

STATEMENT OF PHILIP R. RECHT
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BEFORE THE
SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES
REGARDING VARIOUS SCHOOL BUS SAFETY ISSUES

April 2, 1996

Senator DeWine, it is a pleasure to appear before you today to provide an update to my August 1995 testimony before this Committee in Columbus, Ohio. Accompanying me at the witness table is Ron Engle, Chief of the National Highway Traffic Safety Administration's (NHTSA) Safety Countermeasures Division, Office of Traffic Safety Programs.

NHTSA's principal mission is to reduce traffic crashes and the deaths and injuries that result from them. We do this in a number of ways: we issue Federal motor vehicle safety standards, carry out compliance and safety defect enforcement activities, conduct research and development, and provide consumer information. We lead the nation's State and community highway safety program by establishing highway safety guidelines and setting priorities to assist State and local governments with their highway safety programs.

Even though school buses are among the safest of all modes of transportation, an average of about 42 school children under 19 years old are killed each year in school bus-related incidents, 11 as occupants in the bus and 31 as pedestrians in the immediate vicinity of the bus. Since most children are killed outside the bus, we have focused our school bus safety efforts, including both mechanical and educational efforts, on the immediate area around the bus.

For example, on the mechanical side, NHTSA issued two rules during 1991 and 1992 to improve school bus safety. The 1991 rule required stop signal arms on all new school buses built after September 1, 1992. The 1992 rule required school buses manufactured after

December 2, 1993, to be equipped with mirrors to give school bus drivers a clearer view of children approaching and leaving the bus. On the educational side, we developed a number of programs, like the Willie Whistle series, aimed at school children in grades K-8. In my testimony last August, I described the details of that highly effective program, which teaches safe street-crossing behavior, and NHTSA's other school pedestrian and school bus safety efforts. If I may, I would like to attach that testimony to this statement.

This portion of today's hearing continues your review of one of NHTSA's high priority school bus safety concerns with respect to the immediate area around the bus--the snagging of children's clothing or bookbag straps on stairwell handrails. This is a relatively small, yet tragic segment of the overall problem. NHTSA is strongly committed to solving the handrail snagging problem and has taken aggressive steps to remedy the situation.

At the August hearing, we described the nature of the problem and actions we had taken prior to that hearing. At that time, five children had been killed after the strings or straps on their coat or backpack lodged in the space between the handrail and the wall of a school bus. We reported that we had conducted 14 vehicle defect investigations of school bus body manufacturers to determine if their handrails posed snagging problems. Of the 14 companies, 10 companies, representing approximately 180,000 buses, had unsafe handrail designs and agreed to conduct safety recall campaigns to change the handrail designs of the buses to make them less prone to snagging clothing. As of the August hearing, the repair rate for those companies conducting safety recalls was about 65 percent.

We also reported at the hearing that one company with an unsafe design, the Wayne Corporation of Richmond, IN, had built approximately 100,000 school buses from 1979 to 1992

with handrails that should be remedied. However, the company had gone out of business in 1992, and, as a result its buses could not be reached through the normal recall and remedy process.

We also reported at the hearing that, to deal with the Wayne bus situation and other aspects of the snagging problem, we had initiated aggressive outreach and educational efforts.

Our major actions included:

- Issuing public warnings and advisories to publicize the handrail problem, and urging owners of Wayne buses to inspect them and make necessary repairs;
- Urging all State agencies responsible for inspecting school buses to recommend that their inspection teams examine the handrails on all buses to see if they have a snagging problem ;
- Meeting with all State and local program directors responsible for pupil transportation to explain the problem and how to fix it; and
- Producing, broadcasting, and distributing a video news release on the snagging problem;

Those outreach efforts disclosed that a number of school districts around the country had not responded to our warnings and recommendations regarding the handrail problem. We also discovered that a second out-of-business manufacturer of school buses--Carpenter Body Works of Mitchell, IN--had manufactured approximately 25,000 buses before May of 1990 with handrails that needed remedy. Again, the buses appeared to be beyond the reach of NHTSA's recall and remedy authority.

Since the hearing, we have continued our efforts to address the snagging problem. On the vehicle side, I am pleased to report that last October we secured an agreement from Carpenter Manufacturing Inc., the company that acquired the assets of both Wayne and Carpenter Body

Works, to make replacement handrails and spacers available as a "goodwill" action. This action will enable the remedy of the approximately 125,000 school buses manufactured by Wayne and Carpenter Body Works. Carpenter is making these repair parts available at cost for Wayne buses, and available at no cost for the buses of Carpenter Body Works.

We have also conducted additional vehicle defect investigations, which have resulted in an additional 10 recalls, involving 132,500 buses. Overall, taking into account buses which have been the subject of multiple recalls, NHTSA has secured the recall of approximately 280,000 buses.

