 are happening? Are they happening in the 78-passenger bus,
13 or the 36-passenger bus, or the mini bus?

14 A I would say the Department of Transportation should
15 have those statistics, but I know that was brought up before,
16 that seat belts were in vans, and they are required by the
17 Federal government under the 10,000 gross vehicle weight,
18 which is your small van because they don't have the crash
19 worthiness of the large school buses. But to answer your
20 question, I don't have them.

21 Q I noticed you had your accident statistics and I
22 thought it might have been in there.

23 A They don't, unfortunately, detail that.

24 Q Everybody seems to say a school bus is a vehicle that
25 transports children. Well, there's apples and oranges when

1 you talk of a school bus.

2 A That's right. Um-hmm. We need better reporting.
3 There's no doubt about it.

4 CHAIRMAN MURPHY: Thank you.

5 Representative Steighner.

6 REPRESENTATIVE STEIGHNER: Elaine, I may be very
7 redundant in what Paul just asked.

8 Q If I want to ride from here out to the airport, what is
9 the safest mode for me to travel? Bicycle, motorcycle, bus,
10 automobile, or van? I mean, who has the best stats?

11 A School bus - seven times safer than an automobile.

12 CHAIRMAN MURPHY: Thank you.

13 MS. ELAINE FARRELL: Thank you.

14 CHAIRMAN MURPHY: Rich Brown, Beaver County Parents and
15 Teachers Association.

16 MR. BROWN: Thank you very much.

17 As you've already said, my name is Rich Brown, from the
18 Beaver County Council PTA, and I also represent the Brighton
19 Township PTA which are in Beaver County.

20 To us, seat belts on school buses are a very important
21 issue, not only to me, but to most parents of school age
22 children. The NSTA, their prime concern is the safety of
23 children its members transport. Their association is not so
24 much opposed to the use of seat belts in school buses as it
25 is in support of compartmentalization. They believe that the

1 studies and excellent record of school buses support compart-
2 mentalization, but I don't believe it's enough.

3 Our -- Pennsylvania transports more than a million
4 students daily and our safety record is great. There's no
5 question about it, but I believe some additional safety
6 measures can be taken to ensure this safety record.

7 We, in our council, support the following items. We
8 believe the seat backs should be elevated to 28" which is
9 four inches than now mandated. All seat backs should be
10 padded with firm material that absorbs impact.

11 I also would like to see stronger construction of bus
12 outside walls such as in automobiles, in their doors they
13 require some type of a beam to absorb some of the collision
14 for the sidewalls.

15 Seat belts should be required on all buses and retro-
16 fitted on buses manufactured after 1976.

17 Additional bus driver training should be mandatory in
18 all school districts and should include provisions for the
19 possibility of accidents in a loading zone, which I might
20 add, there are numerous statistics as you may have already,
21 that there is a problem in that area with students being
22 injured, killed, in fact, in the loading zone area.

23 I am concerned with this issue, and we've been caught
24 up in a monster called "statistics." And I hope we don't let
25 this happen. Just let us all remember that the unnecessary

1 death of one child is really too many.

2 I have some additional information that I would like to
3 pass along to you, and these are some of the letters that I
4 received and we have passed along to Nick Colafella and Mike
5 Veon as well, in regards to accidents that happened and some
6 additional information from the St. Paul Pioneer Press in St.
7 Paul, Minnesota, plus we also have some statistics on the
8 number of accidents that happened in Beaver County since
9 1981, that made the newspaper.

10 Now, be believe this is only a small portion of the
11 accidents that really did take place, and we'd like to pass
12 these along to you just for your informational purposes.

13 Thank you.

14 CHAIRMAN MURPHY: Do you have any questions, Joe, Mike?

15 MIKE VEON: I'd just like to thank Rich for taking the
16 time to come up and testify on behalf of the Beaver County
17 PTA. You do a good job down there. I appreciate your taking
18 the time to come up and offer some testimony.

19 CHAIRMAN MURPHY: Rich, you indicated you had some
20 information about accidents.

21 Q Do you have any sense of how your school district
22 reports those accidents and what accidents they do report?
23 Have you questioned them about that?

24 A No, I haven't.

25 CHAIRMAN MURPHY: Okay. Thank you. Are there any

1 other questions?

2 (No response.)

3 CHAIRMAN MURPHY: Thank you, Rich.

4 Lee Ednie, Director of Transportation, Penn Hills
5 School District.

6 You may begin, Mr. Ednie.

7 MR. EDNIE: My name is Lee Ednie. I'm director of
8 transportation safety and security for the Penn Hills School
9 District, and I'm here representing not only the Penn Hills
10 School District, but as Past-President of the Allegheny
11 Intermediate Unit Number 3 Transportation Association,
12 Past-President of the Pennsylvania Pupil Transportation
13 Association and President Elect of the National Transportation
14 Association.

15 Our position, with reference to seat belts, is the fact
16 that - and I do have a position paper here - I don't intend
17 to read it word for word. I want to highlight as we go
18 through.

