



U.S. Department  
of Transportation

National Highway  
Traffic Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

DEPARTMENT OF  
TRANSPORTATION  
AUG 6 2019

2019 AUG -7 P 4: 14

DOCKET OPERATIONS

Mr. Matt Magalis  
Chief of Staff  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

Dear Mr. Magalis:

This responds to your letter of March 27, 2019, about combining two stop arms into a single, elongated unit to be attached to the side of school buses. To determine if this is permissible, you ask whether, if a manufacturer installs a second stop signal arm on a school bus, that arm must be installed toward the rear of the school bus. You also ask, assuming that the answer to the first question is "no," whether it is permissible to combine the second stop arm and the required stop arm into a single unit that, when extended, may or may not extend into the adjacent lane of traffic.

The short answers are: (1) no, if a second stop signal arm is installed, it is not required by Federal Motor Vehicle Safety Standard (FMVSS) No. 131, "School bus pedestrian safety devices" to be installed toward the rear of the school bus, and (2) neither FMVSS No. 131 nor any other FMVSS prohibits the combining of the required stop arm and a second stop arm into a single, elongated unit that may or may not extend into an adjacent lane of traffic. The following is our interpretation based on our understanding of the information you provided.

### **Background**

FMVSS No. 131, S5, requires that each school bus shall be equipped with a stop signal arm meeting the requirements of S5.1 through S5.4.1 and S5.5. (All referenced paragraphs are from FMVSS No. 131, unless otherwise noted.) In addition, FMVSS No. 131 specifies requirements for an additional stop signal arm that may be installed at the option of the manufacturer. (For purposes of this letter, we will refer to such a stop arm as a "supplemental" stop signal arm.) S5.4.2 specifies: "A second stop signal arm may be installed on a school bus. That stop signal arm shall comply with S5.4 and S5.4.1." There are other provisions in FMVSS No. 131 that apply to a supplemental stop signal arm, which we discuss below in answering your letter.

## Discussion

Your first question asks whether FMVSS No. 131 requires the supplemental stop signal arm referenced in S5.4.2 to be installed toward the rear of the school bus. The answer is no. Under S5.4.2, supplemental stop signal arms must meet S5.4 and S5.4.1. S5.4 requires the stop signal arm to be on the left side of the bus. S5.4.1 requires the stop signal arm to be located such that, when extended: it is perpendicular to the side of the bus (plus or minus 5 degrees); the top edge of the stop signal arm is parallel to and not more than 6 inches from a horizontal plane tangent to the lower edge of the frame of the passenger window immediately behind the driver's window; and the vertical centerline of the stop signal arm is not less than 9 inches away from the side of the school bus. The standard does not require a specific location for required or supplemental stop signal arms relative to the length of the bus.

Although S5.4 and S5.4.1 do not specify a longitudinal location requirement, you are concerned about S5.2.3 and S5.3.1.3. S5.2.3 states: "When two stop signal arms are installed on a school bus, the rearmost stop signal arm shall not contain any lettering, symbols, or markings on the forward side." S5.3.1.3 states: "When two stop signal arms are installed on a school bus, the forward side of the rearmost stop signal arm shall not be reflectorized." As both sections specify requirements applying to "the rearmost stop signal arm," you believe this indicates that if a second stop signal arm is installed on a school bus, it must be "installed at the rear of the school bus." We do not read the provisions as you do.

NHTSA explained in a 1991 denial of a petition for rulemaking that the requirements in S5.2.3 and S5.3.1.3 are to avoid confusing drivers approaching a stopped bus from the front.<sup>1</sup> The agency stated that the front side of the second (rear) stop signal arm must be blank so as not to send confusing messages to motorists about where to stop relative to the bus. NHTSA did not mean that a supplementary stop signal arm must be located at the rear of the bus, or that one must be rearward of the other. Instead, NHTSA meant to set forth the requirements that would apply if the bus were equipped with two stop signal arms and one were rearward of the other. The requirements would apply even if both stop signal arms were located on the front half of the bus.

In the situation you describe, i.e., the supplemental stop signal arm is connected to the required stop signal arm, neither stop signal arm would be rearward of the other when the required stop signal arm is extended. Because one stop signal arm would not be rearward of the other, there is no risk of confusing approaching drivers about where they should stop relative to the bus. Thus, S5.2.3 and S5.3.1.3 would not apply to your supplemental stop signal arm.

We understand your second question to ask whether the FMVSSs would prohibit the installation of a stop arm to the required stop arm if, when the required stop arm is extended, the supplemental stop arm extended into an adjacent lane of traffic. Our answer is no, neither FMVSS No. 131 nor any other FMVSS explicitly prohibits such stop arm. However,

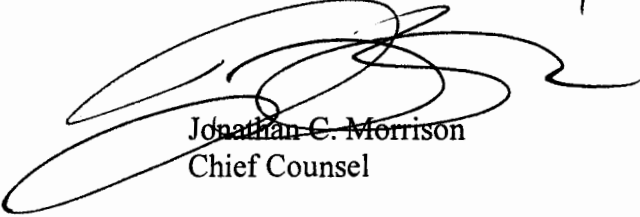
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<sup>1</sup> 56 FR 56343, November 4, 1991.

commercial entities installing the stop arm must ensure that they do not take the vehicle out of compliance with FMVSS No. 131 or any other applicable safety standard.<sup>2</sup> We recommend also that installers consider the safety impact of an elongated stop arm on other road users.

