

Log # H-591B



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: October 27, 1997

In Reply Refer To: H-97-29

Mr. William Millar, President
American Public Transit Association
1201 New York Avenue, NW
Washington, DC 20005

About 3:20 p.m. on November 26, 1996, near Cosmopolis, Washington, a utility truck collided with and fatally injured a 10-year-old child who darted from behind a transit bus that had transported him from school to his residence. The transit bus had stopped in the northbound lane of North River Road (opposite the residence) and had activated its headlights and four-way flashers. Meanwhile, a southbound utility truck proceeded around a curve in the road and approached the bus. When its driver saw the bus with its lights activated, he slowed the truck to a speed of about 20 mph. As the truckdriver came to a near stop, the lights on the transit bus were deactivated, and the busdriver began to drive away from the stop. At the same time the truckdriver began to accelerate, the child ran out from behind the transit bus, and the utility truck struck him.¹

During its investigation, the National Transportation Safety Board determined that children riding transit buses to and from school are not provided an equivalent level of safety as those children who ride school buses. In addition, the Safety Board found no mechanism in place that documents the extent to which transit buses are being used to transport children to and from school.

The Washington Department of Public Instruction oversees school transportation in the State of Washington. School buses and their operation are subject to Federal and State regulations

¹For more detailed information, read *Highway Incident Summary Report—Collision with a Pedestrian by a Utility Truck near Cosmopolis, Washington, on November 26, 1996* (NTSB/HAR-97/01/SUM).

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specifically designed to protect the occupants. School buses are clearly distinguishable vehicles equipped with special safety features. Federal standards establish performance and use requirements for flashing lights and stop arm signals to minimize the possibility of vehicles passing a stopped school bus and striking pedestrians. Motorists in all States are required to stop while the children enter or leave a stopped school bus. Additionally in an effort to prevent pedestrian accidents, all school districts within the States have established operational requirements for school buses. For example, California requires school busdrivers in some circumstances to exit the school bus with the students and ensure that they cross the road safely. Washington requires that any student exiting a school bus walk to the front of the bus around a 7-foot-long arm and wait for the busdriver to motion that it is safe to cross the road.

While school bus operational requirements actively protect passengers, transit bus operational requirements are passive and do not provide the same level of safety for children riding to and from school. All States provide school busdrivers with initial and in-service training that pertains to safe operating practices concerning the children as well as safe driving practices. Transit bus operations do not provide this type of training to their busdrivers.

Although Washington has specific procedures regarding school bus operations, no procedures or regulations have been established that pertain to children riding transit buses to and from school. In this accident, the bus operation Gray's Harbor Transit had written ridership rules for its transit buses. These rules are available for everyone, including students, who ride its transit buses. Specifically, number 11 of Gray's ridership rules states:

After the passenger has disembarked from the bus, he/she shall stand clear until it has pulled away. Never cross in front of nor directly behind the bus. Drivers are not responsible for passengers once they leave the bus.

All children who rode transit buses were provided with a copy of the ridership rules; however, they were not tested in the practice or on the knowledge of the rules. In addition, whether children too young to read have been taught these rules is not clear.

An inequity exists between the safety of children transported on school buses and the safety of children transported on transit buses. Those children transported on school buses have an adult (the school busdriver) responsible for their safety, even as a pedestrian boarding and exiting the bus. On the other hand, those children riding transit buses are responsible for their own safety. Although a 9- or 10-year-old child may be able to follow certain rules, expecting a 4- to 6-year-old child to follow rules about crossing roads as well as to judge vehicle speeds and distances to determine when it is safe to cross a road is not realistic. To expect young children to be responsible for their safety in this type of environment is not reasonable.

The Safety Board recognizes that the use of transit buses and alternative modes of transporting children may be practical, and even necessary, in certain situations. However, the Safety Board concluded that existing Federal regulations and prohibitions are clearly designed to afford school children the highest level of safety while being transported to and from school. Should these alternative modes be used primarily to transport children to and from school each day, safety

practices must be developed to provide an equivalent level of safety that the children would obtain while riding on a school bus. The Safety Board also concluded that had safety practices similar to those for school buses been in place, the fatality in this accident may not have occurred.

The differences in the operational practices and equipment between school buses and transit buses in tripper service can be critical. This accident probably would not have occurred had markings identified the transit bus as carrying school children to motorists, had a law required motorists to stop, and had the transit busdriver been responsible to assist the child. In contrast, had this child been transported by a school bus: 1) the truckdriver would have known that the stopped bus in the road was carrying students, and he would have been required to stop; 2) the child would have crossed the road in front of the school bus while it was stopped with flashing lights and possibly a stop arm and stop bar activated; and 3) the school busdriver would have watched the child until he was safely across the road.

This incident is not an isolated case. In February 1995 in Austin, Texas, another 10-year-old child exited a transit bus, walked in front of it, and was crossing the road a few feet from the crosswalk when a vehicle collided with and fatally injured him. In January 1997 in Dallas, Texas, a 9-year-old child departed a transit bus that then struck and killed her when she was returning home from school. Consequently, the Safety Board concluded that transit buses do not provide an equivalent level of operational safety when transporting school children.

The Safety Board therefore believes that the American Public Transit Association should:

Work with the U.S. Department of Transportation, the National Association of State Directors of Pupil Transportation Services, and the Community Transportation Association of America to collect accident data involving school children riding on transit buses and determine the most appropriate means to ensure that school children riding on transit buses in tripper service are afforded an equivalent level of operational safety as school children riding on school buses. (H-97-29)

Also, the Safety Board issued Safety Recommendations H-97-26 and -27 to the U.S. Department of Transportation, H-97-28 to the National Association of State Directors of Pupil Transportation Services, and H-97-30 to the Community Transportation Association of America.

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility "to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations" (Public Law 93-633). The Safety Board is vitally interested in any action taken as a result of its safety recommendations. Therefore, it would appreciate a response from you regarding action taken or contemplated with respect to the recommendation in this letter. Please refer to Safety Recommendation H-97-29 in your reply. If you need additional information, you may call (202) 314-6440.

Chairman HALL, Vice Chairman FRANCIS, and Members HAMMERSCHMIDT, GOGLIA, and BLACK concurred in this recommendation.


By Jim Hall
Chairman