19 First of all, I'd like to thank you gentlemen for the
20 opportunity to, you know, come before you and give some
21 information on this. I think that the first thing that we
22 want to point out, that we have a concern among the 42
23 districts here in Allegheny County, that the fact that we
24 feel that House Bill 928 should be defeated, and the interest
25 with reference to the seat belt issue should be put in

1 another area, and I'll explain that as we go through here.

2 First of all, we feel that the taxpayers not only of
3 this community, the communities here, but the communities
4 throughout the Commonwealth of Pennsylvania could be better
5 served by money being used in a different area.

6 We are not opposed to safety, and I've worked over a
7 quarter of a century with children, and have pretty much
8 dedicated my, you know, professional life dealing with that.
9 We want to make it very clear that anything that can be
10 proven that is going to be safe for the kids, we want to
11 implement.

12 At the present time, we feel that just dealing with
13 seat belts themselves is not the total answer. We feel that
14 the school bus and it is proven it is the safest vehicle
15 available, six times safer than the family car, and I think
16 that the concerns of the many people that are involved in
17 pupil transportation is the fact that whatever we can do to
18 save one life is worth the time and the effort to do that.

19 Unfortunately, the evidence at this particular point
20 does not prove that seat belts are going to cause additional
21 savings of life when it comes to the internal part of the
22 school bus because, as you realize, it has been testified
23 here earlier, we have not - especially in Pennsylvania - have
24 not had a fatality with the inside of the school bus, you
25 know, over the past ten years.

1 Now, let's take a look at the purpose of what seat
2 belts are for. Seat belts are primarily designed to keep
3 people from being ejected from their seat. They do a fine
4 job in an automobile, but we're talking about a different
5 vehicle. We're talking about an automobile and a school bus,
6 so there are many objects within a bus -- I mean within an
7 automobile that an individual can get hurt if they get thrown
8 out of the seat. Also the main problem is being ejected from
9 the vehicle because of the doors and the proximity of the
10 doors to the passenger in an automobile.

11 This is not true in a bus. Currently, there are only
12 two doors and we do not have passengers that are sitting near
13 the doors, so, you know, this is not a problem within the
14 school bus, so that's one of the items that needs to be
15 considered.

16 You've heard about compartmentalization. We feel that
17 the NHTSA standards, after the various testing that has been
18 done over the years, pretty much indicates that the compart-
19 mentalization does work, and when this -- as a follow-up, I
20 think it's been pretty well proven by the Canadian testing
21 which was done over the past several years, I think one of
22 the things, and I would like to go back, you know, on page
23 five here, and read through the Canadian crash test.

24 The test itself involved three different buses, typical
25 of what is used in the transportation industry, where three

1 dummies were belted in these crash tests; three dummies were
2 not, and as a result of the tests that were run, the dummies
3 that were belted had a much greater facial force whenever
4 they hit the seat in front of them.

5 The dummies that were not belted were able to slide
6 forward and the entire blow was cushioned from the waist up
7 rather than having their heads -- If you gentlemen have seen
8 these films, or if you haven't, I would recommend that you do
9 as a part of your investigation look at that, because when
10 you see how, at the fulcrum point, when the waist is being
11 held, how the head goes forward and the neck is tilted up and
12 the facial area is pushed right into the face of the seat.
13 The injuries that they determine in some cases, you know, in
14 the various tests, you know, they would assume would be life
15 threatening.

16 Those that happened to the unbelted dummies were not.

17 Now, at this particular point, that's really the only
18 testing that we've had in recent years that deals with seat
19 belts, and as I said, our organization as well as the others,
20 you know, would like to continue to see this issue, as Elaine
21 Farrell said, 'get off dead center' because we've been
22 dealing with it for over five years on whether we should put
23 them in a school bus, or whether we shouldn't.

24 I think that one of the things that needs to be
25 determined is the fact that students when they ride on a

1 daily basis to and from school are afforded currently what we
2 feel is the safest vehicle available.

3 The National Pupil Transportation Association has an Ad
4 Hoc Committee that is dealing with safety restraints on
5 school buses. We have been working with the major
6 manufacturers trying to get grants and money to do further
7 testing to determine whether or not, you know, seat belts are
8 the answer or whether there's other types of restraints that
9 could be used, you know, on school buses, that would improve
10 student safety.

11 I think that when you look at, and when you have a
12 chance to read some of the items that I've mentioned in here
13 about what can happen, we're adding an additional
14 responsibility to the driver that the driver did not have
15 before. I think one of the of the key issues is the fact that
16 where we have our problem is in the loading and unloading
17 area, and you provide the driver with another task to take
18 and get their attention off of what is happening when students
19 are loading and unloading, I think this can be another
20 potential problem.

21 The fact that students are naturally going to take
22 longer to buckle and unbuckle the seat belts, this is going
23 to cause more delays on the highways. You're going to have a
24 problem with motorists not obeying the flashing lights. This
25 is going to add to this because buses are going to be stopped

1 for a longer period of time.

2 Couple this with the fact that you're also using more
3 resources whenever that vehicle is setting there at a longer
4 period of time, you know, waiting to load and unload the bus.

