

HOUSE OF REPRESENTATIVES

HOUSE TRANSPORTATION COMMITTEE

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In Re: Public Hearing on :  
School Bus Safety :  
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Pages 1 through 120

Chambersburg High School  
Chambersburg, Pennsylvania

Tuesday, November 30, 1993

BEFORE:

- REPRESENTATIVE THOMAS TIGUE, Acting Chairman
- REPRESENTATIVE TERESA BROWN, Member
- REPRESENTATIVE DANTE SANTONI, Member
- REPRESENTATIVE LAWRENCE ROBERTS, Member
- REPRESENTATIVE JOSEPH BATTISTO, Member
- REPRESENTATIVE MARTIN LAUB, Member
- REPRESENTATIVE ALBERT PETIT, Member
- REPRESENTATIVE RONALD MARSICO, Member
- MR. PAUL ANDERSON
- MR. PAUL PARSELLS
- MR. ERIC BUGAILE

COMMONWEALTH REPORTING COMPANY  
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FORM 2



C O N T E N T S

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P R O C E E D I N G S

1  
2 REPRESENTATIVE TIGUE: Welcome to our hearing.  
3 The House Transportation Committee Chairman, Joseph Petrarka,  
4 is unable to attend today. I am Representative Thomas Tigue  
5 and I represent a District which includes parts of Luzerne  
6 and Monroe Counties.

7 I would like each member of the Committee who  
8 is present to please introduce himself and mention what area  
9 you represent.

10 REPRESENTATIVE BROWN: Teresa Brown,  
11 representing the 6th District, and that is Crawford County.

12 REPRESENTATIVE SANTONI: I am Representative  
13 Dante Santoni, 126th District, from Berks County.

14 REPRESENTATIVE ROBERTS: Representative Larry  
15 Roberts, 51st District, in Fayette County.

16 REPRESENTATIVE BATTISTO: I am Representative  
17 Joe Battisto and I represent the 189th District. I am wholly  
18 in Monroe County contiguous to Representative Tom Tigue.

19 REPRESENTATIVE LAUB: Marty Laub from the  
20 153rd District, Montgomery County.

21 REPRESENTATIVE PETIT: Al Petit, 40th  
22 Legislative District, Washington and Allegheny Counties.

23 REPRESENTATIVE TIGUE: Also sitting up here to  
24 my left is Paul Anderson, the Republican Director for the  
25 Transportation Committee; on my right is Paul Parsells who

1 works for Representative Petrarca, Director of the House  
2 Transportation Committee. Also present is Eric Bugaile from  
3 the Republican staff.

4 The first person we have this morning whom I  
5 would like to introduce is the Representative from this area,  
6 Jeff Coy.

7 Jeff, good morning. Thanks for making some of  
8 the arrangements in beautiful Franklin County.

9 REPRESENTATIVE COY: Welcome to Franklin  
10 County. I am pleased to see so many of you here today to  
11 discuss this very important issue.

12 Frankly, especially to the Acting Chairman, I  
13 am glad that we have come to Franklin County to talk about  
14 something other than stopping school. It seems that many,  
15 many hearings have been held in my district having to do with  
16 stopping school. While that is a very important subject, it  
17 is obvious that there are others included.

18 Many of you mentioned to me the beauty of the  
19 area. All of us think we represent the nicest district in the  
20 Commonwealth, I know, but we are very proud of Franklin  
21 County and of this area. There is a lot of history around  
22 here. If many of you have seen the movie "Gettysburg"  
23 recently, a lot of that started in and around this area and  
24 there is a lot of history down through here. So we are glad  
25 if you have not been here before and had the opportunity now

1 to come now and to be here.

2                   You have a busy schedule and I appreciate the  
3 Chairman, Representative Petrarca, scheduling the hearing in  
4 Franklin County.

5                   I introduced legislation that the hearing is  
6 primarily about, the bill that raises the fine for violations  
7 of the school bus law, earlier this year. I did it for a  
8 couple of reasons. Frankly, I think you will hear about more  
9 than just that subject from some of the people that are going  
10 to testify today.

11                   We had a couple of problems with school bus  
12 accidents here in Franklin County over the last couple of  
13 years. In fact, we have had one fatality of a child involved  
14 in a school bus accident. As you can all suspect, that just  
15 raises the spectre of the problem, raises the level of concern  
16 of the problem.

17                   About a year and a half ago I scheduled a  
18 school bus safety seminar. I got school bus contractors and  
19 school bus drivers together and we talked about problems. We  
20 had school bus manufacturers here in Chambersburg to look at  
21 the whole area of concern.

22                   Another bill that came out of that, that was not  
23 really about school buses, was our extension of the child  
24 safety seat law to include the back seat for the requirement  
25 for child safety seats, which of course the Governor signed

1 earlier this year and it is now law.

2 But one of the things that the school bus  
3 drivers told me at that symposium was that they thought that  
4 the fine for violation of school bus law ought to more  
5 adequately reflect the violation.

6 Think about the fact that the school bus fine  
7 right now is \$100.00. That is the standard fine for violation  
8 of the school bus law. And think about the fact that we  
9 charge litterers in Pennsylvania \$300.00. You say, "What's  
10 wrong with this picture?"

11 Now, what is wrong with the picture is that the  
12 fine needs to be raised. We have heard the term "precious  
13 cargo" and I think that is what we are talking about with  
14 school buses. We are talking about precious cargo.

15 So, the bill I introduced that is before the  
16 Committee and that I hope the Committee will act on in due  
17 course raises that fine to \$500.00. Frankly, if that is not  
18 high enough for everybody, let us raise it higher.

19 My point is that I think you need to get  
20 people's attention. You need to get folks' attention for  
21 violation of this law. A lot of it has to do, I think, with  
22 educating the public, the motoring public. I know that I,  
23 myself, in my own driving try to take more care than I used  
24 to when I see a school bus.

25 I think we have to realize that a lot of

1 children, and this is another thing that I learned in that  
2 school bus symposium, was that children view the school bus  
3 as sort of a safe haven. It is familiar territory to them  
4 and they feel safe around it.

5 We have to understand that. The motoring  
6 public has to understand that, that when a child is around  
7 that bus they feel safe. A lot of us have to learn to  
8 respect that, because we in our normal driving habits, I  
9 think, view it as another vehicle and not simply as the bus  
10 that it is.

11 So I think increasing the fine is important.  
12 Another thing that I think that we might need to look at,  
13 and I am not sure I have the answer, has to do with  
14 enforcement of whatever law is on the books. A lot of school  
15 bus drivers tell me that they continue to see violations of  
16 the school bus law: passing when they should not pass, not  
17 stopping when the blinkers are engaged, and so on. They are  
18 concerned about what they can do to increase enforcement of  
19 the law.

20 A couple of school bus drivers have told me  
21 that they have taken down license numbers. Then when they go  
22 to the District Magistrate, oftentimes the driver is excused  
23 on a technicality of some sort or another. This is very  
24 frustrating to the school bus drivers.

25 School bus drivers also tell me that when they

1 attempt to get a license number they often have to turn  
2 around and they are taking their eyes off the road and that  
3 is a problem, too. Obviously, we cannot have a state  
4 policeman behind every school bus. But we need to think  
5 about things like enforcement.

6 I think, more than anything, hearings like  
7 this and like the symposiums that were held and have been  
8 held across the state having to do with school bus safety,  
9 in which I must say the Pennsylvania Department of  
10 Transportation was very, very cooperative and helpful with,  
11 are very important. Doug Tobin, who is here today, is the  
12 Director of the bureau in PennDot that works with this area,  
13 was very helpful, along with members of his staff, on that  
14 school bus symposium.

15 I think what events like that and what events  
16 like this do is very important. It raises the level of  
17 awareness. The more we talk about it the more all of us  
18 bring this to public light and, I think, the better it is.

19 So, I welcome you all here today. I thank the  
20 Chambersburg High School for making the auditorium available.  
21 I think that during the course of the day they are going to  
22 have government classes visit the room, which I think is  
23 important so that they can see their state government at work  
24 and disprove, once and for all, that we only work when the  
25 legislature is in session. I think this is evidenced by the



1 Transportation Committee being here today and they are here  
2 for a very important purpose.

3 I thank you for coming. I will be glad to  
4 answer any questions, but I do think you have other witnesses  
5 during the course of the day that can handle any of the  
6 questions.

7 Thank you, Mr. Chairman.

8 REPRESENTATIVE TIGUE: Thank you, Jeff. We  
9 appreciate your comments and we really respect your commitment  
10 to solving, or improving at least, the safety on school buses  
11 for our children. Without your initiative we probably would  
12 not even be sitting here today. We appreciate your efforts  
13 and also your past hospitality. Thank you.

14 I would like to start calling the witnesses.  
15 I would ask that everyone try to stick to your testimony, or  
16 at least within the time frame.

17 To begin today's proceedings the first witness  
18 will be Mario Pirritano, Deputy Secretary for Safety  
19 Administration, Pennsylvania Department of Transportation.

20 While Jeff was making his comments, we were  
21 joined by Representative Ron Marsico from Dauphin County.

22 I would ask if everyone would identify  
23 themselves for the record, so the stenographer knows who is  
24 saying what.

25 MR. PIRRITANO: Doug Tobin, Director, Bureau of

1 Driver License, is to my right. To my left is Becky Bickley,  
2 who is Manager of Driver Safety. I am Mario Pirritano,  
3 Deputy Secretary for Safety Administration.

4 Good morning. Before I begin, let me thank  
5 you for extending the invitation to testify before this  
6 committee and to you, Representative Coy, it is a pleasure to  
7 be in this wonderful district.

8 The well being of our children is a vital  
9 concern of all Pennsylvanians. It is our responsibility to  
10 ensure that young people are transported to and from their  
11 daily learning activities safely.

12 School bus transportation is the safest means  
13 of highway transportation. Pennsylvania's 501 school  
14 districts and 29 intermediate units transport more than 1.3  
15 million students each day. This precious cargo is entrusted  
16 to the care of the Commonwealth's 28,000 dedicated school bus  
17 drivers.

18 With skill and patience, these men and women  
19 drive our children over country roads, city streets and major  
20 highways during the school year. In fact, they drive more  
21 than 2.7 million miles a year. Their superb safety record  
22 can be attributed to a wide range of practices, procedures  
23 and programs that have been put in place over the years.

24 First, and most noticeably and quite simply,  
25 school buses have a unique color -- school bus yellow. They

1 are equipped with light systems to warn other motorists and  
2 they have special privileges under the law. All traffic  
3 stops when they stop or load or unload, or at least we hope  
4 they stop.

5 But these are things everybody knows. We also  
6 have extensive driver training, licensing and testing  
7 programs and thorough school bus inspections and maintenance  
8 requirements. You will hear a little more about that in a  
9 few moments.

10 Most important of all, the expertise and care  
11 of each school bus driver gives to their job has made going  
12 to school safe for our children.

13 Unfortunately, even with these practices in  
14 place, Pennsylvania still has hundreds of school bus  
15 accidents each year, resulting in an average of 200 to 300  
16 students being injured and 2 to 3 students being killed.

17 The death or injury of any child transported  
18 by a school bus is indeed a tragedy. I would not want it to  
19 occur in my family, nor in yours I am sure. Over a ten year  
20 period, 83% of these fatalities occurred in the loading zone.  
21 Pennsylvania accident statistics show that about 74% of  
22 student loading zone fatalities involve a student being struck  
23 by their own bus. This is above the national average of 59%.

24 Accident statistics involving experienced  
25 school bus drivers in our state also show that we have a high

1 frequency of sideswipe accidents and improper turning  
2 accidents.

3 Overall, driver inattention, or a lack of  
4 proper scanning, was implicated in over 25% of our school bus  
5 accidents.

6 Even given these statistics, the safety record  
7 of school buses is excellent, especially when considering the  
8 amount of travel involved. Even though school buses  
9 transport more passengers per trip, the rate of occupant  
10 fatalities per mile driven for school buses is about  
11 one-fourth that for passenger cars.

12 Nevertheless, because school buses carry the  
13 future of our nation, our children -- or indeed, as  
14 Representative Coy indicated, our precious cargo -- the public  
15 has a right to expect that the federal and state governments,  
16 as well as local school districts and private school bus  
17 contractors, will continually review the safety of school bus  
18 transportation and will take all responsible precautions to  
19 protect children who travel by school bus.

20 In Pennsylvania, we are doing this by  
21 utilizing a three-tiered approach. The first tier is through  
22 public information and the education of the general public.  
23 School bus safety education for school students begins in  
24 kindergarten, and curriculum for each primary grade contains  
25 material on school bus procedures.

1                    Pennsylvania also holds a yearly school bus  
2 safety poster contest. This contest focuses on a different  
3 school bus safety theme each year and is designed for the  
4 education of the students. Winning posters from the  
5 Commonwealth are sent to the national contest held in  
6 Washington, D.C. This year, we had the honor of producing  
7 not one, but two national winners.

8                    Pennsylvania statute also includes a rigorous  
9 school bus stopping law with harsh penalties for violation of  
10 this law, including fines and driver license suspension. The  
11 Department has recently updated the school bus stopping law  
12 brochure and distributed it at a ceremony held in conjunction  
13 with the awards presentation for the school bus safety poster  
14 contest. These brochures are available free of charge from  
15 the Department and at many driver examination sites  
16 throughout the Commonwealth.

17                    The second tier is the school bus itself and  
18 the required safety equipment mandated by the federal  
19 government. Recent changes to federal specifications required  
20 the use of new large mirrors which provide for better viewing  
21 around the bus and for the driver.

22                    The specifications also call for more  
23 emergency exits, the number being determined by the size of  
24 the bus. In addition, all seats in a school bus must now face  
25 forward. The forward facing regulation also applies to

1 wheelchairs.

2                   In addition to federally mandated equipment,  
3 there is a new technology on the horizon that will do much  
4 to improve safety. One such device is the front crossing  
5 arm. Costly, yes it is. This is attached to the front of the  
6 bus and extends when the doors are opened. It forces  
7 children to walk at least ten feet in front of the bus.

8                   Another mechanism is the forewarning system.  
9 This is a sensor that is attached to the bus and will pick up  
10 the presence of a person in its vicinity. There is a signal  
11 pad near the driver that will then ring and flash to alert  
12 the driver of a potential danger. However, these two devices  
13 are part of the future.

14                   Lastly are the requirements placed on our  
15 school bus drivers. Before a person qualifies to drive a  
16 school bus they must pass a criminal history check. They must  
17 also meet certain medical standards by passing a physical  
18 examination.

19                   They must then complete a standardized twenty  
20 hour training program, consisting of fourteen hours in the  
21 classroom and six hours in the bus. The in-bus training is  
22 conducted one-on-one with an instructor certified by the  
23 Department.

24                   The classroom training is also conducted by a  
25 certified instructor and utilizes curriculum approved by the

1 Department. 1,179 instructors are currently certified. Since  
2 school bus drivers are considered by the federal government  
3 to be commercial drives, they must also pass the comprehensive  
4 knowledge and skills tests required of these drivers.

5 In addition, they are required to pass an  
6 annual physical examination. Every four years they must also  
7 complete additional training and testing for recertification.  
8 The training requirement consists of a ten hour refresher  
9 course consisting of seven hours in the classroom and three  
10 hours in the bus one-on-one. These courses are also conducted  
11 by certified instructors using Department approved curriculum.  
12 The required driver examination was temporarily waived during  
13 the implementation of the commercial driver licensing program,  
14 when all commercial drivers had to be retested and relicensed  
15 just less than two years ago.

16 The current regulations call for the  
17 implementation of the entire CDL test as the required  
18 driver's examination for the recertification process. The  
19 Department is currently in the process of developing a test  
20 more specific to school bus safety and the issues that should  
21 be addressed at the time of recertification.

22 Past driver test results from the  
23 recertification road test indicate that over a period of  
24 time some school bus drivers develop very poor driving  
25 habits. I submit that many of us in the private sector also

1 develop very poor driving habits. Almost 25% of the drivers  
2 who underwent recertification, and let me re-emphasize that  
3 -- almost 25% of the drivers who underwent recertification of  
4 driver exams failed the examination. Many of these drivers  
5 no longer possessed the driving ability to safely transport  
6 children.

7                   The Department is working with the  
8 Pennsylvania State University to revise our school bus driver  
9 training program, identify areas of needed training and  
10 provide recommendations for the recertification examination.  
11 Our goal in doing this is to ensure that the training and  
12 testing we provide our school bus drivers is up-to-date and  
13 addresses all safety concerns, especially the skills required  
14 for safe loading and unloading of students.

15                   Preliminary reports indicate that Penn State  
16 was able to identify many improvements in our current  
17 training and testing program.

18                   Research indicates that skill retention decays  
19 with time and many school bus drivers develop inferior driving  
20 habits and lose some of their original ability and  
21 proficiencies. Training and testing at specific intervals  
22 help drivers to return to top form.

23                   As part of this research, an "S" endorsement  
24 knowledge examination has also been developed and is currently  
25 being pilot tested. At the same time, greater emphasis should



1 be placed on teaching children safe loading and unloading  
2 practices. However, drivers must be able to compensate for  
3 the sometimes erratic behavior of the children they  
4 transport.

