



September 10, 2020

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Floor, Room W12-140
Washington, DC 20590-0001

**RE: Docket No. NHTSA-2020-0018
Agency Information Collection Activities; Notice and Request for Comment; Reducing
the Illegal Passing of School Buses; National Highway Traffic Safety Administration**

Dear Sir or Madam:

The National School Transportation Association (NSTA) is pleased to offer comments to the National Highway Traffic Safety Administration (NHTSA) notice and request for comments on the Agency's intention to request approval from the Office of Management and Budget (OMB) for a new collection of information in an attempt to reduce the number of illegal passings of school buses, as published in Volume 85, Number 138, of the Federal Register on July 17, 2020.

About National School Transportation Association

NSTA is the leading resource for school bus transportation solutions and the voice for private contractors for over 55 years. We are a membership organization for school bus contract-operators engaged primarily in transporting students to and from school and school-related activities. Members range from small family businesses serving one school district, to large corporations operating tens of thousands of buses across multiple states. Regardless of size, our operators are staunchly committed to the safe and efficient transportation of our nation's school children. Private school bus contractors account for 38 percent of the nation's pupil transportation services and employ more than 250,000 individuals as bus drivers, mechanics, maintenance workers, dispatch, and office workers.

School transportation represents the largest form of mass transportation in the United States, as school buses outnumber other forms of public transportation vehicles almost 3.5 to 1. School buses are the transportation mode of choice by about a third of school-aged kids, who take a collective total of about 52 million trips a day. Other forms of mass transportation have 34 million daily boardings, and transport just 10 percent of American commuters each day, including students who ride a transit bus to class, rather than the yellow bus.

Daily, almost 26 million students are transported by an estimated 480,000 yellow school buses. Every day, the lives of children are entrusted to certified school transportation professionals who have received special training and have the experience to ensure the safe transport of students. School buses remain the safest way to transport a child to-and-from school, and

school-related activities, as they are the most regulated form of transportation. In fact, school buses are far safer than a child walking, riding a bike, or being transported in a car with a fellow student or parent to school. According to National Highway Traffic Safety Administration (NHTSA) statistics, students are 70 times more likely to arrive at school safely when riding in a yellow bus.

School bus transportation is the safest way to transport a child to and from school – even safer than walking, biking, or riding in a parent or fellow student’s car. In fact, students are seventy times more likely to arrive at school safely when being driven by a school bus, than they would if they were riding in a car.¹ Each day, 26 million children are transported to-and-from school on an estimated 480,000 yellow school buses. Daily, the lives of children on a school bus are entrusted to certified school transportation professionals, who have received special training² and have the experience to ensure the safe transport of children to-and-from school and school related activities.

Ultimately, NSTA believes that children are more likely to encounter a catastrophic event outside of the confines of a school bus, rather than inside. As you know, the National Association of State Directors of Pupil Transportation Services (NASDPTS) commences a survey of illegal passings throughout the United States. Unfortunately, due to the COVID-19 health crisis, NASDPTS was unable to execute the survey this year (2020). Last year, the NASDPTS survey encompassed 130,963 school bus drivers who reported that 95,319 vehicles passed their buses illegally on a single day during the 2018-19 school year. Further NASDPTS reports, “throughout a 180-day school year, these sample results point to more than 17 million violations among America’s motoring public. The number of incidents is likely far greater, since not all school bus drivers participated in the voluntary survey.”³

Keep in mind that the 2018-19 survey results represent almost a 14 percent increase in illegal passings from the previous school year (83,944), so at least anecdotally, this problem appears to be worsening. Therefore, NSTA wholeheartedly agrees with the Agency’s attempt to determine causation of this epidemic, and surveying motorists about their knowledge of applicable motor vehicle law represents a good start. NSTA also believes that from a public policy perspective, it makes sense for the Agency to partner with local law enforcement in an attempt to gather empirical data that clearly and concisely articulates the scope of this problem.

NSTA reviewed the procedures of Study 1 and Study 2, and we do not take issue at the manner in which these surveys are going to be conducted. We would point out, however, that survey results, especially with respect to Survey 2, could be potentially be skewed because respondents would be limited to just two jurisdictions. In addition, the framing of the survey questions will be vital to getting to the underpinnings of this national problem. As we have seen in the political realm, respondents do not always answer survey questions accurately and honestly.

Overall, we are grateful that NHTSA endeavors to begin a discussion on this important topic, and highlights why we strongly support a coordinated national campaign, as outlined in the STOP for School Bus Act of 2019 (H.R.2218/S.1254). In addition, technological advances on both cars and buses can greatly enhance our efforts to keep students out of harm's way, so we would urge the Agency to encourage deployment of these devices when appropriate.

NSTA appreciates the opportunity to offer comments in support of NHTSA Notice, Docket No. NHTSA-2020-0018, and looks forward to working with you on this initiative, and other proposals in the future. If further clarification is required, please do not hesitate to contact me at 703-684-3200 ext. 700, or by e-mail at cmacysyn@yellowbuses.org.

Sincerely,



Curt Macysyn
Executive Director
National School Transportation Association

¹ U.S. Department of Transportation, National Highway Traffic Safety Administration, "School Bus Safety," <https://www.nhtsa.gov/road-safety/school-bus-safety>; see also, American School Bus Council, "fact: The School Bus is the Safest Way to Travel to and from School," <http://schoolbusfacts.com/wp-content/uploads/2016/12/Safety-Benefits.pdf>

² See American School Bus Council "Safety Features of the School Bus," <http://schoolbusfacts.com/wp-content/uploads/2017/01/SafetyFeatures.pdf>

³ School Bus Fleet (July 25, 2019), "National Stop-Arm Survey Counts Over 95K Illegal Passes of School Buses", <https://www.schoolbusfleet.com/10040488/national-stop-arm-survey-counts-over-95k-illegal-passes-of-school-buses>