

**SB0724.docx.pdf**

Uploaded by: Jonathan Dayton

Position: FAV



**Statement of Maryland Rural Health Association (MRHA)**

To the Judicial Proceedings Committee

Chair: William C. Smith Jr.

February 21, 2024

***Senate Bill 0724: Motor Vehicles - School Buses - Seat Belts***

**POSITION: SUPPORT**

*Chair Smith Jr., Vice Chair Waldstreicher, and members of the committee, the Maryland Rural Health Association (MRHA) is in SUPPORT of Senate Bill 0724: Motor Vehicles - School Buses - Seat Belts*

*We can all agree that students standing on school buses can pose several safety concerns, and according to this article, The National Transportation Safety Board (NTSB) and the National Academy of Sciences confirmed this design's effectiveness in frontal and rear impact studies. However, concerns have been raised about the effectiveness of compartmentalization in side-impact crashes. The NTSB concluded that "current compartmentalization is incomplete in that it does not protect school bus passengers during lateral impacts with vehicles of large mass and in rollovers because, in such accidents, passengers do not always remain completely within the seating compartment."*

*On behalf of the Maryland Rural Health Association,  
Jonathan Dayton, MS, NREMT, CNE, Executive Director  
[jdayton@mdruralhealth.org](mailto:jdayton@mdruralhealth.org)*

# **Juliana Aiko Nuñez Testimony .pdf**

Uploaded by: Juliana Nunez

Position: FAV

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

February 21, 2025

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

***SB724 Motor Vehicles - School Buses - Seat Belts***

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

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

I want to tell you why it's really important for all school buses to have seat belts. One time, on a field trip, our bus made a really quick turn, and I almost fell off my seat onto the floor. It was very scary. Then, on another trip, the bus stopped so suddenly that I had to put my arms up to protect my face. It made me feel really scared and confused.

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

I know adding seat belts to buses might cost more money, but keeping us safe is really important. It's not just about if someone could get hurt; it's about making sure we're all safe before anything bad happens. I want to be an artist and start my own business when I grow up. I'll pay taxes and help the state, but I need to be safe and healthy to do that. Please ask the policy analyst to consider my earning potential when updating the fiscal note.

So, I'm asking you to please make sure every school bus has seat belts. It's really important for all of us kids. Thank you for listening to me today.

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

# **2024-02-22 - MD- School Bus Safety - SB 724 Occupa**

Uploaded by: Kristin Poland

Position: FAV



**Testimony of**

**National Transportation Safety Board**

**Before the**

**Senate Judicial Proceedings Committee  
The Maryland General Assembly**

**— On —**

**Senate Bill 724, Motor Vehicles - School Buses - Seat Belts**

**—**

**Annapolis, MD • February 22, 2024**

**NTSB** | National  
Transportation  
Safety Board  
*An Independent Federal Agency*

Chair Smith, Vice Chair Waldstreicher and members of the committee, the National Transportation Safety Board (NTSB) appreciates the opportunity to provide testimony regarding SB 724 – legislation that would require occupant restraining devices to be installed in every school bus purchased after October 1, 2024.

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

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

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

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

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

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

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

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



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

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

# **Amendments for SB724.pdf**

Uploaded by: Joanne C Benson

Position: FWA



SB0724/103326/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

21 FEB 24  
09:51:19

BY: Senator Benson

(To be offered in the Judicial Proceedings Committee)

AMENDMENTS TO SENATE BILL 724

(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 3, in lines 2 and 9, in each instance, strike the bracket; strike beginning with “A” in line 9 down through “MOTION” in line 11; in line 12, strike the first set of brackets; in the same line, strike “(D)”; in lines 14, 16, and 18, in each instance, strike the bracket; in lines 14, 16, and 18, strike “(E)”, “(F)”, and “(G)”, respectively; in line 28, strike “(1)”; and in the same line, strike “2024” and substitute “2026”.

On pages 3 and 4, strike in their entirety the lines beginning with line 31 on page 3 through line 1 on page 4, inclusive.

On page 4, in line 24, strike “(1)”; and strike in their entirety lines 27 through 29, inclusive.