5 I think that, you know, one of the factors that has
6 been used, you know, by proponents of seat belts is the fact
7 that they feel that this will increase the usage of seat
8 belts when the students ride in a car. I think that as an
9 educational system, you know, we surely have the ability to
10 differentiate in a student's responsibility between riding a
11 car and riding a school bus.

12 This is done every day. I think students have the
13 ability to reason. I think we as educators have the ability
14 to teach kids the fact that there are times when you do one
15 thing and times when you do another, and I feel very strongly,
16 and our organization feels very strongly, that we, with an
17 educational background, can provide that training for kids.

18 In many areas individuals have to use various types of
19 safety equipment, you know, as a part of doing their job, and
20 when they finish that job, they do not wear hard hats and
21 safety shoes and things of this nature whenever they drive
22 their automobile, so I think that this is an area that we can
23 deal with and deal with successfully.

24 Also, our organization, along with all of the major
25 transportation organizations in this country, have supported

1 the position of compartmentalization and I think it's very --
2 at the present time, it's the best information that's
3 available and until we can find something better, and I would
4 like to encourage the study group here to take and look at
5 and maybe free up some money to do some work that would help
6 educate the motorist, first of all, on why they should stop
7 whenever the school bus is loading and unloading.

8 Also for additional funds to, you know, continue with
9 Ridership programs in the school, as well as additional
10 training for school bus drivers.

11 Now, I have gone through, and like I said, I did not
12 want to read this word for word because, you know, I've been
13 dealing with this for quite a few years, and I think as a -
14 not only as an individual that's been operating, in our
15 district we transport approximately 9,000 students every day.
16 The question was asked here before, what about the records
17 with student accidents? Yes, we keep an accurate record of
18 everything that happens. I can go back and over - just off
19 the top of my head - in the last, you know, ten years, I
20 think we've had, you know, maybe three or four injuries that
21 have incurred inside the vehicle.

22 I can recall one that happened last year where a
23 student had his foot run over by the front wheel of the bus
24 whenever they were loading and unloading. Here again, Junior
25 High School age students that do not conform to good riding

1 procedures and, you know, the natural tendency, in most cases,
2 when the school bus is coming, is for the students to rush
3 and push to get on the bus, because they want to get to the
4 high real estate area of the bus which is the last three
5 seats.

6 You know, we've talked about raising the height of the
7 seats another four inches. The driver currently has a very
8 difficult time seeing the activities that go on in the back
9 of the bus as it is. To raise it another four inches, you've
10 created another problem and responsibility for the driver.

11 So I think that, you know, we need to take a look at by
12 trying to increase something in one area, what kind of
13 problems are we causing in the other.

14 The fact that we feel that if we put seat belts on
15 there, I can guarantee you they will be vandalized because
16 we've had padded seats since 1977, and there's not a school
17 district in this county that has not, you know, been involved
18 in replacing seats on a mass basis, because students cut them
19 apart, and so, you know, we're not talking about the initial
20 cost and installation of seat belts on a bus. We're talking
21 about the fact that we're going to have maintain this, and we
22 feel that whatever should be maintained is something that's
23 very workable, and we feel that there needs to be more work
24 done.

25 At the present time there doesn't appear to be anything

1 in the way of statistics that can show us if seat belts are
2 going to save more lives in pupil transportation, because
3 where students are being injured and killed is in the loading
4 and the unloading zones, and this is the area that we feel
5 needs to be emphasized.

6 I'm open at this point for questions.

7 CHAIRMAN MURPHY: Any questions? Representative Nahill.

8 Q You and your organization certainly would not look upon
9 the suggestion we had earlier to run some real good,
10 controlled studies across the state, you would not be against
11 that, would you?

12 A Absolutely not.

13 Q Would you be willing to participate in them?

14 A We'd be more than glad to participate.

15 CHAIRMAN MURPHY: Joseph.

16 REPRESENTATIVE STEIGHNER: Thank you.

17 Q One of the first things you mentioned was the costs to
18 the taxpayers, and I don't know if there's a group of people
19 more sensitive to that than the people sitting up here, and I
20 don't think there's a question as to additional costs that's
21 going to be involved. Have you seen any figures comparing
22 additional cost factors opposed to the health care cost
23 involved when an injury does take place and if one is higher
24 than the other?

25 A I only know from figures that I have read, concerning

1 the aftermath of those individuals that are injured and hurt
2 in automobiles. I've not seen anything done with school
3 buses at this particular point, because, as you realize, the
4 aftercare factors of accidents is staggering, you know, for
5 the amount of lost production, the amount of money that just
6 goes into health care benefits for those individuals that are
7 injured or maimed in automobile accidents.

8 Q You had mentioned about the driver responsibility, and
9 others have as well, and I think that's a very legitimate
10 concern. It's a concern of mine. The more we can have the
11 driver looking out the front window and paying attention to
12 what he's doing, I think the better off we're all going to
13 be. Couldn't we do in the buses as we do in other situations
14 in our schools? We have Drug and Alcohol monitors and
15 students are involved in situations like that. Couldn't we
16 do the same on the bus? Have a bus monitor that it's his or
17 her responsibility to at least ask the student to make sure
18 they are buckled up and if they're not they turn in a list
19 to the principal the next day?

