

Seat Belts on School Buses

By: Heather Poole, Principal Analyst
January 18, 2024 | 2024-R-0022

Issue

This report (1) provides an overview of federal school bus seat belt requirements and the debate over a federal school bus seat belt mandate, (2) summarizes Connecticut law on school bus seat belts and recent legislative proposals, and (3) identifies the states with laws requiring school buses to have seat belts.

Summary

The National Highway Traffic Safety Administration (NHTSA), which is responsible for setting vehicle safety regulations, requires that small school buses are equipped with three-point lap/shoulder belts, but does not require the same for large school buses. Instead, NHTSA sets standards for voluntarily installed seat belts on large buses and leaves it up to states and local officials to decide whether to mandate seat belts on large school buses within their jurisdictions.

NHTSA has not opted to implement a federal school bus seat belt mandate, despite considering one on several occasions. Among other reasons, NHTSA has stated that school buses are already very safe without seat belts due to their design, and installing three-point belts on a large bus is costly. They have asserted that any gains in safety due to seat belts may be offset by various consequences, such as reduced availability of bus transport. But other stakeholders, including the National Transportation Safety Board (NTSB), support a requirement that all buses be equipped with three-point belts. They contend that school buses do not offer adequate protection in side and rollover crashes and that seat belts will provide better protection in those instances.

At a 2015 school transportation summit, [NHTSA](#) seemed to change direction when the administrator stated that “every child on every school bus should have a three-point seat belt.” But

it does not appear that NHTSA has issued a formal policy or begun any rulemaking on the matter, and school transportation industry organizations and local officials have expressed the need for clarity on seat belt efficacy and federal recommendations.

Although the legislature has considered many proposals to require seat belts on large school buses, Connecticut law currently does not do so. In 2010, the legislature passed a law to provide some financial assistance to school districts who install seat belts voluntarily but stopped short of requiring them statewide.

According to a 2022 analysis by the [National Conference of State Legislatures \(NCSL\)](#), nine states require the installation of seat belts on large school buses: Arkansas, California, Florida, Iowa, Louisiana, Nevada, New Jersey, New York, and Texas. But these laws vary in requirements and in scope. For example, New York requires only lap belts on buses, and Arkansas, Louisiana, and Texas' laws are subject to appropriation or approval or denial by local jurisdictions. Iowa's requirement was not enacted by the legislature, but instead was adopted as an agency regulation. For more detail on some of these states' laws, see OLR Report [2016-R-0318](#).

Background: School Bus Occupant Protection

According to NHTSA, school buses are statistically the safest way for students to get to school and among the safest means of transport generally. This is due to their operating environment (generally low speed travel with highly trained drivers) and to various design and safety factors, including (1) school bus weight and elevated passenger position and (2) visibility characteristics and requirements, such as the conspicuous yellow paint and overhead flashing lights. School buses must also be designed with a form of occupant protection called "compartmentalization."

Compartmentalization is a passive form of occupant protection that requires no action from the passenger and, in many cases, is the sole form of occupant protection on a large school bus. A school bus's closely spaced, high-backed seats form a compartment around passengers, limiting a passenger's range of movement and the hostility of the crash environment by absorbing his or her energy. NHTSA has generally advocated that compartmentalization is the best way to protect passengers in large school buses.

Federal Rules

Current Requirements

NHTSA is the federal agency responsible for establishing the federal motor vehicle safety standards for nearly all vehicles. In 2008, NHTSA updated school bus occupant crash protection system

regulations (applicable to buses manufactured on or after October 21, 2011) by requiring three-point lap/shoulder seat belts on new school buses with a gross vehicle weight rating (GVWR) of 10,000 pounds or less (small school buses) and making adjustments to the required seat height on all new buses. These regulations also set standards for voluntarily installed seat belt systems on large buses (those with a GVWR above 10,000 pounds), but did not require their installation ([49 CFR § 571.222](#)). In its final rule notice ([73 FR 62744](#)), NHTSA concluded that, after considering all available evidence and information, it could not make a science-based, data-driven determination for a federal seat belt mandate and instead left the choice up to state and local officials. It appears there has not been a major change to these regulations since 2008 impacting seat belt requirements on school buses.