On page 6, after line 8, insert:

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

# **2024 SB724 Seat Belts w Amendments - Benson.pdf**

Uploaded by: Steve Nelson

Position: FWA



February 21, 2024

The Honorable William C. Smith Jr. and Members  
Judicial Proceedings Committee  
Senate Office Building  
Annapolis, MD 21401

**Re: SUPPORT WITH AMENDMENTS – SB 724 - Motor Vehicles - School Buses - Seat Belts**

Dear Chair Smith and Members of the Committee:

In its current form, the Maryland School Bus Contractors Association (MSBCA) opposes – SB 724 – Motor Vehicles - School Buses - Seats Belts which would prohibit certain persons from allowing pupils to stand in a school bus while the school bus is in motion; requiring that school buses purchased after October 1, 2024, be equipped with seat belts that are accessible to passengers; requiring school buses in operation on October 1, 2024, to have seat belts installed that are accessible to passengers for every seat on the bus on or before October 1, 2026; prohibiting a person from operating a school bus unless the person and each occupant are restrained by a seat belt; etc. However, with the amendments offered by the House sponsor Delegate Taveras of cross-filed bill HB 196, MSBCA can support this bill with the corresponding amendments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

For these reasons, MSBCA respectfully asks the committee to move favorable on SB 724 with the following Amendments:

**AMENDMENT NO. 1**

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

**AMENDMENT NO. 2**

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

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

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

On page 6, after line 9, insert:

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

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

Sincerely,

*Steve Nelson*

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

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

**SB0724-JPR\_MACo\_OPP.pdf**

Uploaded by: Brianna January

Position: UNF





## Senate Bill 724

### *Motor Vehicles – School Buses – Seat Belts*

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: February 22, 2024

From: Brianna January

The Maryland Association of Counties (MACo) **OPPOSES** SB 724. SB 724 requires every school bus purchased after October 1, 2024, to have seat belts, and every school bus purchased prior to that date to be retrofitted with seat belts by October 1, 2026. **While counties appreciate the safety concerns raised by the bill, complying with its requirements would pose a significant financial and labor challenge for county governments.**

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

Counties also have concerns about the challenges SB 724 poses to the already strained school bus workforce. The bill prohibits any students from standing on the bus and prohibits buses from moving while students are standing. To enforce this to the wording of the bill, school buses could conceivably require additional in-vehicle staff at a time when school systems across the country are struggling to hire and retain school bus drivers, even at premium contracted rates.

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

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

For these reasons, MACo **OPPOSES** SB 724 and urges an **UNFAVORABLE** report.

**BaltimoreCounty\_UNF\_SB0724.pdf**

Uploaded by: Giuliana Valencia-Banks

Position: UNF

JOHN A. OLSZEWSKI, JR.  
*County Executive*



JENNIFER AIOSA  
*Director of Government Affairs*

AMANDA KONTZ CARR  
*Legislative Officer*

WILLIAM J. THORNE  
*Legislative Associate*

**BILL NO.:** SB 724

**TITLE:** Motor Vehicles – School Buses – Seat Belts

**SPONSOR:** Senator Benson

**COMMITTEE:** Judicial Proceedings

**POSITION:** **OPPOSE**

**DATE:** February 22, 2024

Baltimore County **OPPOSES** Senate Bill 724 – Motor Vehicles – School Buses – Seat Belts. This legislation requires that all school buses purchased after October 2024 are equipped with seat belts. In addition, any school bus purchased prior to October 2024 would be required to be outfitted with seat belts from 2026.

Baltimore County has concerns about the cost of and short time frame for retrofitting existing buses. The short time frame may take too many buses out of rotation in order to complete the retrofitting. It would cost Baltimore County approximately \$15,000 per bus to retrofit and Baltimore County Public Schools has 750 buses that would need to be retrofitted, excluding contract buses. That would total \$11,250,000 that Baltimore County would need to spend on retrofitting these buses. While the State of Maryland and Baltimore County must continue to improve the safety of school transportation, the lack of funding provided by SB 724 would place a financial burden on Baltimore County that it currently would not be able to meet.

Accordingly, Baltimore County urges a **UNFAVORABLE** report on SB 724 from the Senate Judicial Proceedings Committee. For more information, please contact Jenn Aiosa, Director of Government Affairs at [jaiosa@baltimorecountymd.gov](mailto:jaiosa@baltimorecountymd.gov).