5 The procedures for becoming a school bus  
6 driver may be considered by some to be burdensome; however,  
7 these procedures were put in place to ensure that our school  
8 bus drivers have the necessary qualifications and training  
9 to safely transport our children.

10 Thank you for affording me the opportunity to  
11 appear. I will answer any questions that you have.

12 REPRESENTATIVE TIGUE: Thank you for your  
13 testimony. Any questions?

14 REPRESENTATIVE BROWN: I notice you talked  
15 about the fatalities in Pennsylvania. Could you tell me what  
16 the fatalities were for last year and the year prior to that?

17 MR. PIRRITANO: Representative Brown, I  
18 believe last year there may not have been any fatalities. I  
19 beg your pardon, two.

20 REPRESENTATIVE BROWN: Two last year?

21 MR. PIRRITANO: And zero the year before.

22 REPRESENTATIVE BROWN: And I would appreciate  
23 it if I could get some information and statistics on the  
24 fatalities?

25 REPRESENTATIVE TIGUE: You can send it to the

1 Committee.

2 REPRESENTATIVE BROWN: One last question; when  
3 you talk about recertification and that there were poor  
4 driving habits, could you give me a little more information,  
5 or the Committee, on what records you have and what  
6 statistics? Thank you.

7 MR. PIRRITANO: We will give you a brief  
8 overview and provide you with more detail.

9 MR. TOBIN: That arose out of our research  
10 project with Penn State and analysis of our data. I think  
11 today we have roughly 25% driver involvement with accidents,  
12 particularly with sideswipe accidents.

13 It was from analysis of the school bus  
14 accident data we have on hand.

15 REPRESENTATIVE TIGUE: Any other questions?

16 REPRESENTATIVE LAUB: Just so I understand the  
17 language you are speaking, you refer to an "S" endorsement?  
18 What does that mean?

19 MR. TOBIN: Representative Laub, that means  
20 the person is qualified to operate a school bus. Under the  
21 new CDL classification scheme that is national a person must  
22 have at least a class "C" commercial license; in most cases it  
23 would be a class "D" commercial license. They must have a  
24 "P" for passenger endorsement. And in Pennsylvania they must  
25 have an "S" for school bus endorsement.

1 REPRESENTATIVE LAUB: Thank you.

2 REPRESENTATIVE TIGUE: Any further questions?

3 REPRESENTATIVE PETIT: In the certification  
4 process and in the recertification process, are there any  
5 drivers who go through either of these approaches who are  
6 paid for their time in the training?

7 MR. PIRRITANO: It is my understanding that,  
8 indeed, there would probably be a number of drivers where  
9 companies are forced to pay for that.

10 REPRESENTATIVE PETIT: Some are paid?

11 MR. PIRRITANO: That is my understanding.

12 REPRESENTATIVE PETIT: Who?

13 MR. PIRRITANO: I would assume that a number of  
14 the private contractors would pay their employees. I do not  
15 know what happens with school districts.

16 MR. TOBIN: PennDot employees do not, sir.

17 REPRESENTATIVE PETIT: Do they go through the  
18 certification process?

19 MR. PIRRITANO: They have a CDL process.

20 REPRESENTATIVE PETIT: And are they paid?

21 MR. PIRRITANO: I am sure they would be  
22 compensated as well.

23 MR. TOBIN: Representative Petit, PennDot does  
24 not have any school bus drivers. We do however, as you know,  
25 have about 5,000 commercial drivers who are primarily on our

1 maintenance road crews. They do go through a training  
2 program. They come into the Department and are tested since  
3 PennDot is a tester.

4 REPRESENTATIVE PETIT: I was not referring to  
5 bus drivers, but everybody who is required to take the CDL  
6 test. Does that change your answer?

7 MR. TOBIN: At PennDot they are on the payroll  
8 when they go through the training and when they go through  
9 the testing procedures.

10 REPRESENTATIVE PETIT: Thank you.

11 REPRESENTATIVE TIGUE: Representative Rogers?

12 REPRESENTATIVE ROGERS: Thank you, Mr. Chairman.  
13 Mr. Secretary, you provided us with some very interesting  
14 information here. It is rather enlightening also.

15 We are going to be getting more involved in  
16 the issue of school bus driver recertification and retesting.  
17 So I am very much interested in the statistics that you gave  
18 us here.

19 I am wondering in regard to 85% of the  
20 fatalities occurring in the loading zone, if we were to get  
21 into the recertification program will this three hours in the  
22 bus for skills testing be concentrated on the areas where the  
23 problems are? In other words, if they are in the loading  
24 zone that means the bus is standing still. I am wondering  
25 how that relates to the emphasis that we are putting on the

1 skills testing. If you are out riding on the road for three  
2 hours, how is that going to relate to 85% of the fatalities?

3 MR. PIRRITANO: I am sure there could be some  
4 improvement relative to that. I will let Miss Bickley  
5 respond to that, who is working closely with Penn State.

6 MISS BICKLEY: As we stated, 83% of the  
7 fatalities are in the loading zone, but almost three-fourths  
8 of the fatalities in the loading zone involve the student  
9 being struck by their own bus. The bus is not stationary.

10 Obviously, this typically occurs right after  
11 discharging students. Typically, young children are involved.  
12 They may drop a paper. They may drop a book. They run out  
13 in front of the bus and the driver is unaware of their  
14 presence, or they are run over by the rear wheels of the bus.  
15 The bus swerves for some unknown reason, or whatever.

16 The majority of loading zone fatalities are  
17 students being struck by their own bus.

18 REPRESENTATIVE ROGERS: That is my point  
19 exactly. 83% of the accidents are occurring in the loading  
20 zone when the bus is standing still or starting to be parked.  
21 75% of those accidents occur by the bus striking the child.

22 My question is, if we go into recertification  
23 testing, is the recertification where we spent three hours  
24 of skills testing in the bus -- are 80% of those three hours  
25 going to be spent in the loading zone, or are we going to have

1 drivers out driving around looking at their driving skills?

2 MISS BICKLEY: When Penn State looked at our  
3 current program and the program we had in place prior to CDL,  
4 they found that we were grossly lacking in our emphasis on  
5 safe loading and unloading.

6 So not only will the new curriculum highlight  
7 safe loading and unloading procedures, but the new drivers'  
8 test will also evaluate the drivers' ability to scan their  
9 environment, make sure that they are making the proper mirror  
10 checks, make sure that they are able to assess oncoming  
11 traffic while still maintaining some level of cognition of  
12 what is around the vehicle itself.

13 Now, there are several ways of approaching  
14 that and we have not finalized the tests. But that is the  
15 area that Penn State is looking at to improve the testing and  
16 training process.

17 REPRESENTATIVE ROGERS: I recognize that there  
18 have been studies done that show that our driver skills tend  
19 to deteriorate, but I still want to emphasize the fact to the  
20 Committee and to the Safety Department that I think when we  
21 think about recertifying we need to look at where the  
22 accidents are and that 80% of those three hours should  
23 possibly be concentrated, if we go in that direction with  
24 recertification, which I expect we are going to do. Since  
25 80% of the accidents, then the three hours in the school bus

1 maybe should be concentrated in the loading zone area.

2 Thank you, Mr. Chairman.

3 REPRESENTATIVE TIGUE: Representative Marsico?

4 REPRESENTATIVE MARSICO: To follow-up on that  
5 issue of loading and unloading passengers, in your testimony  
6 you mention the federally mandated equipment and obviously  
7 that would help when unloading and loading passengers.

8 When do you think those devices would be in  
9 place? And the other question is, how much would this add to  
10 the cost of the vehicles?

11 MR. PIRRITANO: I do not know what the cost  
12 would be.

13 MR. TOBIN: Representative Marsico, I really  
14 do not know what cost this would add onto the vehicles. It  
15 is my understanding that the buses are coming out at the  
16 present time with the new mirrors attached to them.

17 It would depend upon how soon the school  
18 district or a contractor goes to their fleet and updates them  
19 with mirrors.

20 REPRESENTATIVE MARSICO: So there is money  
21 available from the federal government then?

22 MR. TOBIN: I do not know that.

23 REPRESENTATIVE MARSICO: Is it a federal  
24 mandate, but without funding?

25 MR. TOBIN: I would be surprised if there were

1 funding. I do not know whether there is or is not.

2 MR. PIRRITANO: I would rather be sure that it  
3 is a mandate without funding and we will have representatives  
4 here later that can probably tell you what the costs would  
5 be and what is happening in the industry.

6 REPRESENTATIVE TIGUE: Representative Battisto?

7 REPRESENTATIVE BATTISTO: Thank you, Mr.  
8 Chairman. I have a couple of questions. In developing the  
9 CDL test for school bus drivers, did you consult with any  
10 association of school bus drivers or individuals, or use any  
11 of their expertise in developing that?

12 MR. PIRRITANO: There was a great deal of  
13 discussion when CDL was implemented. I came with the  
14 Department just about the time, or a few months before, we  
15 had to meet the deadline.

16 There was a great deal of collaboration and  
17 agreement that we would temporarily suspend recertification.  
18 Doug, do you want to add anything to that?

19 MR. TOBIN: Representative Battisto, the school  
20 bus CDL testing was developed as part of the national CDL  
21 testing and, yes, there was extensive research done. There  
22 was even a pilot done involving the states of New York,  
23 Nebraska, California and Tennessee.

24 We tested these kind of testing maneuvers that  
25 would be performed in CDL before they wrote them nationally in



1 1992.

2 REPRESENTATIVE BATTISTO: One other question.  
3 To go back to the accidents in the loading zone, there was  
4 one statistic that stuck out and that was that Pennsylvania  
5 accident statistics show that 74% of the student loading zone  
6 fatalities involved a student being struck by their own bus.

7 This is above the national average of 59%.  
8 That seems to be fairly significant, from 74% to 59%.

9 MR. PIRRITANO: I know you would want to have  
10 that quantified to some degree and we can clarify that. Many  
11 of those were figures that were researched.

12 MISS BICKLEY: There are probably two factors  
13 in play. Our stopping law is probably fairly effective,  
14 especially when compared with other states, which would  
15 reduce overall the number of loading zone fatalities and make  
16 the proportion of students struck by their own bus greater.

17 On the other hand, when Penn State looked at  
18 driver skills they felt that our drivers, and even our more  
19 experienced drivers, were over time losing some of their  
20 scanning ability for assessing the area around the bus, and  
21 that we need to place far more emphasis on scanning of the  
22 area around the bus.

23 They felt that maybe some of the skills that  
24 you acquire in driving your car, where you do not have to scan  
25 around the entire vehicle almost constantly and continuously,

1 were generalizing to school bus drivers when operating a bus.

2           There were several other types of skill  
3 degredation. So they placed a lot of emphasis in the program  
4 on scanning skills.

5           REPRESENTATIVE BATTISTO: Would the scanning  
6 come down to specific physicals, for example, like peripheral  
7 vision and things of that nature?

8           MISS BICKLEY: There are actually scanning  
9 procedures that a driver should be going through that should  
10 be routine to a school bus driver in assessing whether or not  
11 children have run back behind the bus, along the side of the  
12 bus, in front of the bus.

13           They are procedural and they are also manual  
14 skills. So the combination of the two are being emphasized  
15 in the program.

16           REPRESENTATIVE BATTISTO: Is it possible that  
17 after a period of time maybe some of us become a little  
18 complacent? The combination may be losing the skill or the  
19 technique and becoming a little complacent over a period of  
20 time?

21           MISS BICKLEY: Yes, that is a distinct  
22 possibility. We also have a significant proportion of school  
23 bus drivers who are over 65, retirees. Over 4,000 of our  
24 drivers are over 65, so there may be some physiological  
25 changes that are affecting them as well.

1 REPRESENTATIVE BATTISTO: Thank you and thank  
2 you, Mr. Chairman.

3 MR. BERNHART: I just have one quick question.  
4 Does the Department, or perhaps the Department of Education,  
5 mandate that children take classes on how to embark and debark  
6 and on how to act and what they can do around school buses?

7 MR. PIRRITANO: They are available as part of  
8 the curriculum. I am not sure that it is necessarily  
9 mandated.

10 MR. BERNHART: It just seems to me that when we  
11 are talking about the number of accidents which occur in the  
12 loading zone, many times children are not visible to the  
13 driver. Then perhaps you should look into mandating if it  
14 is not already done, some type of training each year for at  
15 least certain grades of the children and show them how to  
16 embark and debark from the bus.

17 MR. PIRRITANO: Let me close, and I do not want  
18 it to be misinterpreted, but I have an eleven year old  
19 and prior to this testimony I just said, "Chris, do you think  
20 school bus drivers should be recertified?" I explained  
21 recertification.

22 He answered, "Yes." And then I asked why. The  
23 response is something like this: "Well, you know, last year  
24 John Jones ran into a speed sign. And Mary Jane, who was the  
25 substitute, ran into a stop sign. And just the other week,

1 Jerry Jones ran into a ditch." Now, I did not look behind  
2 those statistics, but at least it does raise some questions  
3 in my mind as to what is going on.

4 So I say that just to give you an honest  
5 assessment of a young child and an honest answer.

6 REPRESENTATIVE TIGUE: Any further questions?

7 REPRESENTATIVE BATTISTO: Just one. It is  
8 probably very obvious and maybe you mentioned it, but I  
9 assume that of those children struck by their own bus  
10 probably there was almost an age cut-off. Were they all  
11 below like eight years old, or nine, or ten? Do we have  
12 those figures?

13 MISS BICKLEY: We will forward to the  
14 Committee a copy of our accident report. In the back of the  
15 accident report you will see a one paragraph description of  
16 each fatal accident over the last ten years.

17 REPRESENTATIVE BATTISTO: Thank you.

18 MR. BERNHARDT: My name is Julius Bernhardt.

19 REPRESENTATIVE TIGUE: Mr. Bernhardt, can you  
20 hold on a second, please? We have other people who want to  
21 testify.

22 MR. BERNHARDT: I have a job to do and I have  
23 to go back to work.

24 REPRESENTATIVE TIGUE: Go ahead. Take a couple  
25 of minutes.

1 MR. BERNHARDT: It will only take me a couple  
2 of seconds.

3 REPRESENTATIVE TIGUE: You look like you are  
4 decorated for Christmas.

5 MR. BERNHARDT: I play Santa Claus at  
6 HersheyPark. My name is Julius Bernhardt. I live at  
7 6724 Lincoln Way East, Fayetteville, Pennsylvania. There is  
8 a school bus that stops in front of my place on Lincoln Way  
9 East.

10 The high school children have to cross the  
11 highway to the westbound side. People come right on up the  
12 road coming east and they forget the stop for the school bus  
13 is there. If one of my grandchildren ever get hit there is  
14 going to be heck raised.

15 The elementary school bus stops right in front  
16 of my driveway. People going westbound don't even stop. I  
17 called the State Police many, many times for years. If one  
18 of those buses ever hit one of my grandchildren, I'll sue the  
19 state and I mean it.

20 Now I called the State Police to have somebody  
21 out there. In a lot just west of me about 400 feet they have  
22 to come in there with a plain car, not one with a light on  
23 it, because they see the light and they don't go to pass the  
24 bus.

25 I have asked them for years to have somebody

1 out there to check it out and see what goes on, but nobody  
2 responds. Like I said, if one of my grandchildren get hurt  
3 from them people I will sue the state.

4 Thank you.

5 REPRESENTATIVE TIGUE: Are you in the school  
6 district of Chambersburg?

7 MR. BERNHARDT: Yes, sir.

8 REPRESENTATIVE TIGUE: We have people from the  
9 State Police who will testify.

10 MR. BERNHARDT: I got grandchildren who go to  
11 high school and grandchildren who go to the elementary school.  
12 Also Fayetteville School.

13 Thank you.

14 REPRESENTATIVE TIGUE: You are welcome.

15 The next person to testify is Doris Meyers  
16 from Meyers Bus Company. Actually, it is Meyers Bus Lines,  
17 I guess. Good morning.

18 MS. MEYERS: Good morning. My name is Doris  
19 Meyers and I would like to thank the members of the House  
20 Transportation Committee for this opportunity to speak before  
21 you today on the issue of school bus safety.

22 My husband and I are the owners of Meyers Bus  
23 Lines here in Chambersburg. Our business has grown from one  
24 bus to nineteen buses over the last thirteen years. I employ  
25 twenty drivers and service the Chambersburg School District.

1                   Because of the precious cargo we transport,  
2 safety has to be our number one priority. Many hours of  
3 school bus driver training and vehicle maintenance goes into  
4 achieving a safe school bus operation. However, no matter how  
5 many precautions we take there are always opportunities for  
6 accidents to happen. One of the biggest threats to our safe  
7 operation is passing motorists.

8                   We can control the training of our drivers and  
9 vehicle maintenance, but we cannot control people, who are in  
10 such a hurry, to obey the law and stop for a school bus who  
11 is picking up or discharging students.

12                   I would like to share an incident involving a  
13 person passing a stopped school bus and the lengths they will  
14 go in order to avoid the license suspension.