Discussions Around a Federal Mandate

NHTSA's Position. Although NHTSA acknowledges the safety benefits of seat belts, it has not opted to implement a federal school bus seat belt mandate, despite considering one on several occasions. This is because school buses are already very safe without seat belts and, given that needs and resources vary widely among states and local governments, NHTSA has expressed concern that the unintended consequences of such a mandate may outweigh the benefits.

How much do seat belts cost?

Cost estimates vary and, in some cases, are several years old. But, [according to NCSL](#), the range of cost estimates to install three-point seat belts on a new large school bus is between \$7,000 to \$10,000.

One of [NHTSA's](#) primary concerns has been how the increased costs of belt-equipped buses may impact the services and safety improvements schools can fund, as a number of different needs are competing for limited school transportation funds. A mandate would require school bus purchasers to buy belt-equipped vehicles regardless of whether they believed the belts were appropriate for their needs or planned to require their use. NHTSA has stated that the increased costs could reduce the number of buses available to students and, consequently, divert school bus riders to other, less safe forms of transportation to school (e.g., riding in a car).

Further, [NHTSA](#) has cautioned that increased expenses for bus purchases could divert funds away from other school transportation-related safety measures that may result in greater benefit. It previously cited to a 2010 [University of Alabama](#) study which found that seat belts on school buses led to eight injuries avoided annually and the equivalent of one life saved every decade. The study also found students are at greater injury risk entering or exiting school buses (compared to inside buses). Both the study's authors and NHTSA have suggested that investments in improving student safety during loading and unloading may have greater benefit.

For these reasons, among others, NHTSA has generally supported leaving the decision about seat belts on large school buses to states and local governments (including local school transportation planners), noting that they are in the best position to assess local risks and determine the most effective use of their available resources. This position is often supported by local school districts and pupil transportation companies, who are concerned about how a mandate will affect them.

However, in recent years, NHTSA has expressed increasing support for school bus seat belts generally. For example, [in 2015](#), the NHTSA administrator said “NHTSA’s policy is that every child on every school bus should have a three-point seat belt” and that the administration would work toward achieving that goal. But it does not appear that NHTSA has issued a formal policy or begun any rulemaking on the matter. In 2023, the [National Association for Pupil Transportation](#) urged federal agencies to clarify their positions on lap/shoulder seat belts and provide clear direction and guidance to states and school districts in relation to the efficacy of seatbelts on school buses.

Proponents of Seat Belt Mandate. While acknowledging that school buses are already one of the safest ways to travel, some experts and stakeholders contend that compartmentalization is not enough to keep students safe in the event of an accident, particularly rollover accidents and those with side impacts. Compartmentalization relies on passengers remaining within the compartment before and during an impact, but the [NTSB](#) notes that precrash, lateral, and rollover motions may cause school bus passengers to move outside of the compartment, thus exposing them to ejection or injury within the school bus’s interior. (The NTSB is an independent federal investigative agency that determines the cause of significant transportation accidents and issues safety recommendations to prevent them from happening in the future.)

In 2018, the NTSB issued a [recommendation](#) that states require all new large school buses to be equipped with three-point lap/shoulder belts. The recommendation was in response to its investigation of a 2016 crash in Tennessee where a school bus rolled onto its right side and impacted a tree, resulting in the death of six elementary school students. The NTSB [reiterated](#) this recommendation in 2022 after concluding that properly worn seat belts would have lessened the severity of injury in a 2021 Tennessee crash where the school bus driver and a young passenger died and several others were seriously injured. Several other medical and transportation safety advocacy organizations have joined with the NTSB to advocate for seat belts on all school buses, including the [American Academy of Pediatrics](#) and the [National Safety Council](#), among others.

While some school districts and transportation providers have expressed school bus seat belt-related concerns (e.g., the impact on student behavior and the need for drivers and aides to enforce wearing seat belts), some proponents of a school bus seat belt mandate cite potential indirect benefits identified through two 2021 [NHTSA surveys](#). Among other things, the surveys

found that seat belts made for calmer environments and less driver distraction, and a mandatory use policy had benefits even for passengers who did not use them, as they were more likely to remain in their seats.

