

February 15, 2011

Honorable David Strickland, Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Almost a year has passed since March 9, 2010 when an alliance of major vehicle safety, health and public interest groups along with a number of concerned individuals,¹ in a Petition for Rulemaking applicable to newly manufactured school buses urged your National Highway Traffic Safety Administration's (NHTSA) FMVSS Standard 222 "to be promptly amended to mandate the three-point belt requirement for all seating positions on all buses."

All of the NHTSA staff's engineering is completed and documented. Seats with the specified restraints have been developed and are on the production line. Every new bus ordered for the State of California is so equipped.

With children's lives at stake, any delay beyond the statutory 120 days allowed NHTSA under the National Traffic and Motor Vehicle Safety Act, 49 USC § 30162(d) is unwarranted.

Thirty five years of experience from the same profile; lap belts, required in the smaller, voluntary in the large school buses, absent state requirements has convincingly demonstrated almost universal failure by school districts to voluntarily install the belts. An industry source reports that less than one percent of the 13,500 school districts have acted on installing the lap/shoulder belts, some for the entire fleet, some for just one bus. The overwhelming majority have shown no interest at all.

As you will recall, the changes scheduled for full implementation this fall restricted the requirement for the lap/shoulder restraints to only those school buses of under 10,000 pounds GVWR. For the great majority of other school buses installation was voluntary.

Petitioners correctly pointed out that the impact would be minimal. Based on the best figures then available, because seating capacity of the smaller vehicles is about one-fifth of the capacity of the larger buses and far fewer small buses are produced, under the Standard

¹ **Signatories:** The National Coalition for School Bus Safety (NCSBS), Center for Auto Safety (CAS), Public Citizen (PC), Consumers for Auto Reliability and Safety (CARS), Consumers Union (CU), KidsandCars.org, Advocates for Highway and Auto Safety, Consumer Federation of America (CFA), SafetyBeltSafe U.S.A., the Trauma Foundation, the American Academy of Pediatrics, the American Association of Orthopaedic Surgeons, the Orthopaedic Trauma Association, 2safeschools.org, Safe Ride News, the Advocacy Institute for Children, Belt Up School Kids, the Coalition for Child Safety, Nancy Bauder, Lynn Brown, Norm Cherkis, Ruth Spaulding, and Rhea Vogel.

changes 3-point belts would be required on fewer than 2% of total annual school bus seating. No requirement would be operative for 98% of the seats in school buses manufactured each year.

Since it is reasonable to conclude that, as in the past there will be almost no Districts ordering belt equipped school buses and the industry is tooled up for implementation, on behalf of the 25 million kids who ride back and forth to school every school day in the big yellow buses, your personal intercession in effecting a positive NHTSA decision in this vital matter is needed.

Sincerely,

Clarence M. Ditlow
Executive Director
Center for Auto Safety

Arthur L. Yeager
National Coalition for School Bus Safety

Cc: Secretary Ray LaHood