15                   One of my drivers was driving an early morning  
16 route on Route 11, which is a very busy road during this time  
17 of day. She had stopped the bus, with the red lights flashing  
18 and the side stop arm extended, to pick up students. The last  
19 student had just stepped on the first step of the bus when a  
20 car, travelling at a high speed, passed on the right side of  
21 the bus.

22                   That is correct, the right side of the bus.  
23 The driver was able to obtain all the necessary information  
24 for the police to issue a citation. The driver of the  
25 vehicle, who was a college professor and who lived in

1 Philadelphia and worked at our local college, challenged the  
2 ticket.

3 The hearing was scheduled in the morning.  
4 However, the day before we were to appear at the District  
5 Magistrate's office, the hearing was rescheduled for the  
6 afternoon, during the hours we would be picking up school  
7 children.

8 We believe that this was intentional, in hopes  
9 that we would not be able to attend. My driver, the State  
10 Trooper who wrote the citation, and myself appeared before  
11 the District Magistrate to retell the incident. The driver of  
12 the car, with his lawyer and another person who closely  
13 resembled the driver of the car, also appeared. The case was  
14 thrown out due to technicalities; there was an error on the  
15 ticket.

16 The reason why the professor's lawyer brought  
17 the similar looking man was to challenge the positive  
18 identification of the driver who passed the school bus. We  
19 were quite upset that a person who knew they were guilty would  
20 go to such lengths to beat the ticket.

21 This is just one example of many which I could  
22 sit here today and tell you.

23 Many students are injured boarding and leaving  
24 a school bus. So it makes sense that all drivers would be on  
25 the lookout for flashing red school bus lights and the side



1 stop arm that extends from the side of the buses. Both of  
2 these devices are meant to attract motorists' attention and  
3 reinforce the STOP message. They are also difficult to miss.

4           Somehow, though, the blatant warnings are  
5 frequently ignored by drivers intent on avoiding the extra  
6 minute or two required for children to board or disembark from  
7 their school bus safely.

8           And if the drivers are issued a citation, they  
9 are sometimes let go because of technicalities. This is  
10 extremely frustrating for my drivers and myself. It makes you  
11 wonder why you even report the violations. The only thing  
12 that keeps us trying to get these people prosecuted is our  
13 concern for the safety of our children. If we do not protect  
14 them, who will?

15           I believe that by increasing the monetary  
16 penalty for the violation of passing a school bus it could  
17 help to get more people prosecuted. In today's tough  
18 economic times, hurting a person's wallet could be just the  
19 solution to this problem.

20           We should also require all people who are  
21 cited for passing a school bus to take a refresher course on  
22 the rules of the road, particularly the school bus section.

23           It scares me to think that if a person does  
24 not see a big, yellow school bus with flashing lights, you  
25 know that they do not see that small child getting on or off

1 the bus either.

2 I hope this Committee will take a look at this  
3 serious situation and help the school bus drivers in  
4 Pennsylvania to provide a safe ride to and from school.

5 I thank you again for this opportunity.

6 REPRESENTATIVE TIGUE: Ms. Meyers, thank you.

7 Are there any questions?

8 REPRESENTATIVE BATTISTO: Thank you, Mrs.  
9 Meyers, for the testimony. I will get right to the point.  
10 That incident with respect to the professor who brought to  
11 the hearing a look-alike, so to speak, you said was thrown  
12 out on a technicality.

13 Was the technicality the result of the  
14 look-alike, or was it because of some flaw in writing the  
15 citation?

16 MS. MEYERS: Yes, it was directed back to the  
17 State Trooper.

18 REPRESENTATIVE BATTISTO: Speaking of the  
19 State Trooper, a gentleman walked in here spontaneously and  
20 gave some testimony which you probably heard. His testimony  
21 centered around the fact that he has observed, on numerous  
22 occasions I guess, vehicles ignoring the stopping bus. And  
23 you seem to say the same thing.

24 He indicated that he reported these incidents,  
25 I guess, to the local or State Police. He clearly stated that

1 there was a lack of cooperation from the law enforcement  
2 authorities. Have you had positive or negative experiences  
3 with respect to trying to get law enforcement people to  
4 sort of almost stake out an area, or certainly be more  
5 vigilant with respect to stopping the loss?

6 MS. MEYERS: We have had very positive from  
7 our State Troopers in our area. I thank them often when I  
8 see them. They do stake out areas that are a very big  
9 concern.

10 In the incident that he is speaking of there is  
11 a three lane highway where his grandchildren have to get on  
12 and off the bus.

13 REPRESENTATIVE BATTISTO: Is that a state  
14 highway?

15 MS. MEYERS: It is a state highway. We do,  
16 within Chambersburg here and our school district, have two  
17 such highways, being Route 30 and Route 11, that our buses  
18 have to travel on three lane highways.

19 REPRESENTATIVE BATTISTO: Besides the specific  
20 incident that you talked about, with respect to the professor  
21 who ignored the stopping devices, you indicated that other  
22 citations seem to be thrown out based on technicalities. So  
23 I assume there is some history of incidents like that; not  
24 specifically that, but other types.

25 MS. MEYERS: Yes, we have, with our local

1 Magistrate.

2 REPRESENTATIVE BATTISTO: Are they all examples  
3 of some so-called flaw in writing out the citation? Is that  
4 what the technicalities are?

5 MS. MEYERS: Not always. Just the incident of  
6 changing dates on us and this sort of thing, hoping that we  
7 do not attend. It is an ongoing thing, yes.

8 REPRESENTATIVE BATTISTO: You pointed to a  
9 specific Magistrate.

10 MS. MEYERS: But it is very difficult for the  
11 driver to get all the information. We do our best. And  
12 particularly that day, that driver we have been able to  
13 identify.

14 REPRESENTATIVE BATTISTO: I do know with  
15 respect to the littering laws, if you get the license number  
16 of a vehicle the owner of that vehicle is absolutely  
17 responsible. We changed that law four, five, or six years  
18 ago.

19 With respect to someone passing a school bus,  
20 if your driver obtains the license number -- Paul, can you  
21 correct me on this?

22 MR. LANDIS: If you remember when the law was  
23 changed about ten years ago, setting a procedure that had  
24 to be followed by school bus drivers in order to get a  
25 prosecution, that was as a result of a Supreme Court ruling.

1 The Court rule said that the school bus drivers themselves  
2 could not be the prosecutor of the third party.

3 What was put in the motor code then was to try  
4 to get around the Supreme Court decision in order to make them  
5 a little more firm and get them prosecuted. In fact, that is  
6 when we put the suspension in. Before there was no  
7 suspension. We had the fine up to pretty close to \$500.00.  
8 When we hit the House floor, they thought that fine was too  
9 high because it would do the same thing the District Justices  
10 are doing now. And if you get it too high, they are going  
11 to find some way of throwing it out.

12 So it becomes a problem of enforcement. We can  
13 put the tools there, but it is going to be that District  
14 Judge -- I know of a case in Dauphin County where they were  
15 prosecuting under the old provision. Marlin Strom was the  
16 District Justice. The guy's attorney brought in his twin  
17 brother and said to the driver, "Point out who was driving  
18 the car." And here they were two twins. He says, "I can't."

19 And this was one of the reasons why we tried to  
20 tighten it up. It seems like a lot of paperwork, but try to  
21 make it so that the school bus driver, when he gets that and  
22 gives it to the police officer, the police officer has  
23 something he can prosecute.

24 MS. MEYERS: Yes, we do have to identify the  
25 driver. It is not the vehicle.

1 MR. LANDIS: Well, it is up to the police  
2 officer to make that determination before he writes the  
3 citation. Before, it used to be on information received and  
4 the driver could go to the D.J. and swear to it. Now he  
5 cannot do it without going through a police officer.

6 REPRESENTATIVE TIGUE: Thank you, Ms. Meyers.  
7 Do you have any questions? Representative Larry Roberts.

8 REPRESENTATIVE ROBERTS: Ms. Meyers, thank you  
9 for coming here today. You are to be commended for your  
10 efforts and for your persistence. You brought something to  
11 light that causes me some concern.

12 My first impulse when we talk about raising  
13 the fine for violators was to support that. Now that you  
14 tell me about what is going on with people trying to fight  
15 these things and get their tickets taken care of somehow  
16 through an attorney, or the extent that someone would go to,  
17 I am wondering if we would be shooting ourself in the foot,  
18 so to speak, by making the penalty so high that it would make  
19 it more worthwhile for someone to want to fight this thing.

20 I wonder if there is some other approach we  
21 should take than just trying to raise the fine. Do you have  
22 any comments to make in that regard?

23 MS. MEYERS: Yes, I do. Right now they are  
24 losing their license on a first violation. Monies they have  
25 no problem laying out. A person like this professor hired a

1 lawyer. A young man early in his years of working does not  
2 hire a lawyer. Maybe he could get off only through the  
3 technicalities or through the magistrate, but most likely he  
4 will lay out his money also. It is harder for him.

5 But losing your license is what they do not  
6 want to do. It is harder for a young man to not have a job.  
7 And, of course, the college professor having to travel to  
8 Philadelphia a couple of days a week, it was easy for him to  
9 hire a lawyer.

10 I'm not saying they will not continue to hire  
11 a lawyer. But I think the money up front always will help.  
12 That's why I'm supporting Representative Coy.

13 REPRESENTATIVE ROBERTS: The reason I mentioned  
14 that is if it is going to cost you \$500.00 for a fine and it  
15 costs you \$200.00 for an attorney, you may want to go see an  
16 attorney if you are inclined to try to beat the ticket, or  
17 have that taken care of.

18 But you feel with your experience and with the  
19 number of things that you have experienced you still think  
20 that an increase in the fine would be good?

21 MS. MEYERS: Yes, and then with our endorsement  
22 of not losing their license until maybe the third offense.

23 REPRESENTATIVE ROBERTS: Thank you very much.

24 REPRESENTATIVE TIGUE: Good question. Ms.  
25 Meyers in your company do you do any testing of your own for

1 your drivers?

2 MS. MEYERS: We do not do the testing. We use  
3 a third party. I do the training for my company and many,  
4 many people in Franklin County here. As far as CDL, I do a  
5 lot of training.

6 REPRESENTATIVE TIGUE: I do not mean as far as  
7 CDL. For instance, if I had my CDL and I was an operator for  
8 you starting a new year, or three years after my certification.  
9 Do you do anything for the drivers once you hire them? Do you  
10 test them or give them some type of skill check?

11 MS. MEYERS: Yes, I do. I would not hire them  
12 without riding with them, even if they had already had all  
13 their credentials, had their license and were ready to work.  
14 I would not hire them without riding with them.

15 I also have safety meetings within my company.  
16 We hold a breakfast once a month. And I also do newsletters.

17 REPRESENTATIVE TIGUE: No further questions?  
18 Thank you very much for your testimony. We really appreciate  
19 it.

20 Our next individual will be Corporal James Boyd  
21 from the Pennsylvania State Police. Corporal Boyd? I  
22 understand Corporal Boyd had a video which we were unable to  
23 show. If any members are interested in seeing that, we can  
24 arrange to get a copy of it.

25 CORPORAL BOYD: Representative Tigue,



1 Representative Coy, Committee members, on behalf of Colonel  
2 Glenn Walp, Commissioner of the Pennsylvania State Police, I  
3 thank you for the opportunity to testify before this very  
4 fine Committee.

5 My name is Corporal James Boyd of the  
6 Pennsylvania State Police. I am stationed at Departmental  
7 Headquarters in Harrisburg in the Bureau of Patrol Safety  
8 Program Division. My duties are to manage and supervise the  
9 Pennsylvania State Police School Bus Inspection Program.

10 In that capacity I train, supervise and monitor  
11 the approximately 150 Troopers involved in the School Bus  
12 Inspection Program. Prior to this assignment, I was  
13 stationed in Lewistown, in Mifflin County, where I was  
14 responsible for the inspection of 350 school buses in  
15 Mifflin, Juniata and Centre Counties.

16 The Pennsylvania State Police is involved in  
17 School Bus Safety in many different ways, both proactive and  
18 reactive. Unfortunately, the most visible way and the way  
19 that receives the most attention is the reactive way.

20 This is when a motorist overtakes and passes  
21 a school bus when the red lights are flashing, or when a  
22 school bus is involved in an accident. We definitely prefer  
23 a proactive approach to School Bus Safety.

24 One example of proactive School Bus Safety is  
25 is the State Police Community Service Officers traveling to

1 schools in their area and educating students, teachers, bus  
2 drivers and the general public in School Bus Safety.

3 Another example of proactive safety is in the  
4 Pennsylvania State Police Annual and Spot Check School Bus  
5 Inspection Programs. The annual inspection of each school  
6 bus is conducted before the start of the school term, and  
7 spot checks are randomly carried out over the course of the  
8 school year.

9 During the 1993 Annual Inspection, a total  
10 of 20,232 school buses were inspected by Troopers and 16,360  
11 discrepancies discovered. It is important to note that during  
12 the 1991-1992 school year, Pennsylvania school buses traveled  
13 285,576,854 miles, which ranked us third in the nation; and  
14 transported 1,363,052 students, which ranked us second in the  
15 nation.

16 During all of the millions of miles traveled  
17 in 1992, Pennsylvania school buses were involved in 773  
18 traffic accidents. While 287 students were injured,  
19 remarkably not a single student passenger was killed.

20 Another interesting fact is that of the 773  
21 school bus accidents, only 12 were attributed to equipment  
22 failure. That equates to 1.2%. This kind of safety record  
23 does not just happen, it is created by the dedication of  
24 people. People from various agencies and organizations such  
25 as the Pennsylvania Department of Transportation, who are

1 responsible for the regulations and training of school bus  
2 drivers; school officials, who implement the various safety  
3 programs; bus contractors, who strive to provide the safest  
4 equipment available; and the Pennsylvania State Police, who  
5 take great pride in their contribution to this successful  
6 program.

7           While school buses remain the safest form of  
8 surface travel in the world, unfortunately once students  
9 leave the relative safety of the bus they are exposed to  
10 greater hazards, in the form of the inattentive or uncaring  
11 motorist who, for whatever reason, passes a school bus that  
12 is in the process of loading or unloading school children.

13           Another area of great concern is the student  
14 who is injured or killed by a school bus after the student  
15 leaves the bus. According to the National Safety Council,  
16 more than half of the pedestrian students injured in  
17 1991-1992 were struck by the very same school bus they were  
18 entering or leaving. Between 1987 and 1990, a total of 83  
19 children were killed in or around the loading or unloading  
20 area of school buses nationwide.

21           While great strides have been made in School  
22 Bus Safety for passengers, a great deal more work must be done  
23 to increase safety for students entering or exiting a school  
24 bus.

25           It has been suggested that increasing the fine

1 for motorists passing a school bus with its flashing lights  
2 on would act as a deterrence to the violation. While the  
3 increase in fines may deter some, the real problem lies with  
4 the problem of identifying the operator of the vehicle.

5 It is almost impossible for a school bus  
6 driver to obtain the registration number, the make, the color  
7 and the model of the vehicle and still be able to view the  
8 operator well enough to identify him in court several weeks  
9 later.

10 Legislation allowing prima facia prosecution  
11 would greatly enhance the chances of successful prosecution  
12 of these violations. Prima facia prosecution would allow the  
13 school bus driver to merely obtain the registration number of  
14 the violator's vehicle and turn it over to police for  
15 prosecution. At a hearing, it would be incumbent upon the  
16 owner of the vehicle to identify the person operating the  
17 vehicle at the time of violation.

18 Even though the current school bus safety  
19 record is one of which we can be very proud, as government  
20 employees we should nevertheless continue our efforts to  
21 improve this record. After all, the lives and health of our  
22 children are central to this issue.

23 Our recommendations for prima facia  
24 legislation is just one of several recommendations offered  
25 here today. We respectfully request that the Committee

1 carefully consider this recommendation as you continue in your  
2 deliberations.

3 On behalf of the Commissioner of the  
4 Pennsylvania State Police, Colonel Glenn A. Walp, I would  
5 like to thank the Committee for allowing our Department the  
6 opportunity to testify on this important matter.

7 Thank you.

8 REPRESENTATIVE TIGUE. Thank you. Any  
9 questions?

10 REPRESENTATIVE BATTISTO: This is sort of a  
11 comment and a question both. I wholeheartedly concur with  
12 your recommendation with respect to prima facia legislation  
13 because that is precisely what I do. I chair a control  
14 beautification committee for my Cabinet. And I can tell you  
15 about the \$319.00 soda can that an owner of a vehicle had to  
16 pay for because I was driving behind him and I took his  
17 license number and I gave a State Police friend, who was on  
18 our Board, the identification. He punched it out and he told  
19 me who was responsible.

20 He sent him a citation. I was ready to  
21 testify, I had the color and everything of the vehicle. Two  
22 days before he paid the full fine when he knew that I was  
23 going to appear and testify.

24 There were three people in that vehicle. I  
25 just had the number and it was a prima facia case where the

1 driver himself had indicated that either he did or he loaned  
2 it to a friend. And he is still responsible.

3 I certainly would support that kind of  
4 initiative because this is ridiculous with respect to the  
5 lengths that some people go to evade the law and to evade  
6 prosecution. They are bringing look-alikes in.

