

Why your child's school bus has no seat belts

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Modern fleets aim to 'compartmentalize' pupils into a protective bubble



By [Alex Johnson](#)

Reporter

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Ashley Brown, 16, and Alicia Bonura, 18, both of Beaumont, Texas, died March 29, 2006. They were on a bus carrying their West Brook High School soccer team when it overturned near Devers, Texas, on its way to a playoff game in Humble.

Steve Forman's daughter Allison was among 21 other team members who were injured. "Once she regained enough consciousness, to have to tell her that her two friends were dead, I think that's the hardest thing I've ever had to do in my life," Forman said.

Allison, who was 17 at the time, was ejected through the window, and she underwent four operations to reconstruct her arm, which was pinned beneath the bus for an hour.

Steve Forman and Brad Brown, Ashley's father, are convinced that things would have been very different if only the bus had been equipped with seat belts.

On Sept. 1, more than four years after the West Brook bus crash, a Texas law went into effect requiring some school buses to have seat belts. But "Ashley's and Alicia's Law" — the result of lobbying by Brown, Forman and other Texas parents — is now in limbo because of a [Texas Education Agency](#) contention that it isn't really mandatory because the Legislature cut the money to pay for it by two-thirds.

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By [Alex Johnson](#) of msnbc.com. The following stations contributed to this report: KPI KXAN of Austin, Texas; WDTN of Day; WJHG of Panama City, Fla.

Kids in Texas aren't the exception. Most school buses in the United States don't have seat belts or similar restraints to protect children in an accident. Federal law requires them in buses under 10,000 pounds, but that's only a small proportion of the school buses in use — picture those tiny 6- to 12-seater buses you sometimes see, which are usually fully tricked out for transporting disabled and other special-needs pupils. They're treated like cars, light trucks and passenger vehicles because of their similar low weight and center of gravity.

But the standard long yellow school bus, which makes up about 80 percent of the nation's fleet, weighs in about 23,000 pounds, and its passengers sit much higher, making them safer in collisions. For those, federal education and transportation agencies leave the decision up to the states. And so far, only six require seat belts to be installed (see box below).

If cars have seat belts, why aren't they generally required in school buses? Because modern school buses are already remarkably safe, and because seat belts don't work the same way in buses as they do cars, research shows.

Numerous federal and academic studies have concluded that school buses are the safest form of ground transportation of all, in fact. The National Safety Council says they're about 40 times safer than the family car.

About 440,000 public school buses carry 24 million children more than 4.3 billion miles a year, but only about six children die each year in bus accidents, according to annual statistics compiled the [National Highway Traffic Safety Administration](#). About 800 children, by contrast, die every year walking, biking or being driven to school in cars or other passenger vehicles, said Ron Medford, the agency's deputy director.

School bus seat-belt laws

- U.S.: The federal government requires buses weighing less than 10,000 pounds to have seat belts. States have the discretion to require seat belts on larger buses, which is most common. Some states do not require seat belts or other restraint systems to meet federal standards.

[Federal Regulation: 49 CFR 571.222](#)

- California: California requires three-point seat belts on newer buses and requires passengers to wear them.

[California Department of Transportation](#)

- Florida: Florida requires seat belts or restraint system that meets federal standards on newer buses and requires passengers to wear them.

[Florida Code](#)

- Louisiana: Since 2004, Louisiana has required every bus "shall be equipped with occupancy restraint systems."

[Louisiana Statute](#)

- New Jersey: New Jersey requires school buses to have "seat belts of the lap belt type for position on the bus or other child restraint devices that are in conformity with applicable federal standards."

[New Jersey Statute](#)

- New York: New York requires school buses to have seat belts and increased seat back padding.

[New York Statute](#)

That's because designers of modern school buses don't trust squirmy children to use seat belts properly. Instead, they use a passive system called compartmentalization. Bus seats aren't packed so closely together just to maximize capacity (although that's one reason); they're spaced tightly and covered with 4-inch-thick foam to form a protective bubble.

In a crash, "The child will go against the seat, and that will absorb most of the impact," said John Hamilton, transportation director for the Jackson County, Fla., school board. "Plus, it's a safety device so that they won't be projecting through the air."

Cost and risks of seat belts

School and transportation officials cite two other main reasons for declining to install seat belts:

- Cost. Separate studies by the NHTSA and [the University of Alabama](#) (.pdf) concluded that installing seat belts would add anywhere from \$8,000 to \$15,000 to the cost of a new bus while having little to no impact on safety.

Seat belts would also take up room that's now used for seats, meaning "fewer children can be accommodated on each row," according to the Alabama study. That could require school systems to increase their bus fleets by as much as 15

percent just to transport the same number of pupils, it suggested.

"The cost of installing seat belts on every bus at once is prohibitive," said the authors of the Alabama study, the October release of which was highly anticipated by school officials nationwide because it is among the first large-scale analyses of the subject.

Seat belts would have to be phased in over a decade at a minimum cost of \$117 million per state. That cost could be prohibitive, "especially when the nation is dealing with an economic downturn," the study said.

• Safety. Numerous safety agencies say seat belts aren't the best choice for children, which is why nearly all states require container-like full car seats for younger kids in passenger cars.

"Lap/shoulder belts can be misused and NHTSA's testing showed that serious neck injury and perhaps abdominal injury could result when lap/shoulder belts are misused," the NHTSA warned in its study, adding that "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."

"Even the smallest reduction in the number of bus riders could result in more children being killed or injured when using alternative forms of transportation," it said.

Moreover, passengers have to remain seated and locked in for seat belts to work, but as any parent can tell you, children and adolescents don't sit still.

In a report this year (.pdf), the Texas Transportation Institute of Texas A&M University told the Legislature, which was considering funding for the state's new seat-belt law, that asking bus drivers to monitor compliance was unrealistic.

"The highest priority has to be a focus on the driving task," said the institute. It said that seat belts could offer some safety benefits, but only "under a limited range of conditions," and counseled that they "should not be considered an all-purpose preventative measure."

The Alabama study drew a similar conclusion, reporting that "enforcement by the driver is almost impossible" and quoting drivers' concerns that they could be held legally liable if a child was injured while not using his or her seat belt properly.

'Costs far exceed benefits'

Taking all those factors into account, many transportation safety experts conclude that seat belts aren't worth it.

"Costs far exceed benefits, and school bus seat belts appear to be less cost-effective than other types of safety treatments," the Alabama study declared. The NHTSA said its research, going back to 1987, suggests that the benefits are "insufficient to justify a federal requirement for mandatory installation of such belts" in larger buses.

"Most school bus passenger fatalities are because the passenger's seating position was in direct line with the crash forces, and seat belts would not have prevented these fatalities," Medford, deputy head of the NHTSA, told school transportation officials at a meeting in Washington in April (transcript .pdf).

Numerous other organizations cite similar cost and safety issues in opposing mandatory seat belts, including the National Association for Pupil Transportation, the National School Transportation Association and the National Association of State Directors of Pupil Transportation Services.

That doesn't persuade parents like Brad Brown, however. He continues to push Texas officials to fund and enforce the new state law that's named after his daughter and her friend "so no other dad has to bury a 16-year-old daughter simply because proper safety measures weren't taken."

If the West Brook bus had been equipped with seat belts on that day in 2006, "I'm certain Ashley would have survived and many of the other girls would have escaped serious injury."

"Parents expect better," he said.

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[Texas Education Code](#)
Source: [msnbc.com research](#)

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