20 A I think that's always a possibility. We -- Most school
21 districts run, primarily at the elementary level, what
22 they're referred to as Safety Patrol students that work in
23 the kindergarten through sixth grades to help students ride
24 the bus safely, you know, telling kids where they should sit;
25 you know, how they should do things, and things of that

1 nature, but I don't know that when we get down to the
2 liability factor who, if the vehicle would be involved in an
3 accident, who would be responsible for seeing that, you know,
4 the child is buckled up, and I think that's one of the
5 concerns that everybody has at this particular point because
6 of the potential, you know, liability that is effected there.
7 You know, school districts are no longer protected by the
8 same tort liability that they were years ago.

9 Q What if the statute would state that as long as the
10 seat belt was made available in the bus the school district
11 could be not liable for an injury concerning a student who
12 was not buckled up?

13 A I think that would be a much more workable situation,
14 you know, if that would occur.

15 Q Lastly, you had mentioned about delays on the highway
16 with the students buckling and unbuckling. I mean, that's
17 not one of your top three major priorities or concerns, is it?
18 I just don't see where that's realistic.

19 A Well, you know, those of us that are involved in a daily
20 operation, you know, find that, you know, one of the things
21 that we have to do in scheduling and routing is try to
22 eliminate as much traffic tie-up as we can, because, you
23 know, in any community, you find that school buses do tend to
24 tie-up traffic, you know, particularly in the morning hours
25 when people are going to work, and this becomes a problem as

1 people get very edgy, and this is where they start to disobey
2 the flashing lights. And, you know, we're having a constant
3 problem with people passing school buses when we're loading
4 and unloading.

5 Q I can see where that's a concern, but as far as a delay
6 in whatever seconds it takes for the student to unbuckle
7 themselves, I don't see where that's going to back up traffic.
8 I come in from Butler this morning and I knew that two lanes
9 were open in the Fort Pitt Tunnels over here, and it was
10 backed up for four miles because all these mature adult,
11 responsible drivers, once they got into the tunnel, had to
12 slow down to eight miles an hour to see the charred remains
13 on the roof, you know, and if those same people could come in
14 thirty seconds late because the bus in front of them is
15 unbuckling the seat belts, I, at least as one person, I
16 wouldn't have any problem with that.

17 A Well, here again, you've got to remember that you're
18 going to be dealing with some kids that will not have the
19 ability to do that. They're going to need some help, you
20 know, because you're going to have kids that cannot, you
21 know, physically, you know, or have the aptitude to do that,
22 and you know, this is where, it's going to have some delays.
23 There's no question about it.

24 You know, you find that in loading elementary students
25 at the beginning of the school year, it will take in the

1 neighborhood of probably two and a half times as long at the
2 beginning of school as what it does in the end, because of
3 the fact that they get better as the year goes along.

4 Q Many of these kids will already be familiar with the
5 seat belt because up till four years of age --

6 A Absolutely, I'm sure.

7 Q --so they're familiar with that.

8 A I'm sure of that, but it's still -- I still think that
9 we, as an organization, we feel that that's going to be a
10 problem.

11 REPRESENTATIVE STEIGHNER: That's all I have, Tom.

12 CHAIRMAN MURPHY: Mike, do you have any questions?

13 REPRESENTATIVE VEON: Just one, Mr. Chairman.

14 Q On page six, there's one explanation there, or one -
15 another example of why you may be opposed to seat belts that
16 I don't quite understand, and it's something that, for
17 example, down at the bottom of the page, "In a roll-over type
18 collision,, --

19 A Right.

20 Q --if the bus comes to rest on its side or roof, pupils
21 may suffer serious injuries when releasing the belts..."
22 You know, a lot of the people that I've talked to that are in
23 favor of it, they point out specifically rollover situations,
24 and it would seem to me that sounds more logical than being
25 concerned with this matter here. More logical than if a bus

1 is to roll over and the people thrown throughout the bus
2 there would be more injuries than if they were strapped in
3 their seat and worried about being released at that point.

4 A Okay. Picture you have a bus upside down. You have --
5 the distance between, in an automobile, between the
6 individual's head and the roof of the vehicle is only going
7 to be several inches. In school buses you're going to be
8 talking three to four feet.

9 Now, when you have to start unbuckling people that are
10 hanging from the ceiling, there are going to be people that
11 fall.

12 Q Oh, I understand that, but on the other hand, if
13 they're not strapped in, they're going to be on the roof --

14 MR. CASPER; They already have fallen and hit the roof
15 when they turned.

16 A But there have been accidents, you know, that have
17 occurred with rollovers, and the students that have come out
18 of those particular -- I guess a good example is the one that
19 happened in Jonesville, Arkansas.

20 The PreDot bus rolled over and there were individuals,
21 I think there was somewhere between 30 and 40 individuals on
22 the vehicle, and there were some fatalities.