7 It is almost impossible for a bus driver who  
8 really is trying to be vigilant in maintaining his bus, to  
9 take all this information down and be able to identify.

10 If there are three people in the car, two  
11 people, or even if the person is alone, the fact is that if  
12 you bring a look-alike, which one was it?

13 CORPORAL BOYD: I have been to hearings and I  
14 have testified in hearings and I definitely agree with those  
15 who have testified before me, Ms. Meyers, that it is  
16 frustrating.

17 When I was in Mifflin County in charge of the  
18 three-county buses there, I called a meeting between every  
19 Chief of Police in Mifflin County, both district magistrates,  
20 all the school bus contractors and the Director of  
21 Transportation for Mifflin County Schools.

22 We had the meeting just on this very issue of  
23 vehicles passing the school bus. You would have been  
24 surprised at all the finger pointing. The bus contractors say  
25 "we supply the information, the police don't want to prosecute."

1 We say "you don't supply the right information and you cannot  
2 identify the operator." And we point at the magistrates for  
3 giving a verdict that we do not agree with. The magistrates  
4 point the finger at both the bus driver and the police and  
5 say "I can't find them guilty if you don't give us the proper  
6 information."

7 So it seems like everyone is pointing the  
8 finger. And it seems the proper answer here would be to come  
9 out with prima facia legislation where, as we used to do it in  
10 the old days -- I've been on the job since 1969 and was a  
11 local policeman before that and a military policeman before  
12 that -- And prior to 1976 we had prima facia for numerous  
13 violations. We had it for hit-and-run, high speed chases,  
14 and when we lost that with the changes in 1976 we, of course,  
15 lost it with the school buses also.

16 So I firmly believe that would be the answer.  
17 And the doubling of the fines. And whatever other remedies  
18 that you wish to add to this.

19 REPRESENTATIVE BATTISTO: We essentially use it  
20 for littering.

21 CORPORAL BOYD: We use it for parking. Right  
22 now if you park at an expired parking meter they do not need  
23 to know who parked it and they arrest the owner.

24 So you can run over children, but do not  
25 overtime park.

1 REPRESENTATIVE BATTISTO: Thank you, Corporal.

2 REPRESENTATIVE TIGUE: Representative Ron  
3 Marsico?

4 REPRESENTATIVE MARSICO: Thank you, Mr.  
5 Chairman. It has been proven that seat belts save lives in  
6 cars and in trucks. What is the State Police position on  
7 requiring seat belts on buses?

8 CORPORAL BOYD: As you know, the Pennsylvania  
9 State Police are very firm advocates of seat belts in all  
10 vehicles. However, we have not yet seen seat belt design for  
11 school bus that would work.

12 The way that the school buses are built and  
13 designed, the very seats in the bus themselves act as similar  
14 to an air bag. Colonel Walp is very, very big on seat belts,  
15 as most policemen are.

16 If we could find a seat belt that would work  
17 safely in a school bus we, of course, would be for it. But  
18 with just the lap belt in a school bus, there are studies;  
19 the Toronto study for instance shows that with merely a lap  
20 belt it causes more injuries to a student than if there was no  
21 seat belt at all. I could go into graphic details if you are  
22 interested.

23 I also have the film that was produced in  
24 Toronto if anyone on the Committee would like to copy the  
25 film. It shows what happens to a student who merely wears the



1 lap belt. If we could have a three point seat belt, such as  
2 a shoulder harness and a lap belt, and we could have a study  
3 to show that it works, we would definitely be in favor of  
4 that.

5 REPRESENTATIVE TIGUE: Representative Teresa  
6 Brown?

7 REPRESENTATIVE BROWN: Thank you, Mr. Chairman.  
8 It is really more of a comment. I really appreciate your  
9 testimony and also Mrs. Meyers' because it is not a unique  
10 problem.

11 I am from the great northwest, Crawford County.  
12 I had the opportunity to meet with my contractors and bus  
13 drivers. And it was amazing the stories they told me and it  
14 was very similar.

15 One of the stories that was told to me was  
16 scary like yours, Mrs. Meyers. It was a teacher going to  
17 teach at the high school that passed the bus. And they got  
18 out of it because of a technicality.

19 I think that we are going to find out soon on  
20 this panel and in investigating this further that this is  
21 happening a lot and we really do need to tighten up the law.

22 I appreciate your suggestions and I fully  
23 support you.

24 CORPORAL BOYD: Was that just a recent case  
25 that you are talking about?

1 REPRESENTATIVE BROWN: It was about a year ago.

2 CORPORAL BOYD: And she just recently won it  
3 on appeal in court?

4 REPRESENTATIVE BROWN: I do not believe so.

5 CORPORAL BOYD: Well, I just had a teacher from  
6 Crawford County call me about two weeks ago on that very  
7 issue; she had passed a school bus. And she beat it in court.

8 Every time we get these, we find out -- Once  
9 a Trooper loses a case we want them to notice the ticket and  
10 tell us why. And then we try to fix the reasons why.

11 REPRESENTATIVE BROWN: Well, maybe we can help  
12 you.

13 CORPORAL BOYD: Thank you very much.

14 REPRESENTATIVE BROWN: You are welcome.

15 REPRESENTATIVE TIGUE: Representative Roberts?

16 REPRESENTATIVE ROBERTS: Previous testimony  
17 indicated that the new requirements, the federal requirements,  
18 are that all seats will face forward.

19 It was always my impression that if the seats  
20 were facing backwards and there were an accident the children  
21 would be protected by being thrown against the seat backwards.  
22 Is there some study on which would be safer, facing forward  
23 or facing backwards?

24 CORPORAL BOYD: I am really not aware of any  
25 studies. There probably are dozens of studies. No matter

1 what subject you pick on school buses, there are hundreds of  
2 studies done on it.

3 I think the major crux of this problem was that  
4 on some of the handicapped buses a lot of the wheelchairs were  
5 bolted in sideways. So if you are going down the road in this  
6 direction (indicating) and you hit, the passengers are thrown  
7 this way (indicating), causing a lot of unnecessary injuries.

8 So if they are all facing forward and they are  
9 belted in, then I think that was designed to alleviate that  
10 problem. I think it was done more so for the handicapped  
11 buses. I am not aware of any other bus that had seats  
12 sideways except the handicapped.

13 REPRESENTATIVE ROBERTS: Do you know if there  
14 were ever any studies on the seats facing the rear of the bus,  
15 as far as the safety impact?

16 CORPORAL BOYD: No, but one time I sat in the  
17 back of a station wagon going backwards and it tends to give  
18 you road sickness or sea sickness.

19 REPRESENTATIVE ROBERTS: It tends to be a little  
20 different. When I try it I often wonder why I would not sit  
21 the other way. If there were an accident there is more  
22 protection that way.

23 REPRESENTATIVE TIGUE: We were just talking  
24 about changing the seats in an airplane and he said that made  
25 sense because he never heard of a plane backing into a

1 mountain.

2 I have a question. In your testimony you  
3 mentioned 773 accidents in 1992 and only 12 of them were  
4 equipment failures. Do you have the numbers on what  
5 percentage would be considered driver at fault?

6 CORPORAL BOYD: No. My expertise on school  
7 buses is strictly on the physical entity of the bus and the  
8 equipment. That kind of data is probably more likely  
9 generated by PennDot and the Driver Licensing Program.

10 I am sure Mr. Doug Tobin could get that  
11 information for you.

12 REPRESENTATIVE TIGUE: Of the 20,000 plus  
13 inspections that were done you mentioned 16,000 discrepancies.  
14 That would include little and small discrepancies as well as  
15 large problems?

16 CORPORAL BOYD: I hear this every time I  
17 mention these facts because, unfortunately, when I get the  
18 data in if a horn does not work and the bus sat over the whole  
19 summer, we carry that as a discrepancy. It is fixed before we  
20 even leave it, but we carry it as a discrepancy.

21 They go over these buses. I am really proud of  
22 the contractors and the school bus owners in Pennsylvania for  
23 the job they do with the school buses. I will put our school  
24 buses up against any other state in the nation.

25 It is probably not a fair number to give you

1 on the 16,000; it sounds like they were in terrible shape.  
2 But if you have a school bus that they just checked and if a  
3 clearance light is up because of a bad ground we carry that as  
4 a discrepancy.

5 I think we would like to change the process of  
6 how we count those violations and kind of break them down into  
7 groups of moderate, serious and minor discrepancies.

8 If a bus is dirty on a spot check we carry that  
9 as a discrepancy because we do not want dirty buses.

10 So that was not a fair number to give you.

11 REPRESENTATIVE TIGUE: During the school year  
12 are there any inspections done on the buses?

13 CORPORAL BOYD: Yes, sir. We spot check from  
14 October to May. We have Troopers that go out and spot check  
15 buses all the school year long.

16 REPRESENTATIVE TIGUE: Is there any other  
17 recommendation you would like to mention while you are here?

18 CORPORAL BOYD: No, I think that the primary  
19 thing is definitely passing the school bus. Right now PennDot  
20 is doing a wonderful job in cooperation with the various  
21 school bus agencies trying to get Chapter 171, which is the  
22 vehicle equipment standards, up to par with the latest safety  
23 equipment.

24 So I think if we can look towards making the  
25 exterior of the bus as safe as the inside, I think we have

1 accomplished something.

2 REPRESENTATIVE TIGUE: Corporal, thank you very  
3 much for that enlightening testimony. We appreciate your  
4 taking the time.

5 CORPORAL BOYD: Thank you.

6 REPRESENTATIVE TIGUE: And now we would like to  
7 hear from Pat Parker, Pennsylvania Coordinator, National  
8 Coalition for School Bus Safety.

9 We had visitors who had to leave with the  
10 ringing of the change of class bell; visitors from one of the  
11 classes sitting in the rear.

12 MS. PARKER: Good morning. My name is Pat  
13 Parker. I am a parent in the Lewisburg Area School District,  
14 House District 85, and I am also a Pennsylvania Coordinator  
15 for the National Coalition on School Bus Safety.

16 I want to thank all of you for allowing me a  
17 few minutes of your time today to speak to you about seat  
18 belts on Pennsylvania school buses.

19 At this time, as you are aware, Pennsylvania  
20 has no law requiring school buses to be equipped with seat  
21 belts. This fact puts our children at risk. Today I would  
22 like to offer you a few facts about school buses and seat  
23 belts.

24 Let me begin by examining some of the arguments  
25 promulgated by opponents of school bus seat belts.

1                   1. The 1977 passage of federal regulations  
2 mandating structural changes and compartmentalization on  
3 school buses makes seat belts unnecessary.

4                   Newer buses do have some structural design  
5 changes and a feature known as compartmentalization, which is  
6 fully padded, higher backed seats spaced closer together.  
7 These changes have reduced fatalities, but they have not  
8 reduced injuries.

9                   2. Studies show that new school buses are  
10 safer without seat belts.

11                   The two most widely quoted studies on school  
12 bus seat belts vs. compartmentalization contain methodology  
13 that would not pass muster at a high school science fair.

14                   School Bus Collision Tests conducted by  
15 Transport Canada -- the ones in fact just cited by Corporal  
16 Boyd -- in 1984 examined only frontal collision, which  
17 account for only half of all injury producing school bus  
18 accidents.

19                   The effects of rear end collisions, side  
20 collisions and rollovers, which taken together account for  
21 64% of occupant deaths, were disregarded in this study.

22                   A report from the National Highway Traffic  
23 Safety Administration says, "It is in these types of accidents  
24 that safety belts might be most likely to provide additional  
25 safety benefits to school bus occupants...Ejections, which

FORM 2

1 could be prevented by belts, represent one-fourth of all  
2 fatalities...The results of the Canadian tests should be  
3 viewed with caution."

4 A 1987 National Transportation Safety Board  
5 study concluded that newly designed seats adequately protect  
6 passengers without belts. This study considered only 43  
7 accidents, 39 of which involved buses without belts. However,  
8 buses with belts were not compared to buses without belts in  
9 this study. Passengers on the four buses that had seat belts  
10 fared better, but the Board chose not to include data from  
11 these accidents in its final report.

12 3. Statistics show that school buses are one  
13 of the nation's safest means of transportation.

14 While it is true that statistically school  
15 buses are one of the nation's safest means of transportation,  
16 accidents do happen and children get hurt, and killed, in  
17 school bus accidents every year. According to PennDot  
18 statistics, five students died and 1,765 were injured on  
19 school buses in Pennsylvania between 1986 and 1992.

20 And although this is not in the text of my  
21 testimony, I want to point out that this does not include the  
22 accidents outside of the bus in the loading zone, or anywhere  
23 else. We are talking about kids injured and killed while they  
24 were on the bus.

25 In addition, school bus accident statistics



1 show only a partial picture. Pennsylvania is one of the many  
2 states that does not require accidents that occur on school  
3 property or outside of school hours to be reported in yearly  
4 accident statistics. Yet fifty percent of all school bus  
5 accidents occur on field trips.

6 4. Belts cost too much.

7 The cost of equipping a new, full sized bus  
8 with seat belts ranges from \$1,000 to \$2,000 of the total cost  
9 of \$35,000 to \$60,000. This is far less than even a single  
10 lawsuit filed by parents of an injured child would be likely  
11 to cost.

12 5. The kids don't wear them anyway. They just  
13 destroy them and use them as weapons.

14 Although compliance may never be 100%, steps  
15 can be taken by districts to encourage seat belt use. The  
16 National Highway Transportation Safety Administration has  
17 found a direct correlation between high belt usage and a  
18 mandatory usage policy within school districts.

19 Now, what are some of the arguments in favor of  
20 seat belts on school buses?

21 1. The single greatest cause of school bus  
22 accidents is driver distraction caused by students horsing  
23 around and forcing drivers to divert attention from their  
24 driving. Studies show improved behavior on buses where  
25 students are wearing seat belts.

1                   2. Finding no seat belts on their school bus  
2 interrupts a life saving safety habit for our children and  
3 sends a mixed message about the value of buckling up.

4                   3. The National Transportation Research Board  
5 of the National Academy of Sciences finds that, "Seat (and  
6 that is lap) belts...may reduce the likelihood of death or  
7 injury to passengers involved in school bus crashes by up to  
8 twenty percent."

9                   Let me conclude by saing that there are no  
10 valid studies that show that children are safer without seat  
11 belts on their school buses, and many that establish that  
12 seat belts can reduce injuries and deaths.

13                   Furthermore, the following professional  
14 organizations all endorse school bus seat belts: The American  
15 Medical Association, The American Academy of Pediatrics, The  
16 American Society for Adolescent Medicine, The American College  
17 of Preventive Medicine, The Center for Automotive Safety,  
18 Physicians for Automotive Safety, and the National Coalition  
19 for School Bus Safety.

20                   For the sake of our children, their safety and  
21 the teaching of safe riding habits, I urge the Pennsylvania  
22 House of Representatives to support Pennsylvania Senate Bill  
23 1095, which is attached to your copies, which would, if passed,  
24 require belts on all buses.

25                   I also urge you to add to SB 1095 amendments

1 specifying that belts be installed only on new buses, as  
2 retrofitting old buses can be problematic; calling for  
3 mandatory seat belt use policies in all districts and schools;  
4 and releasing bus drivers from liability in the case of an  
5 injury in which a student is not wearing a seat belt.

6 Thank you.

7 REPRESENTATIVE TIGUE: Thank you. Questions?  
8 Representative Brown?

9 REPRESENTATIVE BROWN: Thank you for your  
10 testimony. I just have a couple of quick questions. On the  
11 last page, number one, some of the reasons in favor of seat  
12 belts, at the top under "Belts cost too much;" in the Bill,  
13 do you happen to know who pays the cost of the seat belts?

14 MS. PARKER: Normally that cost is taken on  
15 by the school districts. So it is a taxpayer expense.

16 Some school districts license, or have  
17 contracts with school bus companies, and do not buy their  
18 belts. They buy their belts as they lease the buses.

19 So if those buses are going to be equipped with  
20 belts then the cost of leasing the buses might go up somewhat  
21 if belts were installed on new buses and the company had to  
22 take on that additional expense.

23 REPRESENTATIVE BROWN: Do you happen to know if  
24 any of this would be reimbursed through the State?

25 MS. PARKER: I do not know. I do not imagine

1 there is such a provision at this time because there is no law  
2 requiring seat belts. However, this is something that could  
3 be looked into.

4 REPRESENTATIVE BROWN: My last quick comment;  
5 it was number one where it said, "The single greatest cause of  
6 school bus accidents is driver distraction caused by students."  
7 I was asked to do some school bus safety tapings for public  
8 service and I thought, "Sure, there is no problem with that."

9 It was surprising what the tapes said and what  
10 the message was. It was very clear that their number one  
11 problem was that.

12 I guess my one question to you would be, do  
13 you happen to know if the schools do have school bus safety  
14 courses, programs, anything in place?

15 MS. PARKER: Nothing like that is mandated.  
16 Some schools do and some schools do not. My school district  
17 in Lewisburg did put seat belts on their school buses. They  
18 were one of very, very few.

