



*A bold voice for transportation workers*

September 8, 2017

Mr. Jeremy Gunderson  
Office of Safety Programs  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590-0001

**RE: Education on Proper Use of Seat Belts on School Buses  
Docket No. NHTSA-2017-16602**

Dear Mr. Gunderson,

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to provide comments on the National Highway Traffic Safety Administration's (NHTSA) information collection request (ICR) regarding the use of seat belts on school buses. By way of background, TTD consists of 32 affiliate unions, several of whom represent school bus drivers and bus aides.<sup>1</sup> We therefore have a vested interest in the collection request.

Through this ICR, NHTSA plans on collecting information in order to understand the factors considered by state and local agencies when deciding whether to require seat belts on school buses, how these requirements are funded, and challenges that may occur. NHTSA states that it will collect this data through interviews, discussions, and a web-based survey.

At this time, TTD is not taking a position on the underlying question of whether or not to mandate seat belts on school buses. We believe this is an area where more research, such as this collection, is needed in order for NHTSA to make an informed decision. To that end, we offer several suggestions on how NHTSA can improve on the proposed collection process and garner useful data and information to guide future policy decisions in this area.

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<sup>1</sup> Attached is a complete list of TTD's 32 affiliate unions.



### **Labor Participation**

NHTSA must modify its collection plan to ensure that school bus drivers and their unions are fully consulted on the use and implementation of seat belts. In its explanation of the collection request, NHTSA states that it will reach out to a number of trade organizations, school bus manufacturers and state directors of pupil transportation. In addition, NHTSA will contact school districts that have agreed to provide certain information about their decision to require seat belts and at least one driver in each of those districts. While we commend NHTSA for including some individual drivers, this outreach must be expanded. NHTSA should seek to include drivers more broadly and not limit conversations to those that work for school bus districts identified by the agency. In addition, NHTSA should include labor unions that represent school bus drivers in its formal outreach plans. Not only will this assist the agency in identifying and speaking to bus drivers across the country and in diverse school districts, but labor unions that represent drivers have expertise and institutional memory that NHTSA would find of value.

School bus unions can offer the Administration the best insights into the realities of operating a school bus and managing pupils in situations with and without seat belt requirements. We therefore highly recommend that NHTSA add labor organizations representing school bus drivers to its study and survey.

### **Content of Information Collected**

When gathering data from participants, we encourage NHTSA to collect information on several scenarios that school bus operators must currently consider, and that the Administration should bear in mind in any efforts going forward. NHTSA should specifically gather information on the unintended effects of enacting seat belt mandates.

As NHTSA acknowledges, the funding mechanism and the challenge of paying for seat belts is a significant issue for school districts to consider. We are concerned that a restrictive seat belt mandate could pressure school districts to enter into contracts with private providers of school bus transportation without a broader analysis that this change should require. Too often, private bus companies promise easy, initial solutions to school districts, including new or modified buses, only to under-deliver in terms of services to students. We also know that due to low pay and limited benefits some private providers find it difficult to hire and retain qualified drivers. These and other factors should be examined by any school district when deciding how to transport students and seat belt mandates should not distract from this analysis

Additionally, NHTSA's collections should solicit information regarding seating capacity and flexibility. In many school districts, buses are used to transport students of different ages, and therefore sizes. Information on how seat belt requirements can be implemented to safely accommodate this variance is an important data point for NHTSA to collect.

**Impact on Drivers**

TTD commends NHTSA for correctly noting that driver distraction must be a significant consideration in its collection, as well as in any future regulation. School bus drivers are already tasked with managing the behavior of the students they transport while operating a large passenger CMV safely. Most drivers do this by themselves, without support from a bus aide or a similar staff member. Ensuring that dozens of children on a bus have engaged their seat belts and keep them on during transit would be an enormous burden on the driver, one which could interfere with the driver's ability to monitor the road and operate the bus safely. NHTSA should ensure that it gathers information that reflects how bus operators have dealt with this issue.

TTD appreciates the opportunity to comment on NHTSA's proposed Information Collection Request, and encourage the agency to consider our concerns as it moves forward with this collection.

Sincerely,



Larry I. Willis  
President



**Transportation Trades Department, AFL-CIO**  
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***TTD MEMBER UNIONS***

Air Line Pilots Association (ALPA)  
Amalgamated Transit Union (ATU)  
American Federation of Government Employees (AFGE)  
American Federation of State, County and Municipal Employees (AFSCME)  
American Federation of Teachers (AFT)  
Association of Flight Attendants-CWA (AFA-CWA)  
American Train Dispatchers Association (ATDA)  
Brotherhood of Railroad Signalmen (BRS)  
Communications Workers of America (CWA)  
International Association of Fire Fighters (IAFF)  
International Association of Machinists and Aerospace Workers (IAM)  
International Brotherhood of Boilermakers, Iron Ship Builders,  
Blacksmiths, Forgers and Helpers (IBB)  
International Brotherhood of Electrical Workers (IBEW)  
International Longshoremen's Association (ILA)  
International Organization of Masters, Mates & Pilots, ILA (MM&P)  
International Union of Operating Engineers (IUOE)  
Laborers' International Union of North America (LIUNA)  
Marine Engineers' Beneficial Association (MEBA)  
National Air Traffic Controllers Association (NATCA)  
National Association of Letter Carriers (NALC)  
National Conference of Firemen and Oilers, SEIU (NCFO, SEIU)  
National Federation of Public and Private Employees (NFOPAPE)  
Office and Professional Employees International Union (OPEIU)  
Professional Aviation Safety Specialists (PASS)  
Sailors' Union of the Pacific (SUP)  
Sheet Metal, Air, Rail and Transportation Workers (SMART)  
SMART-Transportation Division  
Transportation Communications Union/ IAM (TCU)  
Transport Workers Union of America (TWU)  
**UNITE HERE!**  
United Mine Workers of America (UMWA)  
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service  
Workers International Union (USW)

*These 32 labor organizations are members of and represented by the TTD*