23 And the fatalities occurred in the area of impact, and
24 you know, the roof structure collapsed, and the individuals
25 who were killed were right in the impact area. The rest of

1 the individuals came out of there with virtually, you know,
2 no injuries at all, and they were updumped and all over the
3 place, so...

4 REPRESENTATIVE VEON: I don't want to belabor the
5 point. That would be one area that I would have to disagree.
6 It seems that in rollover collisions it would be better to
7 have them strapped in and worry about it from that point than
8 have them rolling all throughout the bus, which is one of the
9 main concerns.

10 I tell you, it made some other good points that we
11 would need to look into a little further, but I certainly
12 don't understand that point right there - but I appreciate
13 it.

14 MR. EDNIS: Okay.

15 CHAIRMAN MURPHY: Any further questions?

16 (No response.)

17 CHAIRMAN MURPHY: Thank you.

18 Denise Hornberger, Benedum Trauma Program, Children's
19 Hospital.

20 Begin please.

21 MS. HORNBERGER: My name is Denise Hornberger - H O R
22 N B E R G E R, and I represent the Benedum Pediatric Trauma
23 Program at the Children's Hospital of Pittsburgh.

24 Members of the State House, Ladies and Gentlemen:

25 As a professional whose work revolves, not only around

1 the injured child, but around the injured family, as a parent
2 myself, whose world revolves around my own child, I am
3 deeply distressed that this nation's conscious is insensitive
4 to the horror and maiming and death that occurs in our homes
5 and on our Nation's highways, streets and playgrounds.

6 This is a self-inflicted blindness. We have chosen to
7 close our eyes to minimize a child's pain and suffering by
8 rationalizing that it was "just an accident."

9 Ladies and gentlemen, do you realize that accidents
10 kill 11,500 children every year? In 1982, the National
11 Safety Council reported 11,500 lives lost by accident. That
12 same year the National Injury Surveillance System reported
13 that 21.7 million children were injured.

14 Ladies and Gentlemen, that is one out of every four
15 children in this country seen in an emergency room each year.
16 Yet, there are more adult trauma centers in metropolitan
17 Pittsburgh than there are pediatric trauma centers in this
18 entire nation.

19 We are losing this Nation's most precious resource:
20 it's youth, as a result of trauma. It's a problem of
21 epidemic proportion but we have closed our eyes while we
22 futilely grasp at straws, searching for the cures for cancer
23 and congenital defects. We've ignored the greatest killer of
24 children, of healthy children.

25 We have ignored the fact that of all those diseases

1 that claim our children's lives, only trauma is preventable.

2 We're here today to discuss seat belts in school buses.
3 There is no question in my mind, medically or morally, that
4 as a specialist in the field of pediatric trauma I fully
5 support the installation and use of active restraint systems.
6 There are a thousand excuses that we, as adults, have
7 rationalized against their use, but the bottom line remains
8 that properly used, seat belts save lives.

9 The most notable argument against their use arises from
10 the studies done by the Canadian Department of Transportation.
11 May I point out that there are some very serious deficiencies
12 that existed in this research.

13 First of all, six dummies were used: three restrained,
14 three unrestrained, and placed strategically around the bus.
15 I would like to ask all of you, when was the last time you
16 saw a bus with only six children on it? In Pennsylvania, we
17 have children riding six children in a seat on a single bus.

18 This is not to mention that there are many children
19 forced to stand in the aisles of buses due to lack of seating,
20 and this is supported by organizations such as the West
21 Mifflin Area School District who has written letters
22 repeatedly to their Congressmen and to their House of
23 Representatives stating this problem.

24 All six dummies were 4'10" tall, identical weight and
25 structure, adult females. I challenge you, first of all, to

1 find six adult females on a bus full of second and third
2 graders.

3 Children are not small adults. The models used had
4 indicators affixed to their heads and to their chests to
5 measure the impact of injury. Children's unique physiology
6 allows both their heads and their chests to sustain
7 considerable injury without suffering fatality as in adults,
8 however, portions of children's necks; portions of children's
9 abdomen's, are much more vulnerable than our own are because
10 of their muscle structure, and yet, those weren't the areas
11 that were tested on these dummies.

12 Again, I stress that children are not small adults.
13 Physically, not just in size, but in body structure, they are
14 very, very different.

15 No measure was made of impact sustained to those
16 vulnerable areas. What's even more amazing to me is that the
17 impact pressures that were used to determine fatal injuries
18 were impact pressures for adult standards. There are no
19 children's standards in this country. Studies have never
20 been done and conducted on children.

21 If you or I sustain a serious head injury, our chances
22 of death and/or vegetation for the remainder of our lives is
23 eighty percent, yet we carry eighty percent more mortality
24 rate.

25 Children recover fully at an eighty percent survival

1 rate compared to adults, so head injuries are not going to
2 kill our children.

3 One thing that was excluded from this study was side
4 impacts, rear-end impacts, and rollovers. All those are the
5 mechanisms that seat belts would have prevented injury in,
6 and all those were the mechanisms that were excluded.