19 At that time they had the American Academy of  
20 Pediatrics come out; they have a free program that they will  
21 offer to anyone on school bus safety. All of that sort of  
22 education was done. Then they brought nothing else, so there  
23 is no follow through year by year.

24 I do believe that there was former testimony  
25 that recommended that school bus safety programs could be

1 mandated in the schools. I think that would be a wonderful  
2 idea; all kinds of school bus safety, every year, twice a  
3 year, kindergarten through twelfth grade. At least  
4 kindergarten through sixth grade.

5 But, at this point it is up to the principal,  
6 basically.

7 REPRESENTATIVE BROWN: Thank you.

8 MS. PARKER: Thank you.

9 REPRESENTATIVE TIGUE: Any other questions?  
10 Representative Roberts?

11 REPRESENTATIVE ROBERTS: Thank you, Mr.  
12 Chairman. Ms. Parker, I just have one quick question.  
13 Looking at your testimony, you state that "Pennsylvania is one  
14 of many states that does not require accidents that occur on  
15 school property, or outside of school hours, to be reported  
16 in yearly accident statistics."

17 Then in the next sentence you say "Fifty  
18 percent of all school bus accidents occur on field trips."

19 If these accidents are not reported, where did  
20 you get these figures?

21 MS. PARKER: My estimation comes from research  
22 done by the National Coalition for School Bus Safety, who  
23 looked into news articles and so forth. For example, in  
24 California a few years ago there was a whole bus load of  
25 children killed, yet that year California stated that one

1 child died in school bus accidents in California, when in  
2 fact there had been twenty-six killed all at the same time.

3 So the statistics that the National Coalition  
4 is gathering are gathered from sources in addition to those  
5 reports.

6 REPRESENTATIVE ROBERTS: Do you have additional  
7 documentation to substantiate this fifty percent figure?

8 MS. PARKER: I can get some for you, certainly.

9 REPRESENTATIVE ROBERTS: If you could get that  
10 to me I would appreciate it.

11 MS. PARKER: Certainly. To whom should I  
12 send it?

13 REPRESENTATIVE ROBERTS: Send it to the  
14 Committee.

15 MS. PARKER: I would be glad to do that.

16 REPRESENTATIVE ROBERTS: Thank you.

17 REPRESENTATIVE TIGUE: Representative Dante  
18 Santoni?

19 REPRESENTATIVE SANTONI: Thank you, Mr.  
20 Chairman. Ms. Parker, is there any other state in the Union  
21 that does require seat belts for school buses?

22 MS. PARKER: There are two; New York and, just  
23 last year, New Jersey.

24 REPRESENTATIVE SANTONI: Is there any  
25 information available from those states that prove that the

1 difference in injuries and fatalities is very drastic between  
2 when they did not require them and when they did?

3 MS. PARKER: Probably from New York. I believe  
4 it would be too soon from New Jersey. But that is something  
5 else that I can find out for you.

6 REPRESENTATIVE SANTONI: I would appreciate  
7 that. Thank you.

8 REPRESENTATIVE TIGUE: Any other questions?  
9 I would ask that you send the information that Representative  
10 Roberts requested, as well as -- you mentioned a couple of  
11 things like studies that show improved behavior on buses --  
12 If you have any studies like that, would you forward them to  
13 the Committee so we can disperse and distribute them to the  
14 Members.

15 Thank you for your testimony.

16 MS. PARKER: Thank you.

17 REPRESENTATIVE TIGUE: Next we have Dallas  
18 Krapf, a school bus contractor. Would you identify who is  
19 with you also?

20 MR. KRAPP: With me is Sherry Landis, Executive  
21 Director, Pennsylvania School Bus Association.

22 I would like to thank the Chairman and the  
23 Members of the House Transportation Committee for this  
24 opportunity to speak to you today concerning the issue of  
25 school bus safety.

1 I have been a school bus contractor in the  
2 state of Pennsylvania for twenty-six years. Our company,  
3 George Krapf, Jr. & Sons, Inc., is celebrating its 51st year  
4 in business and we are the largest privately owned contractor  
5 in Pennsylvania, of which I am fifty percent owner.

6 We currently operate 475 yellow school buses  
7 in Chester County and serve the school districts of  
8 Coatesville, Downingtown, West Chester, Twin Valley and the  
9 Chester County Intermediate Unit. We transport approximately  
10 35,000 students each day.

11 I am a State Certified Instructor and also a  
12 Commercial Drivers License Examiner for the State of  
13 Pennsylvania. I also serve on the Board of Directors for the  
14 Pennsylvania School Bus Association and hold the office of  
15 First Vice President.

16 Transporting children safely to school is a  
17 very challenging job. Our school bus drivers are traveling on  
18 busy roadways during the busiest times of day. Many of these  
19 roads were not designed to handle the volume of vehicles that  
20 currently travel on them, which causes traffic congestion and  
21 tie-ups. When you add a school bus picking up or discharging  
22 school students to this equation, you have a high potential  
23 for an accident. Many motorists will go to great lengths in  
24 order to get around a school bus.

25 My experience with the law involving failure to



1 stop for school buses is very frightening and frustrating. My  
2 drivers are constantly complaining about the number of drivers  
3 who fail to stop for their bus when they are picking up or  
4 discharging students.

5 If the driver is able to obtain all the  
6 necessary information to have a ticket issued to the motorist,  
7 our drivers win only one out of ten cases reported.

8 The reasons are many. First, a school bus  
9 driver must be able to provide information, in writing, as to  
10 the identity of the driver. That means that the school bus  
11 driver, who is trying to make sure the child is not hit, must  
12 be 100% sure of who was driving the vehicle.

13 Second, the driver must also provide the  
14 license number and color of the vehicle, the time and location  
15 of the violation, and must ID the vehicle as to type, whether  
16 it be auto, station wagon, or truck.

17 This is a lot of information to gather while  
18 the driver is trying to make sure the children are safe. The  
19 school bus drivers should only have to report the license  
20 number, because many times that is all the information they  
21 have been able to get in a short amount of time.

22 The operator of the school bus then has 48  
23 hours to deliver a copy of the report to the arresting  
24 officer. This is just the beginning of a long, problematic  
25 process. Usually a motorist who has been issued a citation

1 will try to fight the ticket. Court is normally scheduled  
2 for an inconvenient time, making it impossible for the driver  
3 to be there. You have to remember that our drivers are  
4 unavailable in the morning and afternoons due to their school  
5 routes. If a driver chooses to miss their run it is very  
6 difficult, if not impossible, to find a substitute for that  
7 route. Also, it is very upsetting to a dedicated driver  
8 because they do not like to upset their student passengers  
9 with a substitute driver.

10 Due to the penalty on the violator, five  
11 points and a sixty day suspension of their license, they will  
12 fight the ticket to the very end. This causes the school bus  
13 driver to miss additional work and spend excess time in the  
14 courtroom.

15 If the case is won by the school bus driver at  
16 the District Court level, the violator then takes the case to  
17 the Common Pleas court, which involves a totally new trial.  
18 Usually at this point the District Attorney will allow the  
19 violator to plead to a lesser charge to move the case out of  
20 the court system.

21 It is because of this process that we are  
22 frustrated with the system. If a school bus driver knows that  
23 a motorist who passes a stopped school bus will eventually  
24 beat the ticket, it deters them from reporting any future  
25 violators. The only reason why drivers continue to report the

1 violators is out of concern for the children they transport.

2 We recently had a motorist pass a school bus  
3 on the right hand berm while the school bus driver was  
4 discharging students. The school bus driver, because of a  
5 bad past experience, refused to get involved and report the  
6 incident. Her comment was, "They do it every day and I'm not  
7 wasting my time in court to lose another case." Unfortunately,  
8 this is the attitude of many of our employees.

9 I, and many of our employees, feel if the  
10 dollar amount of the violation was more severe and if we only  
11 had to report the license number, more motorists would be  
12 prosecuted for the passing motorist violation. But, because  
13 of the suspension and the points to their license, they hire  
14 the best legal representation to win the case.

15 Today's roadways are heavily congested and the  
16 motorists have many things on their mind. They just do not  
17 see the big, yellow school bus, and they normally admit that  
18 in court.

19 However, that is not going to save our  
20 children's lives when they are run down by these inattentive,  
21 passing motorists. We need a solid, working law to help us  
22 slow down motorists oblivious of the work around them before  
23 we have more children injured or killed.

24 Thank you.

25 REPRESENTATIVE TIGUE: Thank you. Questions?

1 Representative Brown?

2 REPRESENTATIVE BROWN: Thank you, Mr. Chairman.  
3 Thank you for your testimony. I appreciated that. I have a  
4 couple of questions that really you did not touch upon and  
5 maybe you can clear this up for me.

6 What are they doing in other states for  
7 re-testing? Do you happen to know?

8 MS. LANDIS: I can answer that. First of all,  
9 before I answer your question, I do not have prepared  
10 testimony but I thought it was necessary to come up and  
11 present some of the safety statistics that were addressed here  
12 earlier by the Pennsylvania Department of Transportation in  
13 relation to the re-testing program.

14 West Virginia currently does not have a  
15 re-testing program. They do have a commercial drivers license  
16 since it is a federally mandated program. They have a State  
17 Transportation Director who reviews driver licensing. And if  
18 a driver has several movable violations they will ask the  
19 driver to come in and re-test.

20 New Jersey does not have any type of re-testing  
21 program.

22 Maryland does not have any type of re-testing  
23 program. Each individual county in Maryland has jurisdiction  
24 over school bus driver licensing programs with some DMV  
25 interaction. But they are basically in charge of the training

1 and so forth. Maryland does have two mandatory in service  
2 days.

3 New York does have a re-testing program every  
4 two years. They must have a written skills and written  
5 knowledge test. They recently passed a bill that has if a  
6 driver has three violations on their license, and that  
7 includes their car license and their commercial license, their  
8 license will be revoked.

9 But what I think we need to look at when we are  
10 dealing with the re-testing issue is, not a ten year period,  
11 but let us look at a three year period since the commercial  
12 drivers license program has been implemented. That program  
13 was designed to better train for skills commercial drivers.  
14 That includes truckers and school bus drivers.

15 If you look at the sheet that I passed out to  
16 you just recently, you will look at the accident rate per  
17 million miles driven annually and it has gone down  
18 dramatically since the implementation of the commercial  
19 drivers license program. That is a sign that it is working.

20 This is also during a period of time that there  
21 has been no new testing program of the school bus drivers. If  
22 you look at the accidents in the top graph you will see that  
23 in 1991-1992 there were zero fatalities. In 1990-1991 there  
24 was one fatality and that occurred on the school bus. That  
25 was when a steel beam went through a window. That was in the

1 Montgomery County area, or Chester County, that a young girl  
2 was killed as it went through the window.

3 In 1989-1990 there wer two fatalities and they  
4 did occur outside of the school bus.

5 But I think that when a statistic is used that  
6 we have a 79% higher rate, and I am not sure if that is the  
7 exact number, you have got to look down at the year of  
8 1987-1988 where there were six fatalities. That was during  
9 the re-testing program.

10 So if you look at the years since the  
11 commercial drivers license program, the accident statistics  
12 have gotten better.

13 REPRESENTATIVE BROWN: One last question. Can  
14 you explain how CDL has changed the driver training?

15 MS. LANDIS: Well, currently a school bus  
16 driver must pass a commercial drivers license test which is  
17 a fifty question test. They must get an "S" endorsement which  
18 is for their school bus driver license and that requires a  
19 twenty hour course -- fourteen hours classroom training, six  
20 hours in-bus training.

21 Then they must pass a physical. They must pass  
22 a motor vehicle check and a criminal history check.

23 Then every four years that driver is required  
24 to do ten hours of recertification. That is seven hours of  
25 in classroom training and three hours in bus, one on one, with

1 a trainer, of driver recertification skills. And it is a  
2 training program.

3 So that is changed. We no longer do it before  
4 your re-test, which we did before the commercial drivers  
5 license.

6 And I want to tell you that we are for  
7 re-testing of school bus drivers. We believe that the ten  
8 hour recertification class should remain the same. We should  
9 have seven hours of in classroom training and we should have  
10 three hours of in school bus training, plus a twenty question  
11 test at the end of that training period, to make sure that  
12 they are knowledgeable on the laws of the road.

13 We are also in favor of re-testing those school  
14 bus drivers that have moveable violations. These are the  
15 people that need to be re-tested.

16 When you look at the industry as a whole, we  
17 have the safest safety statistics available. When some of  
18 these statistics are presented to you today, I think it does  
19 not give a favorable light on the industry. And they are safe  
20 drivers. I mean, in the 1991-1992 school year there were  
21 1,363,052 pupils driven over 285,576,859 miles in  
22 Pennsylvania. That is a very good accident rate for the  
23 conditions that they drive in. They drive during the busiest  
24 times of day. They drive on urban, rural and suburban roads.

25 And we need to separate all that out if you are

1 look at the accidents. Thank you.

2 REPRESENTATIVE TIGUE: Representative Battisto?

3 REPRESENTATIVE BATTISTO: Thank you very much  
4 for your testimony. Two things seem to stick out of the  
5 testimony, among other things.

6 Number one, the fact is that there is a  
7 problem with respect to drivers blatantly passing school buses  
8 when they are stopped, even on the right hand side. I have  
9 heard this a couple of times.

10 The other thing that seemed to pop out is the  
11 fact that accidents do occur in the loading area when they do  
12 occur. It is very difficult, even if you are the tallest  
13 person and the person with the best skills, to see all around  
14 the bus.

15 I gather from your testimony that you would  
16 agree with the idea of raising the fine with respect to the  
17 violators?

18 MR. KRAPP: Yes, sir.

19 REPRESENTATIVE BATTISTO: The State Corporal  
20 testified for legislation that would allow for prima facia  
21 violations. That is simply a matter of being able to report  
22 the license number of the violator and leaving it up to that  
23 person, in court, to identify himself or herself or somebody  
24 else who was operating the vehicle. I concur with that.

25 Since you have so many buses and you operate in



1 so many districts you have a lot of experience. Is there  
2 anything else? Are there any other recommendations you have  
3 with respect to trying to improve the area around the bus  
4 where the loading and unloading occurs? Any suggestions with  
5 respect to the whole idea of scanning the area to make sure  
6 that the area is clear before the driver proceeds?

7           Somebody mentioned before, and I take it that  
8 is going to be a federal law? Is that going to go in effect?  
9 Is that going to take effect over a period of time? Could you  
10 elaborate on that?

11           MR. KRAPP: The one point that actually is  
12 going to help the school bus driver under the new federal  
13 standards is new mirror designs that are able to be put on  
14 equipment as of January 1, which we have already purchased  
15 equipment that have the new mirrors on.

16           I think that it will help the driver once they  
17 are able to learn how to watch all the mirrors. Because how  
18 much can they watch on the roadway? But the new mirror  
19 system, I think, will be a positive situation for the driver.

20           The bar that you are talking about is about an  
21 eight foot bar that is constructed so that it is on the front  
22 bumper of the school bus. When the school bus stops and they  
23 open their door and the arm goes out, this bar also will go  
24 out in front of the bus.

25           That, along with all of our safety programs;

1 we teach our students to get off the bus, take two steps to  
2 the right and eight steps forward and then make a military  
3 turn across the road so that the driver is able to always be  
4 able to see those students.

5           That should help. But the students that have  
6 become casualties from their own bus drivers are students  
7 that dropped something, they run back after the driver has  
8 seen everyone reach a point of safety. He or she closes  
9 their door. The student runs back because they dropped their  
10 lunch pail or something blew out of their book bag or  
11 something like that. She or he, in their mind, has assumed  
12 that everyone is at a place of safety because they watched  
13 them reach that.

14           When she closes the door and, if it is a  
15 stick shift bus she puts the bus in gear, if it is an  
16 automatic she takes the emergency brake off, or whatever  
17 they might be doing at that point, and that student runs back  
18 underneath the bus, there is no way of protecting that  
19 student unless you have a monitor out there until the bus  
20 drives away.

21           MS. LANDIS: The Pennsylvania School Bus  
22 Association's Board of Directors is going to be doing a study  
23 with the crossing gates. One of the manufacturers has donated  
24 a crossing gate to each Board member.

25           There are some technical problems with some of

1 the crossing gates. And before we go and put them on the  
2 school buses, or advocate putting them on the school buses,  
3 we want to make sure that they work in snowy weather. There  
4 have been some problems with them sticking to the bumper and  
5 so forth.

6 So we will be doing a study on that. Also,  
7 we were successful in amending Chapter 3, 5 and 7 of the  
8 infamous student learning outcome that we amended to have  
9 school bus education in K through 5th grade once a year in  
10 the classroom. Because what Dallas had said is that these  
11 children, once they realize that there is what we call the  
12 "danger zone" and they are prepared and trained through those  
13 years of not to go back, we think the student fatality is going  
14 to greatly reduce.

15 And with the new mirror standards, the new  
16 mirrors give a tremendous view of the front end of a school  
17 bus. And if any of you would like to see the new mirrors in  
18 operation -- and the federal government will allow them in  
19 December and they will be mandated by January -- we would be  
20 more than happy to show you a school bus and its field of  
21 view with the new mirrors on it. It is quite remarkable.

