



This publication is a member service of

**National School  
Transportation Association**  
625 Slaters Lane, Suite 205  
Alexandria, VA 22314  
Phone: (703) 684-3200  
Fax: (703) 684-3212  
E-mail: [info@yellowbuses.org](mailto:info@yellowbuses.org)  
Website: [www.yellowbuses.org](http://www.yellowbuses.org)



## Last Ditch Effort to Resolve the TEA-21 Reauthorization Conference Underway

House and Senate leadership and senior transportation leaders on the TEA-21 Reauthorization conference are continuing to work to make some progress to resolve the overall funding and structure issues of the bill. Both sides have generally coalesced around a funding figure of \$284 billion in obligation limitation (guaranteed funding), \$299 billion in contract authority with a \$15 billion rescission in unused current contract authority over the last two weeks. This funding level is about \$18 billion less than the contract authority provided in the Senate bill (\$318 billion) and \$16 billion higher than the House bill (\$284 billion). The White House has signaled to the leadership that the President will sign a bill at these levels.

The biggest issue holding up progress now is resolution of the split of these funds between the highway program and the transit program and the distribution of the highway funds amongst the states. Donor states are pushing very hard for a resolution which increases their overall rate of return closer to 95%. Senate and House leaders have been exchanging offers and counteroffers on these subjects all week. Speaker Denny Hastert, Majority Leader Bill Frist and Chairman of the conference Jim Inhofe are extremely intent on getting a six year bill passed before the November elections. While it is still a high bar, if they can reach agreement on the distribution and split issues, it is very possible there could be a mad rush to resolve the other policy issues in the bill in a few days time and get it to the floor. Senate Democrats are the unknown wildcard in this scenario with many of them still vocally unhappy that the funding level from their Senate passed bill has been cut. Many also question whether they will go along with any final deal at all to give the President a domestic and job creation victory right before the election. However, if a global

deal is arrived in the next few days, they also have to be careful not to be perceived as blocking the bill. Not to mention that the bill will contain project goodies for every Member of Congress to take home for their elections. Whether the stars will align and a multi-year bill can be agreed upon by a majority of the conferees and be able to be passed on the House and Senate floors is still in question BUT, we believe the bill has significant momentum and is not in a coffin yet.

Two crucial deadlines established in the last extension of the bill loom in the next two weeks. On September 24 states will no longer be allowed to obligate Federal aid highway funds and on September 30, 2004, the funds to run FHWA, FTA, FMCSA and NHTSA will run out. Congress will have to either pass a multiyear bill by the 30th or pass another extension. No decision has been made as of yet as to the length of the next extension if it is necessary. Anything from one month to six months to one year could be in play.

We continue to advocate for NSTA's issues within the conference committee, including modifications to the safe routes to schools program, passenger van safety, charter bus reforms and improved opportunities for the private sector in the transit program. We will keep you apprised of breaking developments as they arise.

**If you have an idea for our newsletter, or if you have an article you would like to submit, please e-mail us at [info@yellowbuses.org](mailto:info@yellowbuses.org) or call (800) 222-NSTA**

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The National School Transportation Association (NSTA) was founded in 1964 by school bus contractors to "promote and foster the highest degree of safety in the transportation of school children"



## NTSB Adds School Bus/Grade Crossing Safety to Most Wanted List

The National Transportation Safety Board released its updated list of Most Wanted Safety Improvements by the States this week. A new item on the list is improving school bus safety at railroad grade crossings. Although accidents involving school buses at grade crossings are rare, they have the potential to be catastrophic, according to NTSB Chairman Ellen Engleman Conners. There are more than 100,000 passive grade crossings in this country; that is, they are not protected by either automatic gates or lights that warn drivers when a train is coming.

Safety Recommendation H-01-38 proposes a five-element program for the States that includes, among its five suggested program elements, installation of stop signs at those crossings used by school buses and enhanced school bus driver training. Sixteen States have at least three program elements and are considered to have satisfied the Board's recommendation. You can check your state at [http://www.nts.gov/recs/mostwanted/bus\\_grade\\_crossing\\_chart.pdf](http://www.nts.gov/recs/mostwanted/bus_grade_crossing_chart.pdf)

Other items on the Ten Most Wanted list of interest to the school bus industry are:

Improve Child Occupant Protection. In the 10 years through 2003, more than 3,900 children between the ages of 4 and 8 who were motor vehicle passengers were killed in traffic crashes. About 87 percent of them were unrestrained or improperly strapped into adult- sized seat belts. Safety Recommendation H-96-14 calls for States to require children up through the age of 7 to be restrained in booster seats. Twenty four States have no booster seat requirement, while 18 States have laws that partially address the Board's concerns.