7 On a broader plane, and getting out of the Canadian
8 study, and into the room, there are those who argue the cost.
9 It's been estimated that installation would cost a thousand
10 dollars per bus, approximately. A bus already costing thirty
11 thousand dollars, with a life expectancy of thirteen years,
12 that boils down to seventy-seven dollars per bus per year.

13 When a child is seriously injured they spend ten days
14 in the hospital at a cost of eight thousand dollars for those
15 ten days. If they sustain a disabling injury, the taxpayer
16 pays three to four hundred dollars a day for the rest of that
17 child's life to support them and their disability.

18 Do you realize that a child's life expectancy with a
19 disability is not thirteen years like a bus, but fifty or
20 sixty years. There's a considerable difference in cost when
21 you want to boil down the 'nuts and bolts' of it.

22 The other aspect is that when a child is injured, the
23 child is not the only one injured. The entire family is
24 involved. It doesn't stop there. There is divorce; there
25 is lost wages in the family - in the adult sector of the

1 family because of the hardships, the mental hardships. There
2 are financial hardships trying to pay for the child's
3 hospitalization, for funeral costs, and frequently, because
4 of the devastation to siblings who are not able to deal with
5 the losses, we're forced to deal later on a public--in a
6 public issue with children who are suffering serious
7 psychological problems as a result of a loss of one of their
8 siblings, so it doesn't just stop with losing a child.
9 Society loses an entire family every time a child dies.

10 The problem goes much deeper than the issue of seat
11 belts.

12 Federal Motor Vehicle Safety Standard 222 required
13 passive restraint changes in seating eight years ago. Wayne
14 Bus, the company who tested and assisted in developing that
15 standard, has not met it. Our school buses remain non-
16 compartmentalized. Crowding forces our children to stand in
17 the aisles, to sit three and four children on a seat. No
18 seat, compartmentalized or equipped with active restraining
19 systems, will prevent serious injuries to those children.

20 I implore you to use the moral solution of your office
21 to end the injuries that are afflicting our children. I
22 propose that seat belt legislation be tabled until compart-
23 mentalization is enforced.

24 I propose that in the interim, studies that are
25 definitive for children be undertaken, under the guidance of

1 the state government by experts in automotive engineering and
2 pediatric injury.

3 I propose that the Benedum Pediatric Trauma Center of
4 the Children's Hospital of Pittsburgh join with you to
5 accomplish those things, and to accomplish the necessary
6 education for our children, but more especially, for our
7 adults to understand the proper use of restraining systems.

8 Please do not cheat our children of their chance for a
9 full life. Open your eyes and minds to face the fact that we
10 are allowing our children to die and to suffer and placate
11 ourselves and our pocketbooks.

12 Please demand of yourselves to take the first steps to
13 saving this Nation's future - it's Youth.

14 Thank you.

15 CHAIRMAN MURPHY: Thank you.

16 Sue Roselle, Executive Director, Emergency Medical
17 Service Institute.

18 MS. ROSELLE: Hello. I'm Sue Roselle. R O S E L L E,
19 and I'm Executive Director of the Emergency Medical Service
20 Institute.

21 On behalf of the board of directors of the Institute I
22 would like to express appreciation for this opportunity to
23 testify today. The members of the Committee really should be
24 complimented for your decision to take on this very
25 controversial issue.

1 The Institute is the regional EMS Council for the
2 twelve counties of Southwestern Pennsylvania. Under contract
3 with the Pennsylvania Department of Health, the Institute is
4 responsible for the planning and development of the EMS
5 system in the region.

6 This system includes 280 emergency ambulance services,
7 56 acute care hospitals, and over 10,000 emergency medical
8 technicians and paramedics. We're primarily concerned with
9 standards for the EMS system which relate to high quality
10 care after an injury or the onset of a sudden,
11 life-threatening illness.

12 At the same time we're cognizant of and address injury
13 prevention. We have supported public education and
14 information programs and also mandated safeguards which would
15 reduce the incidence of injury.

16 We participate in efforts to encourage enforcement of
17 the Child Automobile Restraint Law and the encouragement of
18 the use of seat belts by pre-hospital providers on ambulances.
19 The Institute has only recently established the policy of
20 support of seat belts in school buses, primarily because the
21 legislature kept us real busy with one of our own issues.

22 One of our first discoveries was that a school bus is
23 only a school bus when transporting school students between
24 home and school and return. Therefore, the statistics which
25 report on a low number of injuries and fatalities on school

1 buses exclude any accidents which occur with school buses
2 being utilized for other activities.

3 This certainly weakens the argument against seat belts
4 on school buses when you're basing that argument solely on
5 incidence data. I'd like to suggest, and I know that you're
6 struggling with your lack of statistics as I am, that maybe a
7 more enlightened posture would speak of exposure.

8 As we've heard, thousands, and indeed, millions of
9 children are transported by school bus twice a day, a hundred
10 and eighty days a year, for twelve or thirteen years. In
11 rural areas, and in large consolidated school districts, a
12 one-way trip for some children may be close to one hour.

13 This exposure to potential accidents is used as a
14 justification for a number of safety regulations in other
15 areas and the same logic really should apply to the safety of
16 our children.