I hope this information is helpful. If you have any further questions, please contact Ms. Callie Roach of my staff at (202) 366-2992.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Jonathan C. Morrison  
Chief Counsel

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<sup>2</sup> The National Traffic and Motor Vehicle Safety Act prohibits manufacturers, distributors, dealers, rental companies, and motor vehicle repair businesses from knowingly making inoperative any part of a device or element of design installed on or in a motor vehicle or motor vehicle equipment in compliance with an applicable Federal motor vehicle safety standard. 49 U.S.C. § 30122(b).

SPRINGFIELD OFFICE:  
E-1 Stratton Building  
Springfield, Illinois 62706  
217/782-0044



**MIKE MURPHY**  
STATE REPRESENTATIVE • 99TH DISTRICT

April 9, 2019

The Honorable Darin LaHood  
100 NE Monroe Street  
Peoria, IL 61602

Dear Congressman LaHood,

Earlier this spring, I introduced HB 1868 Floor Amendment # 1 to allow for school districts in Illinois the option of installing an additional safety device onto school bus stop arms that is intended to provide enhanced safety to prevent vehicles on the road from illegally passing a stopped school bus that is picking up or dropping off students. The device outlined in HB 1868 is designed and manufactured by S.A.F.E. Gates. The device attaches to the stop sign and extends 36 inches beyond the stop sign and is illuminated in red on both sides. If a school bus is equipped with a rear stop sign, an additional attachment may be added for enhanced visibility.

The purpose of these attachments is to reduce the number of school bus violations that occur on the roads in Illinois. According to a 1996 Illinois Department of Transportation Division of Traffic Safety study, there were an estimated 1.9 million violations of school bus stop arms, making Illinois a leader in violations nationwide. Illinois has an opportunity to be a leader in school bus safety by allowing for school districts the ability to provide additional safety attachments to the school stop arm.

Recently, the Illinois Department of Transportation (IDOT) sent a letter to the National Highway Traffic Safety Administration asking for clarification and interpretation of 49 CFR 571.131 (FMVSS 131) as it relates to regulations on stop signal arms for school buses. IDOT is seeking to answer two questions on this rule: 1) does FMVSS 131 require the optional stop arm under § 5.4.2 to be installed toward the rear of the school bus? And 2) may a device be attached to the stop signal arm, required under § 5, which may or may not extend into an adjacent lane of traffic?

I am writing this letter to ask your office's assistance in having the National Highway Traffic Safety Administration answer these two questions so we can determine whether or not pursuing this type of safety enhancement for school bus stop arms would violate federal rules. Any assistance your office can provide would be very helpful as we move forward on this issue.

If you have any questions, please do not hesitate to contact me at (217)782-0044.

Sincerely,

A handwritten signature in black ink that reads "Mike Murphy".

Mike Murphy  
State Representative, 99<sup>th</sup> District

ES19-001394



## Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

March 27, 2019

National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

RE: FMVSS 571.131 – Request for Interpretation  
School Bus Stop Signal Arm Placement

Dear NHTSA Representative:

The Illinois Department of Transportation (Department) respectfully submits this request to the National Highway Transportation Safety Administration (NHTSA) for an interpretation of 49 CFR 571.131 (FMVSS 131) as it regulates stop signal arms for school buses. The Department presents two questions for NHTSA's interpretation. First, does FMVSS 131 require the optional stop signal arm under § 5.4.2 to be installed toward the rear of the school bus? Second, may a device be attached to the stop signal arm, required under § 5, which may or may not extend into an adjacent lane of traffic?

A second stop signal arm is permitted under § 5.4.2 provided it (1) is installed on the left side of the bus and (2) meets the requirements of § 5.4.1 when in the extended position. Notably, § 5.4.2 does not require the stop signal arm to be installed toward the rear of the bus. Seemingly, § 5.4.2 would allow a second stop signal arm to be connected to the stop signal arm required under § 5; yet, when two stop signal arms are referenced in §§ 5.2.3 and 5.3.1.3, different requirements are set out for the **rearmost panel** (emphasis added). Sections 5.2.3 and 5.3.1.3 have led the Department to conclude that NHTSA intended for the stop signal arm permitted under § 5.4.2 to be installed at the rear of the school bus. In the Department's view, an opposite interpretation would give no effect to §§ 5.2.3 and 5.3.1.3 as there would be no rearmost arm if the second stop signal arm were attached to the arm required by § 5.

Thank you for considering the Department's request for an interpretation of FMVSS 131. If additional information or clarification is needed, please contact the Department's Vehicle Inspection Unit Manager, Mike Collingwood, at (217) 785-3046 or via email at [mike.collingwood@illinois.gov](mailto:mike.collingwood@illinois.gov).

Sincerely,

  
Matt Magalis  
IDOT Chief of Staff