Promote Youth Highway Safety. Of the four recommendations in this area, two are of particular concern to us. Safety Recommendation H-02-30 asks States to impose restrictions on young drivers with provisional licenses limiting the number of teenagers they can have with them in the car to no more than one. The risk of crashes increases with each teenaged passenger; with three teenaged passengers, the risk of a fatal crash is three times what it would be for a 16-year-old driving alone, and five times more than an adult driver. Twenty five States have no passenger restrictions, while four States have limits of two or three teen passengers. Safety Recommendation H-02-32 calls for a three-stage graduated drivers license (GDL) program. Two States - Montana and Wyoming - do not have GDL and 11 have only partial programs.



## FMCSA Schedules Listening Sessions

The Federal Motor Carrier Safety Administration wants to hear from you. As part of the agency's Comprehensive Safety Analysis 2010 Initiative, it has scheduled a series of Public Listening Sessions to get input from the motor carrier industry on how it can improve the process of monitoring and assessing the safety of motor carriers, and how that information should be presented to the public.

Among the questions the agency hopes you will answer are:

1. How effective is the current compliance review process?
2. What alternative methods should they consider to determine carrier fitness and to address unsafe behaviors?
3. What should be the focus of the safety analysis-i.e., drivers, owners, other employees?
4. Should safety evaluations of motor carriers be presented to the public? If so, how?
5. How should safety be measured? Which data elements are best indicators of safe or unsafe operations?
6. How should FMCSA consider unique characteristics of the operation (e.g. school buses) when measuring safety?
7. What compliance and enforcement tools are most effective?

The sessions will be held from 9:00-4:00 at the following locations. There is no fee, but you need to register to attend. For online registration, go to [www.Acteva.com/go/FMCSA](http://www.Acteva.com/go/FMCSA).

- Sept. 28 Sheraton Atlanta
- Oct. 5 Hampton Inn, Dallas
- Oct. 12 Wyndham, Chicago
- Oct. 19 Marriott, Falls Church, VA
- Oct. 26 Sheraton Springfield, MA

## Committees to Meet in November

We invite you to join us in Cincinnati, OH on Wednesday, November 3rd at the Hilton Netherland Plaza Hotel.

NSTA committees will be meeting individually to discuss their roles in the [Strategic Plan](#), see what has been accomplished, and see what the next step is. All members are welcome to attend! Your feedback is what makes us successful.

To find out more about the NSTA Strategic Plan, go to the website at <http://www.yellowbuses.org/> and click on the "NSTA News" link.



### **NSTA Prepares for Midwinter Meeting in New Mexico**

The National School Transportation Association is starting to gear up for its midwinter meeting that will be held at the [Hyatt Regency Tamaya Resort](#) located northwest of Albuquerque, NM.

The resort is set on over 500 acres of protected land along the Rio Grande with spectacular views of the Sandia Mountains and the Bosque. The Hyatt Regency Tamaya Resort offers a fascinating glimpse into the culture and history of the Pueblo of Santa Ana and the Tamayame, the people of Santa Ana who made this place their home over 1,000 years ago. The Resort is 40 minutes south of Santa Fe and 20 minutes from Albuquerque.

The NSTA Midwinter Meeting will be held January 22-25, 2005. Registration information will be mailed out towards the end of September. Registration will also be available online.

NSTA has negotiated discounted room rates. Standard rooms are \$179 single or double occupancy per night. Plaza Pool rooms are an additional \$25 and Mountain View rooms are an additional \$40 per night. To make room reservations, call Hyatt's Worldwide Reservations at (800) 233-1234 or the property directly at (505) 867-1234 and ask for the NSTA room rate.

We hope you will attend this event and help us further implement the Strategic Plan, join in on committee meetings, and enjoy time away from the office with some fun and sun in the Southwest.

### ***Important Dates to Note...***

**November 3, 2004**  
NSTA Board & Committee Meetings  
Hilton Netherland Plaza  
Cincinnati, OH

**January 22 - 25, 2005**  
NSTA Mid-Winter Meeting  
Hyatt Tamaya Resort & Spa  
Santa Ana Pueblo, NM

**July 17, 2005**  
International Safety Competition  
Washington, DC

**July 17 - 20, 2005**  
41st Convention and Annual Meeting  
Renaissance Mayflower Hotel  
Washington, DC

**January 21 - 25, 2006**  
NSTA Mid-Winter Meeting  
The Ritz Carlton Kapalua  
Maui, Hawaii

**July 23-26, 2006**  
42nd Convention and Annual Meeting  
Harrah's  
Lake Tahoe, NV