

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on February 14, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Gary Hayzlett- excused
Representative John Faber- excused
Representative Jerry Henry- excused
Representative Joe Humerickhouse- excused

Committee staff present:

Hank Avila, Kansas Legislative Research
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Representative Mark Treaster
Nancy Stauffer, Citizen,
Jan Stegman, Safe Kids Kansas (Written Testimony)
Robert Vancrum representing Blue Valley USD
Jim Edwards, KS Association of School Boards
Barbara Pringle, Executive Secretary, KS State Pupil Transportation Association
Jack Woolf, Director of Pupil Transportation, National Association for Pupil Transportation
KS Department of Transportation (Written Testimony)

Others attending:

See attached list.

Representative Margaret Long, Ranking Minority, chaired the meeting in the absence of Chairman Hayzlett.

Chairman Long opened the hearing on **HB 2546**.

HB 2546 - School buses, requiring seatbelts, retrofitting

Chairperson Long recognized Representative Mark Treaster as the first proponent to **HB 2546**. According to Representative Treaster (Attachment #1) 25 million children ride school buses every day and accidents involving injury or death are rare. He said there are several reasons for the rarity of accidents, one of which is the compartmentalization of buses which was required by the Federal Motor Vehicle Standard 222 on all buses manufactured after April 1, 1977. After one very serious accident involving the death of one child and leaving another permanently paralyzed and two other less serious accidents in Reno County in the next couple months he said he became much more aware of the problem. Representative Treaster said he did some research and then contacted the mother of the child who had been killed while riding a school bus. He concluded by saying when the National Highway Traffic Safety Administration (NHTSA) set the Standard 222 seat, they indicated these were the minimum requirements applicable to school buses. He said since 50% of fatalities occur in rollovers and 15% occur in side impacts, a three-point safety harness would reduce serious injury and deaths in side-impact and rollover accidents.

The next proponent was Nancy Stauffer, the mother of the child who had been killed in the school bus accident. She talked about her daughter and told the Committee the significant impact the accident has had on her family. Mrs. Stauffer said the cost would be a significant investment but it would be an investment in the safety of the children. (Attachment #2)

Chairperson Long drew the Committee's attention to the written testimony of Jan Stegman, Safe Kids Kansas, (Attachment #3)

There were no other proponents so Chairperson Long opened the hearing to opponents of **HB 2546**. The first opponent was Robert J. Vancrum, representing Blue Valley USD #229. (Attachment #4) He said the first reason for opposing this bill was that the National Highway Transportation Safety Administration have shed

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doubt on whether the installation of seat belts actually increases the potential for injury or has offered better protection. According to Mr. Vancrum, this bill would mandate the use of a three point harness system and that it would be difficult to imagine that such a three-point system will be properly utilized by most students most of the time. He also asked who would be responsible for making sure all children are buckled in and how much longer does that make every child wait and how much earlier must the bus pick them up and in case of an emergency, how much longer would it take to get all of the children off the bus. He concluded by urging the Committee to not pass this bill.

The next opponent was Jim Edwards, Governmental Relations Specialist, Kansas Association of School Boards. (Attachment #5) According to Mr. Edwards, the National Highway Traffic Safety Administration has shown that there are other, much more effective ways to reduce the number of fatalities and injuries from school bus accidents.

Chairperson Long recognized Barbara Pringle, Executive Secretary, Kansas State Pupil Transportation Association as the next opponent. (Attachment #6) Ms. Pringle said that the yellow school buses are the safest vehicles on the highway due to special safety features including Compartmentalization which is mandated by Federal Motor Vehicle Safety Standards. According to Ms. Pringle, their concerns are that the lap shoulder belt must be worn correctly; if the bus is involved in an accident, who will make sure all the children get their belts off even if the driver is injured; unruly children using the seat belt and its buckle as an additional weapon; maintenance to belt assemblies and buckles, are lap/shoulder restraints appropriate for all ages on the school bus; what criteria will be used in deciding the proper installation of the seat restraint seats; liability; and funding.

Jack Woolf, Director of Pupil Transportation by the National Association for Pupil Transportation was the next opponent (Attachment #7). According to Mr. Woolf, the use of the combination lap/shoulder belts could provide some benefit, unless misused. Lap/shoulder belts can be misused and NHTSA's testing showed that serious neck injury and perhaps abdominal injury could result when that happens. Other considerations, such as increased capital costs, reduced seating capacities, and other unintended consequences associated with lap/shoulder belts could result in more children seeking alternative means of traveling to and from school.

There being no additional opponents Chairperson Long drew the Committee's attention to written testimony from the Kansas Department of Transportation who were neutral on this bill. (Attachment #8)

After all questions were answered, Chairperson Long closed the hearing on **HB 2546**.

The next meeting will be on February 15, 2006, at 1:30 p.m. in Room 519-S.