22 REPRESENTATIVE BATTISTO: January of 1994?

23 MS. LANDIS: Yes.

24 REPRESENTATIVE TIGUE: Any other questions?

25 Representative Brown?

1                   REPRESENTATIVE BROWN: Thank you, Mr. Chairman.  
2 One last question. Are you concerned about keeping your bus  
3 drivers or losing them with this recertification to go out and  
4 take the test? Along with all the other paperwork and  
5 requirements, is that a concern for you as a contractor?

6                   MR. KRAPP: Well, it has already affected us.  
7 I think that in our area of eastern Pennsylvania we have a  
8 driver shortage already because of the qualifications that a  
9 person has to reach to be a school bus driver.

10                   We have a lot of retired men that come in that  
11 are 54 to 56 years old, or 57 years old, and are taking early  
12 retirements. Because of what is required of them; not being  
13 hard of hearing, they cannot be color blind, they cannot  
14 have any history of heart problems, they cannot have diabetes  
15 and on a needle. All of those requirements. We have a  
16 limited field of people to choose from.

17                   So I think with the four year re-test, when you  
18 tell a driver that has driven safely for twenty years that he  
19 or she has to be re-tested by an examiner in the bus when  
20 there are children on the bus, the pressure is going to be so  
21 great that they are going to say, "I don't need that job  
22 any more. I can go get another job somewhere else. Why  
23 should I be re-tested? I have been a safe driver for twenty  
24 years."

25                   So they are just going to give you their

1 termination and go find a job somewhere else.

2 REPRESENTATIVE BROWN: Thank you.

3 REPRESENTATIVE TIGUE: Representative Marsico?

4 REPRESENTATIVE MARSICO: Just one quick  
5 question. This is about the crossing arm that we were talking  
6 about earlier and also the newer mirrors. Do you think that  
7 a warning bell system such as they have on dump trucks,  
8 commercial dump trucks that go on when the trucks go into  
9 reverse, something like that -- Do you think that would help?

10 It seems to me that the problem is with the  
11 smaller kids that go back and drop something. If that bell is  
12 still ringing it will obviously alert him that the bus is  
13 still there. When the bell stops, then --

14 MR. KRAPP: There was some sort of a siren  
15 device that was tested, but I do not know the results of the  
16 test and I do not know where the test was done. But the  
17 school bus driver is sitting there and every time you come to  
18 a stop this siren could possibly go off or go on. I think it  
19 would be too much. I think it would be very difficult to come  
20 up with some kind of a sensor that would only go off outside  
21 the bus.

22 Is it going to test body heat, or what is it  
23 going to do in the dead of winter or hard rain? I do not  
24 know. That was tried somewhere, but I do not know the results  
25 of it.

1 MS. LANDIS: Some of the sensors were picking  
2 up rocks and anything that would be flying in front of it,  
3 a cat or anything, the sensors would pick that up and  
4 activate the alarms. The bus would be moving forward. There  
5 are some problems with the sensors.

6 As far as a warning bell during backup, our  
7 position is that we try to never back up, especially around  
8 the loading zone or unloading zone. Most of the fatalities  
9 that are occurring are forward motion, so a backup warning  
10 signal may not be --

11 REPRESENTATIVE MARSICO: Well, I was using that  
12 as an example.

13 MS. LANDIS: I am sorry.

14 REPRESENTATIVE MARSICO: I was saying that a  
15 bell or a siren would ring until the passengers were settled.

16 MS. LANDIS: The industry, if I may say, is  
17 always looking for technical advances to address this problem  
18 of the fatalities in the loading zone.

19 This is just not a problem in Pennsylvania.  
20 The National Safety Council said that there were twelve  
21 fatalities in the 1991-1992 school year. Pennsylvania had  
22 zero, but there were twelve nationwide.

23 There are constantly technical advances which  
24 we are always looking into also.

25 REPRESENTATIVE MARSICO: Thank you.

1 REPRESENTATIVE TIGUE: Paul Landis?

2 MR. LANDIS: I was just going to confirm what  
3 Sherry had said. About six years ago we had a hearing and I  
4 still have the data in my office. The problem was that a  
5 leaf would drop, a twig, a stone; they would all set these  
6 sensors off. That is why it did not get mandated on the bus.  
7 But I have data on that.

8 REPRESENTATIVE TIGUE: A couple of questions.  
9 One is, where did this information come from?

10 MS. LANDIS: That is from the Pennsylvania  
11 Department of Transportation's accident report that was  
12 referred to earlier. That is just one of the sheets that was  
13 in that report. I have the whole report.

14 REPRESENTATIVE TIGUE: So these are right from  
15 the Department?

16 MS. LANDIS: Yes, they are. I have the report  
17 with me here today.

18 REPRESENTATIVE TIGUE: You had mentioned about  
19 training the children. I think Mario and his group might have  
20 asked if it was mandatory and I think that is a good idea.

21 However, I do not think it should be done in  
22 the classroom, I think it should be done on the bus. It is a  
23 lot easier to get the kids on the bus.

24 Just a comment and maybe a recommendation or  
25 an idea is that we talk about all this technology and about

1 arms that swing out. My suggestion is to get people involved.  
2 The point is, every month or so let the teachers do it. There  
3 could be a bus captain or something. And let them sit with  
4 a driver.

5 Sometimes it may slow down the route a little  
6 bit, but I think that the more you get the kids involved in  
7 it, the more attention they would pay from a safety aspect.  
8 And it is just one recommendation.

9 One other question I have is, we have heard a  
10 number of people testify about prima facia, stopping people  
11 going by and all that kind of stuff. My question is, should  
12 we have the same rules for bus drivers? In other words, if I  
13 am driving down the road and I see a bus run a stop sign or  
14 do something that is illegal, should I be able to then say  
15 that I got the bus number and the bus plate and he should be  
16 brought in?

17 MR. KRAPP: In our area I do not feel our  
18 school bus drivers get away with anything, because if the  
19 passing motorist does not report him the students on the bus  
20 will report him.

21 A group of junior high kids can put a driver  
22 on the street. They can actually put him out of work, or her  
23 out of work, by just complaining about her driving, about his  
24 or her driving abilities, or his or her ability to handle the  
25 discipline on the bus.



1                   Our transportation supervisors that we work  
2 for, since we work for the school district, all they have to  
3 do is say, "Remove that driver from the bus route. She  
4 cannot handle, or he cannot handle the discipline any more."  
5 Or, "They are not a good driver."

6                   Since we are an employee of the school  
7 district we remove the driver from the route. And that  
8 normally is the end of that driver.

9                   So I do not really believe in Chester County,  
10 and most of the time we are dealing with these students' or  
11 parents' attorneys that are representing them, that we have  
12 any drivers that are getting away with anything out there.  
13 I think that they are all being reported for everything that  
14 they do.

15                   I do not have the problem with the drivers  
16 being punished in the same way that the passing motorists are.

17                   REPRESENTATIVE TIGUE: Thank you. Any other  
18 questions?

19                   Thank you very much. We appreciate your  
20 testimony.

21                   MR. KRAPP: Thank you.

22                   REPRESENTATIVE TIGUE: For informational  
23 purposes we are going to take a five minute comfort break and  
24 then we are going to continue the hearing.

25                   Some people were scheduled to testify, or to

1 provide testimony. Representative Todd Platts and Sue  
2 Manbeck will not appear today. Their testimony has been  
3 forwarded from Harrisburg.

4 Wait, she is here.

5 (Whereupon, at 12:05 p.m., a short break was  
6 taken.)

7 REPRESENTATIVE TIGUE: The next individual to  
8 give testimony will be Mr. George Romano, Jr., President of  
9 the Pennsylvania School Bus Association.

10 MR. ROMANO: Mr. Chairman and members of the  
11 House Transportation Committee, thank you for the opportunity  
12 to appear before you today to present the views of the  
13 Pennsylvania School Bus Association on the issue of school bus  
14 safety.

15 My name is George Romano, Jr. I am part owner  
16 of Romano's School Bus Service in Norristown, Pennsylvania.  
17 Our company started in 1953 with two school buses and has  
18 grown to a fleet size of one hundred and sixty-three. We  
19 currently transport the students of Colonial, Norristown,  
20 New Hope/Solebury and Abington school districts and many  
21 private schools in the Montgomery County area. We also own  
22 Eastern Bus Sales, which sells AmTran school buses.

23 I am a State Certified Instructor and a  
24 Commercial Drivers License Examiner for the State of  
25 Pennsylvania and I am a licensed school bus driver. I

FORM 2

1 currently am serving as President of the Pennsylvania School  
2 Bus Association.

3           The Pennsylvania School Bus Association,  
4 better known as PSBA, was founded in the early 1950's to  
5 "promote and foster the highest degree of safety in the  
6 transportation of school children." The Association  
7 represents approximately fifty percent of the Commonwealth's  
8 yellow school bus fleet, with members from all areas of the  
9 state. Our members, private school bus contractors, represent  
10 seventy-five percent of the Commonwealth's pupil  
11 transportation.

12           PSBA's prime concern is the safety of the  
13 children our members transport. We offer our members many  
14 opportunities to learn about the latest school bus safety  
15 technology, driver training programs, student management  
16 seminars and mechanics workshops.

17           All these services are aimed at ensuring our  
18 members are up-to-date on every aspect of the school bus  
19 transportation industry, in order for them to operate a safety  
20 conscious school bus fleet.

21           However, there is one area which no amount of  
22 training or education can be remedied through our members --  
23 people who pass our stopped school buses.

24           We believe today there is an epidemic of  
25 passing motorists on Pennsylvania roadways. In today's

1 society everyone is in a hurry and trying to squeeze many  
2 activities into a limited amount of time. So when a motorist  
3 sees a school bus in front of them, a sense of dread comes  
4 over them because they know it will slow them down. They  
5 will then try just about anything to get around that school  
6 bus.

7                   According to Title 75 of the Pennsylvania  
8 Consolidated Statutes, Section 3345, "the operator of a  
9 school bus who observes a motorist passing a stopped school  
10 bus, to the extent possible, the driver's report must include  
11 the following: information, if any, pertaining to the  
12 identity of the alleged violator; the license number and  
13 color of the vehicle involved in the violation; the time and  
14 approximate location at which the violation occurred;  
15 identification of the vehicle as an automobile, station wagon,  
16 motor truck, motor bus, motorcycle, or other type of vehicle."

17                   The school bus driver then has 48 hours after  
18 the violation occurred to deliver the report to the police.

19                   We understand all the information must be  
20 gathered in order to ensure a proper citation. However, when  
21 you are a driver of a school bus transporting children and a  
22 vehicle has just passed your bus and you are trying to make  
23 sure the children are safe, it can be very difficult to gather  
24 all the necessary information.

25                   Fortunately, the children on the bus will often

1 get the license number of the vehicle that passed the bus.  
2 But many times the license number is not enough information  
3 for the district magistrate to uphold the citation. Or,  
4 because the district magistrate may feel the loss of the  
5 violator's license is too harsh of a penalty, they will let  
6 the driver plea to a lesser charge.

7 I recently had a situation that occurred that  
8 is a perfect example of what we are trying to convey here  
9 today. On September 14, 1993, at 2:00 p.m., one of our  
10 stopped school buses with its red lights flashing and the  
11 side stop arm fully extended was letting students get off the  
12 bus. A black Jaguar passed the school bus. A female with  
13 reddish brown hair and dark sunglasses was the operator of  
14 the car.

15 The school bus driver was fortunate enough to  
16 gather all the necessary information to have a citation  
17 issued. We went to a hearing on November 2, 1993. The  
18 passing motorist pleaded guilty. However, when she was told  
19 that she would lose her license she started to cry.

20 There was a side conversation between the  
21 judge and her attorney. They came back into the room and the  
22 attorney said his client would plead guilty to going through  
23 a stop sign and pay the fine.

24 Our school bus drivers in Pennsylvania are very  
25 frustrated with people who pass their school buses. Out of

1 concern for the children they transport school bus drivers  
2 have a great sense of responsibility to report these  
3 violators.

4                   However, when the system makes it almost  
5 impossible for the motorists to be penalized, many drivers  
6 feel what is the use? A school bus driver's job is very  
7 difficult without the added pressure of knowing that there is  
8 very little protection for the children they transport from  
9 passing motorists.

10                   The Pennsylvania School Bus Association would  
11 like to see the monetary penalties increased for passing  
12 motorists. We believe that many of the citations are not  
13 upheld because of the sixty day loss of license. A person  
14 will go to great lengths in order to keep their license,  
15 especially if they rely on their vehicle to make a living.

16                   There are many aspects of school bus safety  
17 which we could have chosen to discuss here today. However,  
18 there is not a school bus manufactured, or a school bus  
19 driver training program, that can help solve this grave  
20 problem of motorists passing stopped school buses. Only you  
21 can help by changing the law.

22                   Thank you for this opportunity to be here  
23 today.

24                   REPRESENTATIVE TIGUE: George, thank you.  
25 Any questions?

1                   REPRESENTATIVE BATTISTO: We were just talking  
2 about this at the break. We heard it a couple of times this  
3 morning. I heard it in my district about a month ago when  
4 looking at a very difficult place where school buses have to  
5 stop.

6                   This one lady said to me while there were  
7 children getting off and on, "Do you realize somebody came  
8 zipping by here two weeks ago on the right hand side?" And  
9 I heard it today.

10                   Of course we were talking and I said, "When I  
11 approach a school bus, I approach with more trepidation than  
12 I do when I approach a police car." And I stop way, way back.  
13 I stop even when I should not have to stop. I kind of block  
14 the highway.

15                   You indicate there is an epidemic of passing  
16 motorists and that is what it appears to be. I think your  
17 explanation might be pretty rational, too, when you talk about  
18 the fact that people are in a hurry and the highways are  
19 congested.

20                   One of the problems here seems to be the  
21 suspension thing. I am not necessarily suggesting this, but  
22 would it not be better if we raised it to \$500.00, as Jeff  
23 suggests? And also add the prima facia part. That is to say  
24 that the driver merely has to identify the license number.  
25 And eliminate the suspension part.

1           The point is it appears as if a lot of people  
2 are passing school buses and getting away with it and that is  
3 the worst thing. How can we rectify this?

4           Somebody is asking me if we should assess the  
5 points of Mr. & Mrs. Battisto? I said, "With my wife, of  
6 course."

7           But anyway, the fact is in all seriousness,  
8 this is a serious problem. Frankly, we are for whatever we  
9 can do to rectify it. Obviously we need something to rectify  
10 it with.

11           Would you subscribe to something like that?  
12 Raising the fine to \$500.00, or at least \$500.00 as Jeff  
13 indicates, and eliminate those other problems which tend to  
14 get in the way of prosecuting people.

15           And, of course very importantly, making a  
16 prima facia case. That is very important. You simply  
17 identify the license number and leave it up to the driver to  
18 pay the fine or identify someone else who was driving the car.

19           MR. ROMANO: It is the feeling of the  
20 Pennsylvania School Bus Association, as well as my own  
21 personal feeling being a contractor, that that is exactly what  
22 we would like to see: prima facia on the license plate number  
23 and also a higher fine.

24           REPRESENTATIVE BATTISTO: Thank you.

25           REPRESENTATIVE TIGUE: Any other questions?



1 Representative Brown?

2 REPRESENTATIVE BROWN: Thank you, Mr. Chairman.  
3 Mr. Romano, has the issue of pull off areas for buses ever  
4 been addressed, or has that ever been brought up?

5 MR. ROMANO: Not to my knowledge. I know in  
6 a lot of school districts that I work for there is no areas  
7 where we really could pull off the highway to load students.

8 REPRESENTATIVE BROWN: When I had a meeting  
9 with the contractors and the bus drivers in Crawford County,  
10 that is one of the suggestions they gave me.

11 They said a lot of times they pull over when  
12 they can. There are so many places, and my area is rural,  
13 where there is no really good place to pull off for the buses.  
14 Because if they could, they would.

15 That would allow the people to go around them  
16 and continue on to work, or wherever. I was just curious to  
17 know if that was ever addressed to you?

18 MR. ROMANO: It has not been addressed. I  
19 think my only concern with that, basically, would be that if  
20 I have a bus that is going in one direction then a student  
21 would have to still cross a two lane highway to get to that  
22 bus, even if it was in a pulled off area. That student would  
23 still be crossing.

24 I still would be in a position to state that  
25 there would be people that pass the school buses. It happens

1 every day.

2 REPRESENTATIVE BROWN: Thank you.

3 REPRESENTATIVE TIGUE: Anyone else? One  
4 question, would you know or have access to statistics of how  
5 many injuries or fatalities occur because of drivers other  
6 than school buses trying to pass while the children were  
7 being disembarked?

8 MR. ROMANO: I cannot answer that question.  
9 I would imagine there would be statistics that could be  
10 compiled through either a national survey or through a state  
11 survey.

12 REPRESENTATIVE TIGUE: This seems to be, as  
13 Joe says, a recurring theme in the testimony we are hearing.  
14 Evidently, this is a problem. I am just curious to see if  
15 as this occurs, has there been an affect on an increase in  
16 injuries caused by these people, or such persons who do not  
17 stop when a school bus is stopped?

