

- SUBJECT:** Modifying applicability of certain seatbelt requirements for school buses
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 7 ayes — Morrison, Martinez, Burkett, Goldman, Israel, Pickett, Wray
2 nays — Phillips, E. Thompson
4 absent — Y. Davis, Minjarez, Simmons, S. Thompson
- SENATE VOTE:** On final passage, April 26 — 24-7 (Buckingham, Burton, Hall, Hancock, Huffines, Schwertner, V. Taylor)
- WITNESSES:** *On House companion, HB 1188:*
For — Jaime Adams and Stephen Forman, West Brook Bus Crash Families; Sheanine Chatman; (*Registered, but did not testify*: John Hubbard and Ian Randolph, National Association of Bus Crash Families; Ted Melina Raab, Texas AFT (American Federation of Teachers); Troy Alexander, Texas Medical Association; Clayton Travis, Texas Pediatric Society; Victoria Sommerman, Texas Watch; Martha Baker, JoAnne Bonura, Mike Bonura, Brad Brown, Melanie Psencik, Michael Psencik, Allison Stoos, and Christopher Stoos, West Brook Bus Crash Families)
Against — None
- BACKGROUND:** Transportation Code, sec. 547.701(e) requires each school bus and school activity bus used by a school district to transport schoolchildren to be equipped with a three-point seatbelt for each passenger. This requirement applies to each bus purchased on or after September 1, 2010 and each school-chartered bus contracted on or after September 1, 2011.

Sec. 547.701(f) specifies that a district must adhere to the three-point seatbelt requirement only if the Legislature had appropriated money to reimburse the district for the expenses of compliance.
- DIGEST:** SB 693 would require all school districts to comply with the three-point

seatbelt requirement by repealing the condition that a district must comply only if the Legislature had appropriated money for reimbursing the district for the expenses of compliance.

The bill would include a "multifunction activity bus" and a "school-chartered bus" in the definition of a bus used for the transportation of schoolchildren that must be equipped with a three-point seatbelt for each passenger.

SB 693 also would modify the applicability of the three-point seatbelt requirement, which would not apply to:

- a bus of model year 2017 or earlier; or
- a later-model bus purchased by a school district whose board of trustees had determined by vote in a public meeting that the district's budget did not permit the purchase of a bus equipped with the required seatbelts.

This bill would take effect September 1, 2017.

**SUPPORTERS
SAY:**

SB 693 would help prevent tragic, avoidable fatalities and injuries by closing a loophole that districts currently use to avoid complying with three-point seatbelt requirements. Meanwhile, Texas continues to experience fatalities resulting from school bus collisions. In the last 18 months, Houston, Woodville, Temple, and Iraan school districts all have reported deaths and injuries from school bus crashes. School districts have a responsibility to transport children in the safest manner possible.

The bill would not place an unfunded mandate on school districts because it would provide an exemption for school boards that could demonstrate significant budgetary obstacles to compliance. Most districts have adequate funds to outfit new buses with three-point seatbelts, which represents only a small portion of the overall cost of a new bus. The bill also would not require old buses to be retrofitted with three-point seatbelts.

SB 693 would not reduce school bus capacity. Three-point seatbelts are retractable and can fit three small children or two large children to one seat, allowing for optimal seating while keeping schoolchildren safe.

Three-point seatbelts are the safest option for school bus passengers. In both private and government agency studies, lap-shoulder belt technology has been proven to improve passenger safety on school buses, reducing risk of head and neck injury from a collision. "Compartmentalization" methods currently used to pad school bus seats both in front of and behind passengers are insufficient to keep passengers safe in a major or roll-over collision.

OPPONENTS
SAY:

SB 693 would place an unfunded mandate on school districts by removing the provision that districts need only comply with the three-point seatbelt requirement if reimbursed for their expenses. This mandate would further burden the already strained budgets of school districts, weakening their ability to provide a quality education.

The bill could make schoolchildren less safe overall by reducing school bus capacity. Requiring seatbelts on all buses could prevent more than two children from sharing a seat, which could require the school district to buy more buses or the children to use more dangerous transportation methods, such as biking or riding in passenger cars.

Three-point seatbelts are not necessarily safer than lap belts. In roll-over accidents or crashes resulting in a fuel tank fire, three-point seatbelts can increase the risk of injury or death to a child by restricting mobility and creating the potential for strangulation. The "compartmentalization" padding method currently used in school buses sufficiently protects schoolchildren in collisions.

NOTES:

A companion bill, HB 1188 by Phelan, was reported favorably from the House Transportation Committee on May 2.