



Office of the Chairman

National Transportation Safety Board

Washington, DC 20594

September 2, 2020

Docket Management Facility
US Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Level
Room W12-140
Washington, DC 20590-0001

Attention: Docket No. NHTSA-2020-0018

Dear Sir or Madam:

The National Transportation Safety Board (NTSB) has reviewed the National Highway Traffic Safety Administration (NHTSA) notice and request for comments regarding approval for the collection of new information titled “Reducing the Illegal Passing of School Buses” published in 85 *Federal Register* 43645 on July 17, 2020. NHTSA is seeking comments on two proposed studies to assess driver knowledge about the laws governing passing a school bus. Study 1 is described as a national internet-hosted survey to determine respondents’ knowledge of and attitudes toward these laws, as well as their opinions on the safest driving behaviors when encountering a school bus on the roadway. Study 2 is proposed to be a field study of the effectiveness of school bus camera enforcement combined with high-visibility police enforcement and public education in reducing school bus passing violations.

The NTSB supports NHTSA’s efforts and, based on our school bus-related investigations, offers the following comments relevant to the necessity and practical utility of the proposed collected information.

Recent NTSB Crash Investigations

The NTSB recently completed its crash investigation report *Vehicle Collision With Student Pedestrians Crossing High-Speed Roadway to Board School Bus, Rochester, Indiana, October 30, 2018*, NTSB/HAR-20/02.¹ In this crash, a pickup truck illegally passed a school bus that was stopped with its warning lights activated and stop arm extended. The pickup truck struck four children who were crossing the 55-mph roadway to board the bus. Three children died and one child was seriously injured.

¹ Report available here: [NTSB/HAR-20/02](https://www.ntsb.gov/investigationreports/HAR-20-02).

The NTSB investigated two other fatal pedestrian crashes in 2018 involving illegal passing of school buses. In all three crashes, the school bus route required students to cross high-speed roadways to board the bus.² Our investigations identified three safety issue areas, including: (1) deficiencies in establishing safe school bus routes and stop locations; (2) failure of other drivers to stop or otherwise respond safely when approaching a stopped school bus with its warning lights activated and stop arm extended; and (3) need for greater use of technologies to prevent collision with, and mitigate injuries of, student pedestrians, including vehicle-to-everything, pedestrian automated emergency braking, and school bus safety-enhancing technologies.

Additionally, the results of a 2019, 1-day observational survey indicated that an estimated 17 million vehicles illegally passed school buses in a 180-day school year.³ In the Rochester crash investigation report, the NTSB concluded that, “Although it is illegal in all 50 states, National Association of State Directors of Pupil Transportation Services data show that the passing of stopped school buses by other vehicles remains a pervasive and continuing safety issue in the United States.” The NTSB issued several safety recommendations related to modifying driver behavior near school buses through enforcement and education, enhancing safety of school bus routes and stops, and using technology to prevent collisions with student pedestrians and to mitigate injuries.⁴

Need for and Practical Utility of the Proposed Collected Information

The studies proposed by NHTSA are designed to gather information on driver knowledge about state laws as related to roadway configurations, yellow and red flashing lights on school buses, and activation of the school bus stop arm. The NTSB believes NHTSA’s proposed studies will provide data that are not currently available and will provide insight to guide future efforts for education, advocacy, and research. For example, if the studies find that drivers are informed about state laws, then research efforts can target other methods of assisting drivers, such as implementing and assessing the benefits of various school bus-related technologies. In the Rochester crash investigation report, the NTSB recommended that NHTSA evaluate the effectiveness of technologies designed to reduce the incidence of illegal school bus passings, and publish and disseminate the evaluation.⁵

Separately, NHTSA has indicated that it is finalizing a case study project examining the effectiveness of cameras as a deterrent to school bus stop arm violations. The NTSB hopes the proposed field study of camera enforcement effectiveness described in this notice will be substantially different from the ongoing study and will provide new and distinct findings.

In general, the NTSB is pleased that NHTSA is proposing to study the issue of motorists illegally passing a stopped school bus and supports the proposed studies. We anticipate that these studies, conducted properly, will provide unique insight as to why motorists do not stop for school

² Additional information on these crash investigations can be found by accessing the Docket Management System and searching for NTSB case numbers HWY19IH004 and HW19IH005.

³ National Association of State Directors of Pupil Transportation Services. 2019. *Annual NASDPTS Survey Highlights Danger of Passing School Buses*. <https://www.isbe.net/Documents/2019-NASDPTS-Release.pdf>.

⁴ For more information, see Safety Recommendations H-20-10 to -21 and H-13-30 and -31 in our [database](#).

⁵ See Safety Recommendation H-20-11.

buses despite activated warning lights and extended stop arms and will help identify countermeasures to address this problem.

The NTSB appreciates the opportunity to provide these comments and supports NHTSA's efforts in providing national leadership to reduce the illegal passing of school buses and improve school bus safety.

Sincerely,

Robert L. Sumwalt, III
Chairman

cc: sara.peters@dot.gov