18 MR. ROMANO: It has been a permanent problem  
19 since we have been in business and we are celebrating forty  
20 years this past September.

21 MR. LANDIS: Doug Tobin, could you supply the  
22 Committee with the number of suspensions for drivers for  
23 passing school buses? Would you have that data?

24 REPRESENTATIVE TIGUE: Any other questions?  
25 George, thank you very much.

1 MR. ROMANO: Thank you.

2 REPRESENTATIVE TIGUE: The next person is  
3 Kathy Mellott, a school bus driver.

4 MS. MELLOTT: Good morning. My name is Kathy  
5 Mellott and I would like to thank you for this opportunity to  
6 speak before the House Transportation Committee.

7 I have been a school bus driver for Meyers  
8 Bus Lines of Chambersburg for thirteen years. I currently  
9 drive a seventy-two passenger school bus on a rural route,  
10 transporting both elementary and secondary school students.

11 As a veteran driver, I have been exposed to  
12 many hazardous driving situations. But nothing compares to  
13 watching a motorist, oblivious of the flashing lights, pass  
14 my stopped school bus.

15 I wish I could sit here today and tell you that  
16 this frightening situation only occurs once a year, but it  
17 does not. It probably happens two times a week. And that  
18 does not count the number of times I delay opening the door  
19 because I am watching a motorist ignore the law and pass the  
20 bus.

21 There is one particular incident which I will  
22 never forget, and I hope you won't either when considering  
23 the issue of school bus safety. It occurred on a beautiful  
24 fall day in October of 1992, at approximately 3:00 p.m.

25 I was driving on Route 997, which is a very

1 busy two lane route, especially during this time of day when  
2 the workers at the Letterkenney Army Depot are being  
3 dismissed. When I approached the stop and activated my  
4 amber lights there was no oncoming traffic.

5 I came to a complete stop with my red lights  
6 flashing and side stop arm extended and opened the door to  
7 let a student off. As I looked up, I suddenly saw an  
8 oncoming car. I could tell by the rate of speed the driver  
9 was traveling that there was no way she saw the flashing  
10 lights or the child crossing in front of my bus.

11 I instinctively blew my horn to first alert  
12 the child to stop, and secondly to wake up the oncoming  
13 driver. Fortunately, the child stopped immediately in her  
14 tracks only a split second before being hit by the car.

15 I was not the only adult watching this  
16 potential tragedy unfold, but the child's mother and uncle  
17 were at the edge of the road waiting for the child to return  
18 safely from school. Imagine their feelings as they watched  
19 the child come within inches of losing her life, and my  
20 feelings of complete helplessness.

21 Because of my concern for the child and the  
22 fact that the car was traveling in the opposite direction,  
23 I was unable to get the license plate number. However, I was  
24 able to identify the color and make of the car and the gender  
25 of the driver. The child's uncle pursued the driver and got

1 the necessary information. We were lucky in this situation to  
2 have a witness to help us.

3 But in most cases we are not that lucky. If  
4 it wasn't for the help of parents and the students on the bus,  
5 we would never be able to identify the violators. And even  
6 if the passing motorist is cited, they will challenge the  
7 ticket and usually win. This is very frustrating for school  
8 bus drivers because every day we see people who are in a  
9 hurry pass our school bus and put the lives of the children  
10 in jeopardy.

11 I hope this Committee will reconsider the  
12 penalties for passing motorists and amend House Bill 462 to  
13 include increasing the monetary penalty for motorists  
14 passing a school bus. I believe that one reason for the  
15 magistrates not upholding the ticket is they realize that a  
16 sixty day suspension could mean the violator losing their job.  
17 I would think a larger fine would make them think twice the  
18 next time they see a school bus with flashing amber or red  
19 lights.

20 I also believe that the public needs to be more  
21 aware of the laws governing passing a school bus. I see  
22 people who nearly cause accidents just when they see me coming  
23 down the road, or when my amber lights are beginning to flash.  
24 Maybe the Department of Transportation could include in  
25 license renewals a fact sheet on proper procedures when

1 approaching or overtaking a school bus. This reminder could  
2 help save a life.

3 I would also like to take this opportunity to  
4 congratulate my fellow school bus drivers for the tremendous  
5 job they do. I don't believe anyone can really imagine what  
6 it is like to drive a 24,000 pound vehicle through congested  
7 traffic and winding roads, with your back to 72 high,  
8 energized children, and still concentrate on the road. With  
9 all this activity going on 180 days a year, we are still able  
10 to maintain the safest driving statistics.

11 I would like to thank you again for this  
12 opportunity to speak before you today on the issue of school  
13 bus safety.

14 REPRESENTATIVE TIGUE: Any questions? There  
15 are no questions. Let me ask one question. Are the children  
16 taught in your district, or by you, how they should act and  
17 how they should -- And what they should do when they get on  
18 and off the bus?

19 MS. MELLOTT: In our school district they are.

20 REPRESENTATIVE TIGUE: Who does that training?

21 MS. MELLOTT: My employer is one of the big  
22 activists of going into the school. She takes a bus into the  
23 school and shows each classroom how to unload and load on a  
24 school bus.

25 REPRESENTATIVE TIGUE: Thank you.

1 REPRESENTATIVE BATTISTO: Would you be for  
2 or support the idea of raising the fine to, let us say,  
3 \$500.00 as Representative Coy's legislation calls for, and  
4 make it a prima facia case and eliminate the suspension part?

5 MS. MELLOTT: Yes.

6 REPRESENTATIVE BATTISTO: Thank you.

7 REPRESENTATIVE TIGUE: Thank you. Next we have  
8 Daniel Lehman.

9 MR. LEHMAN: Thank you for allowing me to speak  
10 before you ladies and gentlemen today. My name is Dan Lehman.  
11 I am from Central Dauphin School District in Harrisburg,  
12 Pennsylvania. I have been there in transportation since the  
13 streets were still dirt. It was 1967 when I started in the  
14 Central Dauphin School District.

15 I am a Commercial Licensed Driver, a school bus  
16 driver, a school bus driver trainer, a CDL examiner and a  
17 state vehicle inspector.

18 I would like to add a little twist to what I  
19 have been hearing about the passing violations today. As you  
20 are aware, in Pennsylvania our school buses make thousands  
21 upon thousands of stops every day. Most of those stops do  
22 occur on public highways, requiring the motoring public to  
23 stop. We talked a lot about those that did not, but they are  
24 required.

25 However, many school districts, due to the

1 number of students who are now residing in apartment complexes  
2 at private roadways that have developments that are brand  
3 new where townships and states have not taken over roadways,  
4 and mobile home parks, etc.; roadways that are not maintained  
5 by public funds. There is a loophole in the law that allows  
6 these people to pass the school bus and not be subject to  
7 arrest.

8 I am asking your support of House Bill 1148,  
9 which will close that loophole. I hope you consider that.

10 I do have one other subject that I would like  
11 to address you on. This is new. This is about some sort of  
12 legislation that would set a penalty if a child has a handgun  
13 or a weapon in school, that they would be suspended and  
14 transportation removed from school buses.

15 Probably one of the biggest deterrents we could  
16 put that children would not take any kind of weapon to school.  
17 Just this morning this was found on one of our buses when the  
18 children left (indicating a knife). That is just this  
19 morning.

20 Central Dauphin School District, as you have  
21 read in the paper, has had weapons in their schools this year.  
22 More than likely, some of them came to school on school buses.  
23 The average child would not get up in the morning and ask his  
24 parents to drive him to school because they wanted to carry a  
25 gun that day. It would be on the bus.



1                   So maybe if there is a long term deterrent that  
2 would hit parents in the eyes, parents, you have to secure  
3 these kinds of things so your children cannot get them and  
4 take them to school. Central Dauphin School District is  
5 aggressive in alternative education. The children who get  
6 into these troubles are assigned back into an alternative  
7 education program and they are assigned back on school buses  
8 to be transported to that program.

9                   I feel that we do need a deterrent and maybe  
10 that would be stronger than the education law. It is just  
11 something for you to throw on the floor for you to consider.  
12 It is not if a weapon is going to arrive on a school bus, it  
13 is going to be when. And we all know it is going to happen.

14                   REPRESENTATIVE TIGUE: Let me just respond to  
15 what he just said. We passed that bill in the house which  
16 would call for automatic expulsion, not suspension, or anyone  
17 carrying a weapon in the school district. That legislation,  
18 I believe, is in the Senate Education Committee.

19                   So, if the Senate would pass that and then send  
20 it to the Governor, I am sure he would probably sign it.

21                   Just let me ask you a question. What happens  
22 to the individual who was carrying that knife? What does your  
23 school district do about that?

24                   MR. LEHMAN: This individual we have no idea  
25 who it was. This was found on the bus after the children had

1 all departed. We do not really know who had it.

2 REPRESENTATIVE TIGUE: Then it could have been  
3 left last night by an aggressive bingo player, or anybody.

4 MR. LEHMAN: Not in our buses. They are  
5 district owned fleets, fenced in, and the chances of somebody  
6 being in there over the weekend and laid it in the bus are  
7 slim. It was on somebody's possession.

8 REPRESENTATIVE TIGUE: Representative Marsico,  
9 I believe, is the sponsor of 1148. Do you have any questions?

10 REPRESENTATIVE MARSICO: Let me just thank  
11 Mr. Lehman for being here this morning. We certainly  
12 appreciate your expertise and I also appreciate your  
13 suggestion of this legislation. Basically, what it does is it  
14 provides for the application of certain rules related to  
15 school buses on both highways and traffic ways, which would  
16 then include private driveways and private roadways.

17 With the present law police officials'  
18 enforcement is not there on private driveways. So what this  
19 bill does would allow highways and traffic ways to include  
20 private property. And it would allow the police to enforce  
21 citations on private property.

22 For example, we have, obviously, a lot of  
23 apartment complexes in the Central Dauphin School District and  
24 we have school buses that go into those apartment complexes.  
25 We have had situations where the police were not allowed,

1 because of law, to enforce citations. We have had situations  
2 where they had vehicles pass school buses. And when we did  
3 the research Mr. Lehman came to me and suggested that we close  
4 this loophole. And I would appreciate the Committee's support  
5 of this. If you have any questions, we are certainly here to  
6 answer those.

7 Before I go into any questions, I want to just  
8 follow-up on a couple of other things that Mr. Lehman pointed  
9 out.

10 Number one, let me ask you a question. How  
11 many school buses do you oversee in the Central Dauphin School  
12 District?

13 MR. LEHMAN: There are 92 routes on the road  
14 every day. There are 102 school buses.

15 REPRESENTATIVE MARSICO. One hundred and two  
16 school buses and 92 routes. Obviously this is a very large  
17 school district which comprises most of my legislative  
18 district and also Representative McCall's and Representative  
19 Coy's.

20 I think that one of the things that you wanted  
21 to bring up also was that education is the key to school bus  
22 safety, with the school children and also with your drivers.

23 Do you want to make a comment on that?

24 MR. LEHMAN: Well, first of all I recommend and  
25 ask that you do not do away with the recertification program.

1 It has been one of the best programs that I have ever worked  
2 with that requires a driver's retraining.

3 At Central Dauphin School District we presently  
4 retrain our drivers approximately twenty hours a year. Every  
5 time the teachers have in-service days our drivers have  
6 in-service meetings and training. That is above and beyond  
7 the recertification program.

8 I believe that re-testing keeps us all alert,  
9 not only drivers who have to sharpen up need to take it, but  
10 us in management to keep it in front of them all the time, so  
11 that we do not get relaxed about it.

12 I heard that mentioned before; as we maybe get  
13 stale on the job we need things to keep it fresh and that is  
14 one of them.

15 I think we need programs to educate students.  
16 I think that is another thing that is very serious. We need  
17 to teach those children not to run back to the bus. We need  
18 to teach the children before they walk out and around the  
19 front of the bus that they have to look for the motorist that  
20 does not look for them. And I think the secret is in  
21 education.

22 And I think that the state also needs to do a  
23 better job, and local authorities, on public awareness of our  
24 passing laws. If we put that out before the public a little  
25 bit right before school is open -- But we do not get on it

1 all the time. And maybe on the back of the driver licenses  
2 where we list all the codes and the classifications -- and  
3 you already know what classification you have and why you  
4 have it -- maybe on the back it could say, "You will lose  
5 this license if you operate a vehicle while you are  
6 intoxicated. And if you pass stopped school buses."

7 Maybe if the things that they can instantly  
8 lose a license for would be listed on that license it might  
9 be a deterrent. When they get that they would respect it a  
10 little more.

11 REPRESENTATIVE TIGUE: We would need a ten foot  
12 license to put all of those things on there.

13 MR. LEHMAN: Well, you have about ten items  
14 on there now; the list of classifications, that you have to  
15 wear glasses, and so on, and what the codes are. Most  
16 everybody knows them.

17 There were some things mentioned about school  
18 bus accidents are not reported if the bus is on a field trip  
19 and that is not right. Every school bus accident is reported  
20 in the state. It is the same reporting system that is used.  
21 If a vehicle has to be towed, or if there are any injuries  
22 or fatalities, a report has to go in. And it does not matter  
23 what that school bus is doing at the time of that accident.  
24 It has to be reported.

25 As far as my knowledge of the school bus

1 business, field trips have been relatively safe operations of  
2 school buses. Most of them are accidents that do occur to and  
3 from school when they are operating in your prime rush hour.  
4 There is so much traffic out there that we are subject to than  
5 field trips.

6 Also, most of them are of a minor type, thank  
7 God.

8 REPRESENTATIVE TIGUE: Any other questions?  
9 I just have a question. In your district with 102 school  
10 buses, the drivers who you employ; are they employees of the  
11 school district?

12 MR. LEHMAN: Yes.

13 REPRESENTATIVE TIGUE: Are they full time  
14 employees, part time, or a combination?

15 MR. LEHMAN: Some are full time, some are  
16 part time. Most are part time. They drive in the morning  
17 and drive in the afternoon. Four to five hours a day  
18 employees.

19 I have found that the more things they have to  
20 go through to get their license; and incidentally Central  
21 Dauphin School District does pay for the training of new  
22 people --

23 REPRESENTATIVE TIGUE: Early this morning  
24 someone asked the question --

25 MR. LEHMAN: Our turnover is slowing down.

1                    REPRESENTATIVE TIGUE: I would think that your  
2 bus drivers get paid for the time they spend getting  
3 recertified and all?

4                    MR. LEHMAN: Absolutely.

5                    REPRESENTATIVE TIGUE: Any other questions?

6                    REPRESENTATIVE MARSICO: Just one more point.  
7 Could you just explain to us your school bus safety program;  
8 the bus that you use to go around to some of the other areas?

9                    MR. LEHMAN: Central Dauphin School District  
10 several years back started a program to train students. We  
11 have programs here for kindergarten to second and third grade  
12 and we have a second program that is geared for the fourth  
13 grade up through sixth.

14                    We have our sixth grade shop programs. When  
15 they go into seventh grade we tell them all the different  
16 things that happen with rules and regulations if they do not  
17 abide by them, compared to what it was like in elementary  
18 school.

19                    We have an electronic controlled robot which  
20 we purchased four or five years ago that we use in this  
21 program. We now have a puppet stage that the drivers built.  
22 We do go to all our schools twice a year to present this  
23 program. It is a really nice program.

24                    We also go to parades in the communities to  
25 make the public aware of school buses. We now have started to

1 go to other school districts on a "you pay us" basis, so we  
2 can retrieve our taxpayers' dollars and help them teach the  
3 children safety.

4 So it is available. It has to be fairly close  
5 to our Central Dauphin area to get them between their school  
6 bus runs. It is strictly run by school bus drivers. And we  
7 are quite proud of it.

8 A couple of years back it got the Governor's  
9 Traffic Safety Award for Safety in Education.

10 And education, I feel, is what we have to do.

11 REPRESENTATIVE TIGUE: Mr. Lehman, thank you  
12 for your testimony.

13 The next testimony is presented by Mr. Darrell  
14 Weaver.

15 MR. WEAVER: Good afternoon. My name is  
16 Darrell Weaver and this is my wife, Sarah. We are from  
17 Ephrata, Pennsylvania in Lancaster County.

18 The picture you have in front of you is a  
19 picture of our son, Dustin, who was killed by his own school  
20 bus this past April, approximately 100 yards in front of our  
21 home.

22 We feel it could have been prevented if there  
23 were two things that could possibly be made into the law.  
24 The first being a Mandatory Paid Monitor Law similar to the  
25 one that is now in effect in the State of Rhode Island and



1 the State of Connecticut.

2 School bus related fatalities in the United  
3 States increased by ten percent in 1991. A child, usually  
4 between the ages of five to eight, is crushed to death by a  
5 school bus every three to five days in this country.

6 In the State of Connecticut, during the 44  
7 months from 12/88 through 9/92, five children were killed.  
8 Their numbers agree with the national figures.

9 In the State of Pennsylvania, five children  
10 were struck and killed in the past four years alone; two in  
11 1990, two in 1991 and my son, who was killed in 1993. And  
12 these figures were compiled from the State Police out at  
13 Harrisburg Barracks and they received those numbers from  
14 PennDot.