17 Another point of concern is the exemption of certain
18 forms of transportation of school children from regulation of
19 school buses. In urban areas, where transportation of school
20 children is provided by a mass transit authority, the use of
21 school buses is not required.

22 In addition, vans which are designed to carry less than
23 eleven passengers and which do not pick up or discharge
24 school students along a highway are exempt from some of the
25 regulations. They simply have to pull off the highway and be

1 marked as a school bus, but no amber lights.

2 While the number of students transported to and from
3 school by these two means is unknown, any proposal to protect
4 students on school buses must consider the exposure of these
5 groups as well.

6 We've heard about the California study, and I'd like to
7 add my comment to that as well...

8 MR. CASPER: Excuse me. California or Canadian, ma'am?

9 MS. ROSELLE: I'm sorry. Canadian. Excuse me.

10 ...Against the mandatory installation of school buses
11 over 10,000 pounds. I've read the reports and I've read the
12 critiques, and I've been involved in research for a number of
13 years, and I object to the results of one small study of
14 really questionable quality being used as a hallmark upon
15 which a number of decisions critical to the safety of children
16 are based.

17 All researchers know that one study doesn't prove much
18 at all; that only when the results are replicated do the
19 findings take on the importance necessary to generalize them
20 to other situations.

21 I also feel that the Committee should consider the
22 attitude and behavioral changes about seat belt usage which
23 are beginning to emerge among children and teenagers, too.
24 Once any person utilizes a seat belt regularly, they are
25 uncomfortable riding in a vehicle unrestrained. This is

1 especially true of a child who has always been transported in
2 an automobile or in a car seat or in a seat belt. Seat belts
3 are becoming a way of life and their acceptance is increasing.

4 And just as an aside, I have a fifteen year old
5 daughter who has decided that - she and her group have
6 decided that they've always worn seat belts, so they're
7 starting the peer pressure in reverse, and trying to institute
8 in their high school a seat belt campaign among the students
9 as part of the Student Council process this year. They feel
10 that they can make it "cool" to wear seat belts, instead of
11 right now, to make it "cool" not to wear them.

12 With education and reinforcement in the schools and the
13 homes, we can convince students to wear seat belts on school
14 buses if they're available.

15 I accept that seat belts on school buses manufactured
16 prior to 1977 should not be mandated; however, we cannot
17 accept the premise that the current standards for the
18 construction of school buses over 10,000 pounds provide
19 sufficient protection.

20 In a release issued August 15th, 1985, a copy of which
21 I have with me if you'd like to see it, the National Highway
22 Traffic Safety Administration announced it has tentatively
23 determined that all school buses manufactured by the Wayne
24 Corporation since April 1st, 1977, contain joints that do not
25 meet the requirements of a Federal school bus safety standard.

1 In reaching this determination, NHTSA evaluated the results
2 of five different tests, none of which indicated the joints
3 met the Federal standard.

4 At a hearing held October 7th, the Wayne Corporation
5 indicated its belief that NHTSA misinterpreted the results.

6 I spoke with NHTSA yesterday and they tell me that the
7 final recommendations on the hearing will not be available
8 for several weeks, but one of the recommendations under study
9 is a recall of all of those school buses.

10 This incident should serve as a warning that the
11 Federal standards may, indeed, not -- may be insufficient.

12 Improvements in safety engineering are continuous and
13 an appropriate design for school buses is certainly within
14 the grasp of technology today.

15 In response to a manufacturer's request, NHTSA has
16 developed proposed specifications for the design and
17 installation of school bus seat belts when they are included
18 on an order form from a school district. It is uncertain if
19 this guidance, limited to voluntary installations, will
20 actually become available to the industry, but at least
21 they've got the proposal in the works.

22 Finally, I'd like to address the issue of "costs" and
23 my predecessor from Children's Hospital had many statistics
24 on that, but I'm certain that you've heard that seat belts
25 would add to the cost of manufacture of a school bus.

1 However, if you accept the premise of exposure, let's talk
2 about the cost of trauma care.

3 Accidents do kill more young Americans than any other
4 cause, and the number of persons permanently handicapped by
5 a motor vehicle accident is even higher than the death rate.
6 The medical and social price tag of trauma in Pennsylvania,
7 in 1984, was approximately three billion dollars.

8 I really don't want to see our children continue to be
9 at risk of adding to these trauma statistics. It's really
10 essential that positive, pro-active steps be taken to assure
11 seat belts on all forms of school buses to prevent the need
12 for re-active legislation following a tragedy.

13 That's the end of my formal presentation.

14 I would also -- I hear that the Committee is interested
15 in school bus safety, in general, and I would like to -- I
16 would like to add to my testimony and contrast two school bus
17 accidents that happened during the '83-'84 school year, of
18 which I was aware.

19 The one occurred in -- on Route 22, in Westmoreland
20 County. The paramedics came to the scene. The students were
21 triaged at the scene. The most injured were taken to the
22 hospital first, and they were followed by the least injured.
23 All students involved in the accident were seen by an
24 emergency physician. I understand that it was hectic in that
25 emergency department that night because there was about

1 fifty-four students and a hundred and eighteen parents, and
2 it happened on the way home, so the parents had to bring the
3 little kids with them too.