**MAPT Letter SB 724 Hearing 2-22-24.pdf**

Uploaded by: Jeffrey Thompson

Position: UNF



Re: SB 724 School Buses - Seat Belts

Chair Smith and members of the Judicial Proceedings Committee

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

MAPT has concerns regarding SB 724 Motor Vehicles - School Buses - Seat Belts, and opposes the legislation in its current iteration. There are two primary concerns with the legislation. The first concern is with the requirement to retrofit older school buses. The second concern is the burden placed upon school bus drivers for ensuring students are wearing a seat belt.

### **Concern #1 - Retrofitting Older School Buses**

While the concept of retrofitting older school buses with seat belts may sound possible on paper, in reality it is not a feasible option because of supply deficiencies, high cost, and liability issues. Manufacturers of school bus seats only build school bus seats based upon the supply needed for new buses being built at a factory. The manufacturers do not stock replacement school bus seats. A school bus seat manufacturer's current build capacity would not be able to supply even a fraction of the seats necessary to replace all school bus seats on older school buses in Maryland by October 2026. If the supply of seats were not an issue and seats were available, cost to purchase those seats would be the next hurdle. To retrofit a 12 row school bus would cost approximately \$23,000. In Maryland there are approximately 5,300 "regular route" public school buses. At a cost of \$23,000 per bus, the total funding needed would be \$121,900,000. LEAs do not have the funding available to cover the cost of this project. Lastly, the school bus manufacturers have stated that all warranties and support would be voided for school buses that have retrofitted seats. The school bus manufacturers feel there is too much safety risk involved by seats that were not originally installed at the factory.

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



## **Concern #2 - Responsibility for students wearing seat belts**

If school buses are equipped with seat belts, do we want students using them? Absolutely! However, the responsibility for wearing the seat belts cannot be on the school bus driver. The responsibility for wearing the seat belt has to rest with the student and the student has to bear the consequences issued by a school administrator for when they don't wear the seat belt. School bus drivers are already in a difficult position by having to continuously address various student issues while trying to safely operate the school bus. It would be impossible for a school bus driver to ensure that all students are wearing their seat belts 100% of the time. If a school bus driver had to stop the bus whenever a student unbuckled themselves, the school bus would never make it to school in the morning or home in the evening. The committee is well aware of the school bus driver shortages over the last several years and the impact those shortages had on our school systems. This additional burden on each school bus driver to manage seat belt use by each student is an impossible task that would greatly exasperate the school bus driver shortage we all have been experiencing.

Thank you for your time in reading the concerns from pupil transportation professionals regarding SB 724. Please feel free to contact me if you have any questions on the topic of seat belts or any school bus related item. You can reach me at (301) 475 4256 ext 34132 or by email at [jkthompson@smcps.org](mailto:jkthompson@smcps.org).

Sincerely,

Jeffrey Thompson  
President

# **SB 724.School Bus Rules and Seatbelts Mandate.pdf**

Uploaded by: John Woolums

Position: UNF

**BILL:** Senate Bill 724  
**TITLE:** Motor Vehicles - School Buses - Seat Belts  
**DATE:** February 22, 2024  
**POSITION:** OPPOSE  
**COMMITTEE:** Judicial Proceedings  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the state's local boards of education, opposes Senate Bill 724. As introduced, this bill would impose significant and costly mandates on local school systems by requiring seatbelts on every school bus purchased after October 1, 2024 and the retrofitting of seatbelts on all other school buses by October 1, 2026. In addition, the bill would prohibit the operation of a school bus unless the driver and passengers are seated and restrained by a seat belt.

On behalf of local boards of education, MABE greatly appreciates the underlying principle of this legislation in support of the safe transport of students on school buses. MABE represents 24 local boards of education with a unified commitment to ensuring student safety in all school-related activities, and especially school bus safety. However, the magnitude of the unfunded mandates proposed in this legislation far outweighs the benefits to student safety through the operation of student transportation systems. Student transportation systems have been challenged by critical shortages of qualified bus drivers and the transition to electric school buses. Senate Bill 724 would compound the ability of local school systems to recruit and retain bus drivers and invest in electric school buses and the infrastructure needed to support them. In addition, the well-intended provisions to require assurances that all students are seated and using their seatbelts are simply not practicable and therefore not appropriate for a statutory mandate. Strict adherence to these standards would require an attendant on every bus, because bus drivers are prohibited from leaving their seats to inspect students and their behavior.