15 Over 9,000 school bus related injuries were  
16 recorded in the United States in 1991. And the source for  
17 this was the New York Times.

18 Traditional school buses have blind spots  
19 around the bus that are called "Death Zones." Drivers cannot  
20 see a small child until he or she is at least ten to twelve  
21 feet away from the front bumper. The source for this  
22 information is the American Automobile Association.

23 Children under eight years old have one third  
24 less peripheral vision than adults. They cannot judge  
25 motion, speed, or distance accurately. They are physically

1 and mentally incapable of handling the traffic situations  
2 that they are involved with almost every school day. The  
3 source is the American Academy of Pediatrics.

4 A school bus monitor law in our state could  
5 create a large number of jobs. In today's economy, this is  
6 a plus. Based upon the school bus monitor program started in  
7 Westport, Connecticut in September of 1992, the cost to  
8 provide monitors on their buses is twenty-five cents per  
9 child per day round trip.

10 Instead of continuing to extend unemployment  
11 benefits to individuals as we have seen in the past couple of  
12 years, Pennsylvania could use its monitor program to take  
13 some of the burden off of our unemployment system.

14 The most dangerous part of a child's school day  
15 is the part that is the least supervised; the trip to and from  
16 school.

17 School classes are generally limited to thirty  
18 students or less, supervised by a highly trained educator.  
19 School buses carry between fifty to seventy students  
20 supervised by what is usually a person with very good driving  
21 skills, but has very few skills in controlling and  
22 disciplining young children. Driver distraction caused by  
23 the unruly behavior is very often the cause of school bus  
24 fatalities.

25 What my wife and I are suggesting is that the

1 State of Pennsylvania create a Mandatory Paid Monitor Law,  
2 a second adult on the bus to watch out for school children,  
3 kindergarten through fifth grade, who travel on the school  
4 buses to and from school.

5 It has been proven that monitors do work. In  
6 a twelve year period prior to the passage of the monitor law  
7 in the state of Rhode Island, there were eight children that  
8 were struck and killed by their school buses. Since the law  
9 was passed in 1987, there has not been a single death.

10 The second thing that we feel that needs to be  
11 addressed and made into law is some sort of enforcement of  
12 the rules and regulations that are already established under  
13 PennDot motor vehicle codes.

14 PennDot rules and regulations state that a  
15 bus driver must force a child that is known to live on the  
16 other side of the street to exit the bus and cross in front  
17 of the bus and reach the other side of the street and step  
18 onto the sidewalk before they are allowed to move the school  
19 bus.

20 Even though this is a PennDot regulation, if a  
21 driver fails to comply with this regulation and their  
22 negligence causes a child injury, or worse yet, a fatality,  
23 the driver walks away without even being charged or held  
24 accountable. How can this be?

25 With so many laws already on the books to

1 protect our children, a school bus driver who has a  
2 tremendous amount of responsibility cannot even be held  
3 accountable if he or she fails to follow established  
4 regulations.

5 We feel that if a law were in place to hold  
6 school bus drivers accountable for their actions, they would  
7 take the additional time needed to make sure the children  
8 have reached a safe area, instead of rushing to unload all  
9 the children off the bus so they can get home.

10 In closing, my wife and I would like to say  
11 thank you for inviting us to this hearing and for taking the  
12 time to listen to us. I hope and pray that we have made  
13 enough of an impression on you today so that you take action  
14 on the above matters.

15 The actions that you will take will save the  
16 lives of children in the State of Pennsylvania in the future.  
17 It could be a stranger's child that you spare, or your  
18 neighbor's child, or it could be your own son, or your own  
19 daughter, or your own grandson or granddaughter.

20 I hope that you will not feel that this could  
21 never happen to me, or someone that I know. Because, ladies  
22 and gentlemen, we know that it will. It happened to us. And  
23 unless you take some sort of action, we know that it will  
24 happen to somebody else. It is only a matter of time. The  
25 only question is when and where.

1                   **REPRESENTATIVE TIGUE:** Mr. Weaver, we  
 2 sincerely appreciate you and your wife coming forth with this  
 3 testimony. We can only try to understand how difficult it is  
 4 for you to talk about the circumstances involving your son.

5                   We deeply appreciate it. Does anyone have  
 6 any questions?

7                   I just have one question. Do you know if any  
 8 other states, other than Rhode Island or Connecticut, have  
 9 some type of voluntary, or rather non-paid, monitor system,  
 10 or they use parents or PTO or someone?

11                   **MR. WEAVER:** It is mandated by law.

12                   **REPRESENTATIVE TIGUE.** Again, thank you very  
 13 much for your testimony. We sincerely appreciate it.

14                   Mrs. Weaver, would you like to add anything?

15                   Next, we are going to have Representative  
 16 Todd Platts from York County and Sue Manbeck.

17                   **REPRESENTATIVE TODD PLATTS:** Good afternoon,  
 18 Representative Tigue, Members of the Transportation Committee,  
 19 ladies and gentlemen.

20                   I appreciate the opportunity to speak to you  
 21 today on the issue of school bus safety in general, and the  
 22 use of seat belts on school buses in specific. I want to  
 23 commend you and the entire Committee for your efforts to  
 24 ensure that the Commonwealth's school children are transported  
 25 to and from school in the most safe manner possible.

1 I became involved in the issue of seat belts  
2 on school buses because of a call and a follow-up visit with  
3 a constituent of mine, Ms. Sue Manbeck.

4 Ms. Manbeck is here with me today and will be  
5 testifying and concluding my remarks.

6 Because of my conversation with Ms. Manbeck  
7 and her husband, as well as additional research into what  
8 other states are doing with this issue, I have come to the  
9 conclusion that it is time for the State of Pennsylvania to  
10 require seat belts to be installed on all school buses in the  
11 State of Pennsylvania, and to be used by all persons  
12 traveling on school buses within the state.

13 At present, there are two states, New York and  
14 New Jersey, which require, by state law, the installation of  
15 seat belts on school buses. New Jersey just enacted its law  
16 one year ago this fall.

17 Despite the fact that there are only two other  
18 states requiring seat belts on school buses, I firmly believe  
19 that Pennsylvania should move forward on this issue. The  
20 safety of our school children traveling to and from school is  
21 too important of an issue for us, as a state, to be follower  
22 instead of the leader.

23 I support the enactment of a state law  
24 requiring seat belts on school buses for three primary  
25 reasons. First and foremost is the safety of our children

1 traveling on these buses each and every day of the school  
2 year. Approximately 1.4 million children travel on roughly  
3 22,000 buses each school day.

4           Although I recognize that school buses are one  
5 of the most safe vehicles on the road, I believe that we must  
6 take reasonable steps, all reasonable steps, to make our  
7 school buses as safe as possible, not just one of the safest  
8 vehicles on the road.

9           Through the installation of seat belts on  
10 school buses and the requirement that these belts be used, we  
11 can do much to reduce the number of injuries to and deaths of  
12 our children. At a time when the neighborhood school to which  
13 our children would walk is becoming more and more obsolete and  
14 the number of children transported to and from school by bus  
15 continues to increase, we cannot afford to rest on the safety  
16 records of the past. Instead, I believe we must be dutiful  
17 in providing our school children every possible protection  
18 reasonably achievable.

19           My second reason for supporting a state law  
20 requiring seat belts be installed and used on school buses is  
21 that such a law would increase the likelihood of seat belts  
22 being used by children traveling in private vehicles.  
23 Currently, we are sending a very confusing and mixed signal  
24 to our children. They are told whenever they travel in their  
25 mother's or father's car they must buckle up. However, when

1 these same children travel to and from school, we not only do  
2 not require that they wear a seat belt, but we do not even  
3 require that a seat belt be provided for them to use if they  
4 would like to buckle up.

5           Sending this contradictory message to our  
6 children should not be allowed to continue. To do so  
7 increases the likelihood that our children will forget to  
8 buckle up when traveling in a private vehicle. Our message  
9 to our children needs to be clear and unequivocal: Whether  
10 traveling to school on a bus or to the mall with your parents,  
11 the law require that you buckle up.

12           My final reason that I want to address for  
13 supporting seat belts in school buses is that I believe such  
14 a move will help reduce the number of discipline problems  
15 occurring on our school buses. If our children are required  
16 to be buckled in while traveling on a school bus, then the  
17 likelihood of them being up and about the bus causing problems  
18 is greatly diminished.

19           Given that many schools today are considering  
20 the installation of video cameras in their buses to help  
21 reduce the number of discipline problems, I think this aspect  
22 of installing seat belts is an important positive aspect that  
23 should be considered when reviewing this proposal.

24           I am aware of two bills in the Senate, Senate  
25 Bill 1095 and Senate Bill 996, along with one bill in the



1 House, House Bill 1651, that have introduced thus far to  
2 require seat belts be installed and used on school buses  
3 traveling in Pennsylvania. I commend the various Senators  
4 and Representatives who have sponsored these pieces of  
5 legislation.

6 While I support the purpose and goal of these  
7 three bills, I believe that it is imperative that two issues  
8 which are not discussed in any of these three pieces of  
9 legislation, be addressed if we are to successfully move  
10 forward and require seat belts in our school buses. These  
11 issues are the cost of requiring seat belts and the time  
12 frame by which we are going to require seat belts be installed.

13 As to the issue of cost, I believe it is  
14 essential that when the General Assembly of Pennsylvania  
15 mandates the installation and use of seat belts on school  
16 buses, the General Assembly also appropriate the necessary  
17 funding, at least at the initial stage, the initial aspect of  
18 moving to seat belts in school buses.

19 Such an action of ensuring appropriate funding  
20 would help our 501 school districts bear the financial burden  
21 of this change. I do not believe that it would be wise or  
22 appropriate for the General Assembly to require seat belts in  
23 school buses without supplying sufficient funding, at least at  
24 the initial stage of this change.

25 As to the time frame for school districts

1 changing over to buses with seat belts, I think we would be  
2 prudent to look to New Jersey's new law, which requires that  
3 seat belts be installed and used on school buses, "for which,  
4 on or after the effective date of the New Jersey Act, a bid  
5 is submitted or an order for purchase placed."

6 By following New Jersey's lead, we would be  
7 requiring seat belts on only new buses bid for or ordered  
8 after the effective date of the law. Such an installation  
9 plan would spread the financial impact of mandatory seat  
10 belts on school buses over several years, as opposed to all  
11 at once, and would avoid the issue of retrofitting existing  
12 school buses, which may be more cost prohibitive and less  
13 effective in protecting our children.

14 Thank you again for the opportunity to testify  
15 before you today. I appreciate the Committee's efforts in  
16 addressing the issue of school bus safety and hope that you  
17 will give my comments in support of seat belts on our school  
18 buses due consideration when reviewing legislation which will  
19 come before your Committee on this issue.

20 Additionally, I want to publicly thank Mrs.  
21 Manbeck and her husband for their efforts in bringing this  
22 issue to my attention and for appearing here today to testify.  
23 I firmly believe that Mrs. Manbeck and her husband represent  
24 countless concerned parents throughout our Commonwealth who  
25 support a state law requiring the installation and use of seat

1 belts on our school buses. Thank you.

2 REPRESENTATIVE TIGUE: Todd, thank you. Sue?

3 MRS. MANBECK: I am here today to save the  
4 lives of my children and the lives of children across  
5 Pennsylvania. In 1988, my first child was born. She rode  
6 home from the hospital in a securely fastened child safety  
7 seat.

8 Over the next five years, she enjoyed thousands  
9 of car trips, short and long, in the family car, in Grandma's  
10 car, and in friends' cars. She passed her car seat to her  
11 younger sister when she graduated to a booster seat, and she  
12 is still waiting to be tall enough and heavy enough to use a  
13 car shoulder and lap belt alone.

14 Until September 7, 1993, she never rode  
15 unrestrained in a vehicle. On that day, she began  
16 kindergarten. The school buses provided by the district are  
17 not equipped with passenger seat belts.

18 Seat belt use is required by Pennsylvania law  
19 for all persons in passenger cars. If I were to drive my  
20 daughter to school in our family car without buckling us in,  
21 I would be breaking the law. Yet school districts across the  
22 state transport all our children, every day, without providing  
23 the most fundamental safety device.

24 Opponents argue that seat belts are too  
25 expensive. The cost of factory installed seat belts in a new

1 66 passenger school bus is approximately \$1,200.00. This is  
2 only three percent of the average \$40,000.00 cost per bus.  
3 Over the service life of the bus this equates to less than  
4 \$2.00 per child annually. Which of our children's lives is  
5 not worth \$2.00?

6 Opponents claim that seat belts will trap  
7 children in burning or submerged buses. Seat belts are easy  
8 to operate, especially by children and teenagers who have been  
9 using them all their lives.

10 Opponents hold that enforcing seat belt use is  
11 too difficult for bus drivers. Seat belt use is a familiar  
12 routine for most students. Instead of adding to a driver's  
13 problems, seat belt use aids the driver by keeping all  
14 passengers in their seats. Instead of adding to the driver's  
15 problems, seat belt use aids the driver by keeping all  
16 passengers in their seats. Behavior problems, such as  
17 vandalism and violence, diminish when children are properly  
18 restrained.

19 Not using seat belts on buses, on the other  
20 hand, reinforces a negative attitude towards seat belts and  
21 diminishes compliance with passenger car restraint laws.  
22 Without bus seat belts, children are untaught, twice daily, a  
23 behavior that could save their lives.

24 The states of New York and New Jersey require  
25 school bus seat belts. The American Medical Association, the

1 American Academy of Pediatrics, the American Society for  
2 Adolescent Medicine, the American Association for Oral and  
3 Maxillofacial Surgeons, the American College of Preventive  
4 Medicine, the Center for Automotive Safety, Physicians for  
5 Automotive Safety, and the National Coalition for School Bus  
6 Safety support school bus seat belts.

7           There were many school bus accidents in  
8 Pennsylvania during the 1992-1993 school year, both reported  
9 and unreported. An eight year old boy died in March 1993  
10 when his bus and a tractor trailer collided near Smithfield.  
11 Twelve other students were injured, four of them seriously.

12           In my home county, York, there were two serious  
13 accidents involving school buses in less than two months last  
14 spring. In May, a car hit a bus, injuring all four student  
15 passengers. The most seriously injured student was in  
16 traction followed by a body cast for almost three months. In  
17 June, a bus was struck head on by a pickup truck. A tanker  
18 truck was also involved in the accident. Two students were  
19 taken on back boards to a local hospital, where they were  
20 treated and released.

21           Today my daughter, like thousands of other  
22 students across Pennsylvania, rode to school in a bus without  
23 seat belts. I do not want to appear before this Committee at  
24 some future date to testify as to the extent of her injuries  
25 suffered in a school bus accident. Or worse, to appear before

1 you as a grieving parent to warn, too late, of the dangers of  
2 unsafe bus practices.

3 Our children are no less vulnerable in a school  
4 bus than they are in a family car. Children's bones will  
5 break and they will bleed and die from injuries sustained in  
6 a bus accident just as they would in a car crash. As parents,  
7 we trust the schools with our children's minds and bodies.  
8 Prove to us that we have not misplaced this trust. Protect  
9 our children as they travel to and from school and school  
10 activities.

11 Thank you.

12 REPRESENTATIVE TIGUE: Thank you. Questions?  
13 Todd, on Bill 1061 is there a provision which mandates  
14 reimbursement from the State?

15 REPRESENTATIVE PLATTS: None of the bills have  
16 any funding included in them. They just mandate the  
17 installation and use of seat belts.

18 REPRESENTATIVE TIGUE: This may sound crazy,  
19 but my understanding is that federal law mandates seat belts  
20 in all passenger cars, but the State does not require in some  
21 areas that people wear them. In New York and New Jersey is  
22 there a law saying you have to have seat belts and that the  
23 students must use them? Or does it say they have to be  
24 installed in school buses?

25 MRS. MANBECK: That is a flaw in the New York

1 law. The New York law states that the belts must be provided,  
2 but it does not make allowance for use. The New York law  
3 says that they have to provide the seat belts, but it does not  
4 say that the students have to use them.

5 The New Jersey law addresses both issues and  
6 students are required to use the belts.

7 REPRESENTATIVE PLATTS: The New Jersey law is  
8 the one just passed last year and it kind of corrected the  
9 shortfall in the New York law.

10 REPRESENTATIVE TIGUE: Which makes more sense  
11 than the New York law does. Any other questions?

12 Thank you. Anyone else have any testimony to  
13 give, or would like to say something other than Amen?

14 With that having been said, first of all I  
15 would like to thank the Committee members and those who  
16 participated in these hearings.

17 I would like to thank Representative Coy for  
18 providing us with this fine facility in the Chambersburg Area  
19 School District. I am impressed very much, Jeff, with this  
20 area. It is a beautiful area you have down here.

21 Thank you. We are adjourned.

22 (Whereupon, at 1:15 p.m., the Public Hearing  
23 was adjourned.)

24  
25

C E R T I F I C A T E

I hereby certify, as the stenographic reporter,  
that the foregoing proceedings were reported 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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FORM 2