4 It tested the system; it tested the disaster system
5 within that hospital, and it worked.

6 Contrast that with an accident in Butler County last
7 year. The students were unloaded out of the bus at the
8 scene, which had gone down over a hill. The students
9 scrambled off the bus -- scrambled up the hill; were placed
10 on another bus. The principal was present, because it
11 happened near the school. There were paramedics available.
12 There was no triage by pre-hospital personnel. They were not
13 allowed to touch the students at all. There was no
14 transportation by ambulance and some of the students would
15 have qualified to need that kind of transportation; they
16 were loaded onto another bus, taken to the school, examined
17 by the school nurse, and those that were more seriously
18 injured were told that they should see their family physician.

19 I object to that kind of an incident occurring.
20 Fortunately, so did the community in which this occurred, and
21 in Butler County we do have some contingency plans now for
22 school bus accidents.

23 I wanted to add that to my testimony because you
24 gentlemen did indicate that you were interested in school bus
25 safety in general, and not just the interests of seat belts.

1 Thank you very much for this opportunity.

2 CHAIRMAN MURPHY: Do any of you have any questions?

3 MR. CASPER:

4 Q The hospital in Westmoreland County, what was it? Do
5 you remember the name of it?

6 A Westmoreland Hospital.

7 MR. CASPER: Thank you.

8 CHAIRMAN MURPHY: Thank you.

9 Doctor Bradley Bradford.

10 Not present.

11 Okay. I want to thank all of you for coming. We
12 intend to have additional hearings on this.

13 And, is there a representative of PennDot here?

14 MR. CASPER: Doug Tobin.

15 CHAIRMAN MURPHY: Doug Tobin.

16 Doug, could I ask that you come up for a very few,
17 quick questions. Doug Tobin is with the Department of
18 Transportation.

19 Q Doug, can you give us an idea how the Department now
20 collects -- what requirements they have in reporting accidents
21 involving buses and how they collect them?

22 MR. TOBIN:

23 A Our department operates two accident record systems
24 with respect to school buses. We have a separate school bus
25 accident record system and our requirement is that the school

1 districts, be they contracted or non-contracted, that they
2 submit to us a school bus accident report which we then
3 reduce and place in our system.

4 The other accident record system is a general one we
5 operate for the Commonwealth. It is much more detailed than
6 a school bus accident record system.

7 Q When you talk about accidents, how do you define
8 "accidents" in school buses?

9 A It would be -- We take anything in terms of a school
10 bus.

11 Q What if a bus swerves around a bend, going a little
12 fast, a student falls out and chips her teeth?

13 A That would be an accident. There would be an injury.

14 Q That would be reported?

15 A Yes.

16 Q Anything like that is reported?

17 A Yes.

18 Q Is it differentiated from a bus going down the street,
19 being hit by a car?

20 A Yes.

21 Q Do you differentiate those in your reporting forms?

22 A Yeah. It's ...

23 Q So I asked you for accidents, you're going to break out
24 those involving other vehicles and those --

25 A Yes.

1 Q --involving just the bus itself?

2 A Yes.

3 CHAIRMAN MURPHY: Okay. We'll be looking for some
4 information from you.

5 MR. TOBIN: Sure.

6 REPRESENTATIVE NAHILL:

7 Q Doug, are all these school drivers literally going to
8 report every accident, or are we looking in some cases, at
9 something that could be a potential future problem to a bus
10 driver? If I report three accidents in four months, and all
11 of a sudden I'm the only bus driver that's reported three
12 accidents in four months, is my job then on-the-line? Might
13 I not control or quiet some of the accidents if I can,
14 indeed, calm the kid down and see, or think in my own mind,
15 maybe it's not serious, is there a tendency, maybe, to under-
16 report to protect?

17 A I don't know that that's so. Let me say that I would
18 not be surprised if it does happen. I would think in the
19 minor accidents that might happen. I would think in the
20 major accidents, particularly in the case of a fatality, that
21 this does not happen.

22 Q Well, I mean, do you look at the statistics and say,
23 "now, here's that driver "X" from "X" school district, and
24 this is the fourth accident report we've had on him. Maybe
25 there's a problem." Do you get that specific?

1 A No, we do not get that specific.

2 CHAIRMAN MURPHY: Thank you, Doug.

3 Thank all of you for attending the hearing today. We
4 intend to have other hearings. Probably one in Harrisburg,
5 at which time we'll get into some depth on the reporting and
6 information that Dr. Tobin of PennDot will provide us.

7 If you are interested in continuing to stay in touch
8 with this issue you ought to be in touch with your legislator
9 or me. I am from Allegheny County, or Scott Casper who is
10 Executive Director of the Committee in Harrisburg.

11 Thank you.

12 (Whereupon, the Subcommittee adjourned the meeting on
13 "Safety Belts in School Belts" at approximately 12:37 P.M.)
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I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

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