On the basis of the quarterly reports filed by the manufacturers for the pre-August recalls, we estimate that about 71 percent of the buses in those campaigns have now been repaired. We are awaiting the first reports from the new campaigns. At the same time, we are auditing the older campaigns to ensure that the reports are accurate and that the repairs have been correctly completed.

Some of these remedies have not been totally successful, resulting in several new recalls. In three cases, the repairs developed long-term durability problems and the manufacturers involved are providing new repairs. NHTSA staff are monitoring these repairs, and keeping in close contact with the affected manufacturers to provide whatever technical assistance is appropriate. Without exception, the manufacturers have been very cooperative and appear concerned that all affected buses are properly part of our strengthened outreach efforts.

Also since August, NHTSA staff have met again with the pupil transportation safety directors of virtually every State as well as hundreds of local pupil transportation directors to discuss this problem and how to fix it.

Last September, we produced a training film on the snagging problem and what to do about it for school administrators and law enforcement officials. We broadcast this 17-minute film over the Law Enforcement Television Network in October. NHTSA has distributed over 600 copies of this training film to States, law enforcement agencies, and schools across the country. This coming August we will reissue our video news release on the snagging problem for the general public.

A new dimension to our outreach effort is the use of the staff of our 10 regional highway safety offices. Between November 1995 and March 1996, our regional staff visited at least one large school bus operator in each State to determine if recall notices on the handrail snagging problem had been received by that operator and whether appropriate repairs had been or were being made. Our regional staff also visited each State's highway safety and pupil transportation office to ensure that each State had developed a strategy for inspecting all its school buses and for remedying any bus determined to have defective handrails.

To assist these school bus operators and State officials, we prepared and distributed a special package of pertinent information on the snagging problem that includes the following:

- *Alert to Parents and Teachers* (in English and Spanish)
- *Alert to School Bus Drivers*
- *Inspector's Test String* for gauging handrail clearance
- *Advisory to Parents* from NHTSA Administrator Ricardo Martinez, M.D.
- *Video Presentation* produced for every State
- *Illustration of How to Remedy* the handrail snagging problem
- *NHTSA's Four News Releases* on the handrail snagging problem
- *Report on NHTSA's Recall Actions* on the handrail snagging problem
- *NHTSA's Auto Hotline Questionnaire* for any other problems detected
- *NHTSA's List of Customer Service Contacts* for school bus problems
- *Recall Fact Sheets* showing the recalled buses, manufacturers, phone numbers,

and the costs, if any, to the owners for making the repair

I am providing a complete package of this information for your review.

As a result of these efforts by our regional staff, we identified a large number of private and public school buses that had not been repaired. In some cases, over 50 percent of the buses identified had defective handrails, some of which had been repaired but repaired improperly.

I am sad to report that despite all our efforts, a sixth fatality occurred on February 8th of this year, when a ninth grader in Westchester County, New York, was getting off the bus to go home from school. The drawstring of the student's coat caught in the handrail of the bus as she was leaving the bus. The bus driver was unaware that anything had happened until the student's coat was discovered.

Two weeks before this latest fatality, a NHTSA regional staff member had inspected some of the buses in Westchester County. He found that a number of the buses either had been repaired improperly or not at all. The staff person provided instructions for obtaining the repair parts from the manufacturer and how to install them correctly. In the case of the bus that killed this student, repair parts arrived just before the tragedy occurred. One of NHTSA's Special Crash Investigation teams has been sent to the site to find out exactly what happened and why.

NHTSA will shortly contact several associations representing private school bus fleets to make sure that they are informed about the handrail snagging problem and how to solve it. These contacts are in addition to the agency's direct audit of individual operators and will be completed by the end of this month.

In conclusion, NHTSA is mounting an unprecedented campaign to increase awareness of the handrail snagging problem and how to fix it. We intend to continue our efforts until this

matter is fully and satisfactorily resolved. However, I must emphasize, as I did in my testimony last August, that the States continue to have a significant responsibility to prevent these tragedies. The Federal role only goes so far. Once a vehicle is in use, we cannot force the owner to have the vehicle repaired in the event of a recall. The States have the authority to inspect school buses and ensure that no child rides on a school bus with a defective handrail. The States must continue to enhance their programs to ensure that the drivers receive the proper training, and that students, teachers, and parents are aware of this and other school bus hazards. School boards, and especially parents, must be made aware of these needs. We will continue to provide all the technical assistance we can that is useful at the State and local level. In the end, all of us share the responsibility for making school bus transportation as safe as it can possibly be.

Senator, this concludes my prepared remarks. Mr. Engle and I will be glad to answer any questions that you may have.