Connecticut

2010 Law

After a 2010 school bus accident resulted in the death of one student and injuries to several others, the General Assembly passed legislation to assist school districts in installing seat belts on school buses.

In the 2010 legislative session, the Transportation Committee favorably reported a bill that would have required all school buses model year 2012 or newer to have three-point seat belts. In the bill's [fiscal note](#), the Office of Fiscal Analysis estimated significant costs to the state and local governments. The bill was then referred by the House to the Appropriations Committee, which voted out a substitute bill requiring the Department of Motor Vehicles (DMV) to study the feasibility of requiring new school buses to have seat belts. The House subsequently introduced a compromise amendment addressing concerns of districts, school bus companies, and other stakeholders that the bill was an unfunded mandate on local schools and took too much discretion away from local officials, and the Senate passed it as amended.

[PA 10-83](#) (codified at [CGS § 14-275d](#)) required DMV to administer a time-limited program to help pay for school buses equipped with three-point seat belts. Under the act, DMV was required to do so by providing funding to offset a portion of the sales tax school bus companies paid for seat belt-equipped school buses. (School districts are exempt from sales tax, but a private company would be subject to sales tax on school buses they purchase.) School districts could submit applications, which had to include a proposed agreement with the private school bus carrier requiring the carrier to provide between 1 and 50 buses equipped with three-point seat belts installed at the time of manufacture. The act allowed DMV to accept applications between July 1, 2011, and December 31, 2017, and required the Transportation and Education committees to hold a hearing in 2018 on the program's effectiveness and recommend whether it should continue.

The program was funded by a \$50 increase to the fees for restoring suspended licenses and registrations; the law requires DMV to transfer \$50 of each fee to the school bus seat belt account ([CGS § 14-50b](#)). Since enacting this law, the legislature has transferred school bus seat belt account funds to the General Fund in several budget and deficit mitigation bills between 2012 and 2017. It does not appear that any of these funds were used to provide refunds to school bus

companies. As of [2016](#), no one had applied for funding through the program, and there do not appear to have been any expenditures from the school bus seat belt account.

Recent Legislation

At least six bills requiring seat belts on large buses have been introduced since the 2010 law’s passage, as shown in Table 1. While several received a public hearing, only one made it out of committee.

The debate at the state level is very similar to that at the federal level. Proponents generally argue that compartmentalization is insufficient to keep children safe on buses (see, for example, [testimony](#) from the proponent of the 2019 bill). Opponents of a state school bus seat belt mandate generally raise concerns about (1) cost to districts; (2) evacuating belted students from the bus in an emergency; (3) liability for injury if students do not wear the belts; and (4) training students in proper seat belt use (see, for example, testimony from the [Connecticut School Transportation Association](#), [Connecticut Conference of Municipalities](#), and [Connecticut Association of School Business Officials](#)).

Table 1: Bills Requiring School Bus Seat Belts Introduced Since 2010

Bill	Description	Last Action
Proposed SB 711 (2011)	Required buses purchased for in-state use to have seat belts	Referred to Transportation Committee
Proposed HB 5229 (2015)	Required buses purchased for in-state use to have seat belts	Transportation Committee held a hearing but did not vote out the bill
HB 5462 (2016)	Required all school buses model year 2021 or newer to be equipped with three-point seat belts for each seating position	Favorably reported by Transportation Committee, died in Appropriations
Proposed HB 6719 (2017)	Required all school buses model year 2019 or newer to be equipped with three-point seat belts	Transportation Committee held a hearing but did not vote out the bill
HB 5178 (2017)	Required all school buses model year 2022 or newer to be equipped with three-point seat belts for each seating position	Transportation Committee held a hearing but did not vote out the bill
Proposed HB 6959 (2019)	Required all new school buses to be equipped with seat belts	Transportation Committee held a hearing but did not vote out the bill

HP:co