



NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

RESOLUTION

No. 2024-06

Mandate Seat Belts on All School Buses and Ensuring Compliance and Safety Measures in School Bus Transportation

Reported to the Caucus by the NHCSL Education Task Force
Sen. Teresa Ruiz (NJ), Chair

Sponsored by Del. Deni Taveras (MD)

Unanimously ratified by the Caucus on November 23, 2024

1 **WHEREAS**, the safety of children is paramount and requires the highest standards of
2 transport safety measures; and,

3 **WHEREAS**, the installation of three-point seat belts on school buses is proven to significantly
4 enhance safety for children and reduce injuries in the event of accidents¹; and,

5 **I. Comprehensive Seat Belt Implementation on School Buses**

6 **WHEREAS**, The National Transportation Safety Board (NTSB) is an independent federal
7 agency responsible for investigating transportation accidents, determining their causes, and
8 making safety recommendations to prevent future incidents²; and,

¹ National Highway Traffic Safety Administration, "School Bus Safety: Crashworthiness Research," available at <https://www.nts.gov/Advocacy/safety-topics/Pages/schoolbuses.aspx>.

² National Conference of State Legislatures, "School Bus Safety: Seat Belts," available at <http://www.ncsl.org/research/transportation/school-bus-safety-seat-belt-laws.aspx>

9 **WHEREAS**, this act recommends that each state put forth legislation requiring the inclusion
 10 of three-point seat belts in all newly purchased school buses, including electric vehicles, as
 11 they replace their old school buses starting after June 1, 2025; and,

12 **WHEREAS**, It was commonly known that the current compartmentalization design of school
 13 buses was sufficiently safe for children without seat belts, however as of December 4, 2022,
 14 the National Safety Board changed its position on compartmentalization³ stating it was
 15 insufficient at protecting children on school buses, mandating three-point seat belts on
 16 school buses; and,

17 **WHEREAS**, it was found by NTSB that children had a higher likelihood of concussions on
 18 sideswiping and bus rollovers, as well as a higher mortality rate, with an average of 111
 19 fatalities each year in school bus accidents⁴; and,

20 **WHEREAS**, the use of a three-point seat belt also reduces the likelihood of injuries resulting
 21 in the paralysis of children in accidents when compared to other seat belt options⁵; and,

22 **WHEREAS**, the use of three-point seat belts has been found to reduce behavioral problems
 23 on school buses⁶; and,

24 **WHEREAS**, nine states have already implemented seat belts on school buses: Arkansas,
 25 California, Florida, Louisiana, Nevada, New Jersey, New York, Iowa, and Texas⁷; and,

26 **WHEREAS**, it is recommended seat belts be replaced through a natural school bus
 27 replacement schedule while allowing for flexible seating if necessary, where overcrowded
 28 school districts may be an issue of concern; and,

³ National Transportation Safety Board, “NTSB Reiterates Call for Lap and Shoulder Seatbelts in All School Buses” (Nov 3, 2022) available at <https://www.nts.gov/news/press-releases/Pages/NR20221103.aspx> (“The NTSB is renewing its 2018 recommendation that states require passenger lap and shoulder belts on new, large school buses as well as its call to require systems that prevent lane departure on heavy vehicles, first issued in 2010 and updated in 2021.”).

⁴ NHTSA’s National Center for Statistics and Analysis. *Traffic Safety Facts: Seat Belt Use in 2022 — Overall Results*. Report no. DOT HS 813 477. Washington, DC: National Highway Traffic Safety Administration, March 2023. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813477.pdf> (“From 2012 to 2021 there were 998 fatal school-transportation-related crashes, and 1,110 people of all ages were killed in those crashes—an average of 111 fatalities per year”).

⁵ Insurance Institute for Highway Safety. “Seat Belts.” Accessed June 3, 2024. <https://www.iihs.org/topics/seat-belts>

⁶ National Conference of State Legislatures. “Should School Buses Have Seat Belts?” January 24, 2022. <https://www.ncsl.org/transportation/should-school-buses-have-seat-belts>

⁷ Iowa Administrative Code. *Chapter 44: School Bus Safety Standards*. Last modified September 23, 2020. <https://www.legis.iowa.gov/docs/iac/chapter/281.44.pdf>. National Conference of State Legislatures. “Should School Buses Have Seat Belts?” January 24, 2022. <https://www.ncsl.org/transportation/should-school-buses-have-seat-belts>

29 **WHEREAS**, states that look to increase school bus safety must amend their educational and
30 transportation regulations regarding school buses accordingly; and,

31 **II. Mandatory Use of Seat Belts by All Occupants**

32 **WHEREAS**, all school bus passengers should be strapped in prior to the bus going into
33 motion, thus fostering a culture of safety; and,

34 **WHEREAS**, once passengers are educated of the importance of seat belt use, the bus
35 passengers are exempted from traffic tickets for non-compliance, with the exemption of the
36 bus driver (only regarding his own seat belt, not those of the bus passengers), underscoring
37 the reality of child disobedience and commitment to still enforce safe driving measures; and,

38 **III. Education and Training**

39 **WHEREAS**, the public school safety education program will now include comprehensive
40 instruction on the proper use of seat belts, alongside existing school bus safety protocols;
41 and,

42 **WHEREAS**, such educational initiatives are designed to instill lifelong safety habits among
43 students and their families to prepare them to take personal responsibility for their own
44 safety; and,

45 **IV. Legal and Fiscal Accountability**

46 **WHEREAS**, the implementation of this policy may involve amendments to several statutes
47 within the Education and Transportation articles of each state’s Annotated Code, reflecting
48 a broad legislative consensus; and, legal and fiscal accountability

49 **WHEREAS**, funding for the inclusion of three-point seat belts with the natural replacement
50 of existing buses, with provisions made to minimize financial impact on local school districts
51 while prioritizing student safety; and,

52 **WHEREAS**, given children are children, a bus driver cannot be expected to control children
53 while driving the bus, which is their primary responsibility,

54 **WHEREAS**, the failure of a child to stay restrained within their seat belt may not be the basis
55 of a civil action for damages against the school bus operator, the bus operator’s employer,
56 school, school district, or municipality; and,

57 **WHEREAS**, it is the responsibility of parents and guardians to educate their children on the
58 importance of seat belt use in addition to receiving training if needed.

59 **THEREFORE, BE IT RESOLVED**, that the National Hispanic Caucus of State Legislators calls
60 on states to enact mandatory installation of seat belts on all school buses as a critical measure

61 towards ensuring the safety of our children; uphold the highest standards of safety in school
62 transportation and contribute to the well-being and security of future generations.

63 THE NHCSL EDUCATION TASK FORCE, AT ITS MEETING OF JULY 5, 2024, UNANIMOUSLY
64 RECOMMENDED THIS RESOLUTION TO THE EXECUTIVE COMMITTEE FOR APPROVAL.

65 THE EXECUTIVE COMMITTEE UNANIMOUSLY APPROVED THIS RESOLUTION AT ITS
66 MEETING OF JULY 13, 2024.

67 THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY RATIFIED
68 THIS RESOLUTION AT ITS ANNUAL MEETING OF NOVEMBER 23, 2024 IN DENVER,
69 COLORADO.