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

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

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

“Large school buses are heavier and distribute crash forces differently than do passenger cars and light trucks. Because of these differences, the crash forces experienced by occupants of buses are much less than that experienced by occupants of passenger cars, light trucks or vans. NHTSA decided that the best way to provide crash protection to passengers of large school buses is through a concept called “compartmentalization.” This requires that the interior of large buses provide occupant protection such that children are protected without the need to buckle-up. Through compartmentalization, occupant crash protection is provided by a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing seat backs.” <https://www.nhtsa.gov/road-safety/school-buses>



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

Again, MABE’s opposition to Senate Bill 724 is grounded in a strong commitment to student safety and the belief that current school bus design and safety requirements already achieve a very high standard of protection against serious injuries to students being transported to and from school.

For these reasons, MABE requests an unfavorable report on Senate Bill 724.

# **SB 724 - Motor Vehicles - School Buses - Seat Belt**

Uploaded by: Mary Pat Fannon

Position: UNF



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BILL: HB 724  
TITLE: Motor Vehicles - School Buses - Seat Belts  
DATE: February 23, 2024  
POSITION: Unfavorable  
COMMITTEE: Senate Judicial Proceedings Committee  
CONTACT: Mary Pat Fannon, Executive Director, PSSAM

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The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **opposes HB 724.**

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

PSSAM appreciates the intent of Senate Bill 724 and the sponsors' concern for the safety and well-being of our students on school buses. The safe transportation of our students is a top priority for all local superintendents. However, PSSAM respectfully opposes Senate Bill 724 for the following reasons.

Statistically, school buses are at least 40 times safer than any other form of ground transportation in preventing serious injury or death. School bus safety requirements are rigid and go well beyond those required for all other passenger vehicles. School buses are constructed with high back padded seats, compartmentalized seating, reinforced chassis, and front and rear bumpers. Compartmentalization provides a protective envelope consisting of strong, closely-spaced seats that have energy-absorbing seat backs. Local school systems adhere strictly to these guidelines. School buses have done an exceptional job of protecting students from serious injury or death in severe head-on and rear-end collisions.

The National Association for Pupil Transportation (NAPT) and the National School Transportation Association (NSTA) have jointly expressed concern to the National Highway Traffic Safety Administration about the call for seat belts on school buses. NAPT and NSTA agree that, while they are not opposed to seat belts, they stressed that any mandate on the occupant restraints should wholly rely on scientific data and must not result in school districts cutting transportation service because of any budget shortfalls that may arise from being forced to purchase seat belts. NAPT and NSTA also express concern that students may not correctly wear the seat belts and that the restraints could impede evacuation in the event of an emergency.

Another concern we have relates to student behavior on school buses if seatbelts are installed. Although we implement numerous strategies and procedures to lessen the chance of inappropriate action on the part of students, we have apprehension about the possibility that a student could actually use a seat belt to inflict bodily harm on another student. This is in addition to the difficult task of ensuring each student is buckled and sitting in their seat for the entire ride.

PSSAM supports any measure to improve student safety. However, given the overall safety record of our school buses measured against the unfunded cost and the reasons detailed above, it is difficult for us to support this legislation in the present fiscal climate. Therefore, PSSAM **opposes** Senate Bill 724 as an unfunded mandate with significant cost to local school systems, and urges an **unfavorable** committee report.

**SB724\_MSDE-Letter of information.pdf**

Uploaded by: Laurel Cratsley

Position: INFO



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

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

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

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

In implementing this legislation, LEAs would be required to only transport students belted while the bus is in motion. This bill would dramatically increase the number of students not being transported at the start of the school year; a time when students are added to existing routes and loads are being adjusted. SB 724 would likely increase the number of school buses and drivers needed to deal with the reduced flexible capacity for school buses and impact the current and ongoing shortage of drivers in many LEAs.

We provide this information and respectfully request that you consider this information when you deliberate on **SB 724**. For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or [Akilah.alleyne@maryland.gov](mailto:Akilah.alleyne@maryland.gov).