



# NEWSLETTER

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This publication is a member service of  
**National School  
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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"

NSTA has partnered with the two other national associations and the three major school bus manufacturers to form the **American School Bus Council**, the new unified voice of the school transportation industry.

The Council's goal is to raise awareness of the essential role the yellow school bus plays in the education, safety, health, and security of America's schoolchildren among parents and lawmakers in an effort to increase both school bus ridership and federal support of school transportation.

To that end, ASBC has launched a major public relations campaign. One of its first activities was to respond to a recent report from the American Association of Pediatrics that school bus injuries have been underreported. NSTA members may have recognized Terry Thomas on the *Today Show* last week, explaining the safety features of a school bus.

A new Web site, [www.americanschoolbuscouncil.org](http://www.americanschoolbuscouncil.org), will serve as a resource for parents, school districts and legislators to stay updated with the latest information on the continuing initiatives to transport as many of our nation's schoolchildren as safely as possible. Features will include tips parents can review with

their children to stay smart and safe, frequently asked questions that concern community leaders, and a section for interacting with the Council. The Council's statement on the AAP report is posted on the website.

Members who have questions about the ASBC, or who would like to get involved in ASBC activities, can contact the NSTA office.



## Have You Registered for the 2007 Midwinter Meeting?

NSTA will hold its Midwinter Meeting from January 27<sup>th</sup> to January 31<sup>st</sup>, 2007 in Tucson, Arizona at Loews Ventana Canyon Resort.

Room rates for the Meeting are \$219 single or double occupancy.

The discounted rooms are limited and will be available until the block is sold out or until December 29, 2006 – whichever comes sooner. You can make your reservations by calling the resort at (520) 299-2020.

Registration applications and information are available on the NSTA website in the "Upcoming Events" section (see the link on the home page, too!)



## NTSB Adds School Bus Occupant Protection to Most Wanted List

Less than a week before the fatal Huntsville, Alabama, school bus crash, the National Transportation Safety Board released its *2006 Most Wanted Safety Improvements* list. New to the list this year is federal action to "Enhance Protection for School Bus Passengers."

In 1999, NTSB concluded that compartmentalization, because of its design, does not protect all passengers during lateral impacts with vehicles of large mass or during rollovers. The Board recommended that NHTSA develop standards for school bus occupant protection systems that will retain passengers, including those in child safety restraint systems, within the seating compartment throughout the accident sequence for all accident scenarios. Subsequently, NHTSA conducted research and testing that resulted in its report to Congress in 2002. At that time, the agency said that it planned to issue an NPRM for voluntarily installed belts on large school buses, higher seat backs, and a requirement for lap/shoulder belts on small school buses.

NHTSA has been slow to move on this rulemaking, and the Board has expressed frustration in their recent meetings at the lack of progress. Therefore, they took this beyond the recommendation stage and

added it to the Most Wanted list. Specifically, NTSB wants NHTSA to develop performance standards for school bus occupant protection systems that account for frontal impact collisions, side impact collisions, rear impact collisions, and rollovers; and once the standards are developed, to require that all newly manufactured school buses have those systems.

*Editor's Note:* It is very likely that NHTSA has moved this issue to a front burner following the Huntsville crash.



## NTSB Asks for Prohibition on Driver Cell Phones

On November 21, the National Transportation Safety Board adopted a report on a non-fatal motorcoach accident that occurred two years ago in Alexandria, Virginia.

The motor coach was taking high school students from Baltimore Washington International Airport to Mount Vernon, Virginia. The accident bus was the second of two traveling together. As the bus was traveling in the right lane of the George Washington Parkway, it passed signs warning of the 10-foot, 2-inch clearance for that lane and the 13-foot, 4-inch clearance for the left lane. The bus was 12 feet high.

The driver could have pulled into the left lane, but he continued in the right lane, driving under the bridge and colliding with the underside and side of the overpass. During the impact the bus's roof was

destroyed and 11 students were injured, one of them seriously.

The bus driver had been talking on a hands-free cell phone at the time of the accident, and he said that he saw neither the warning signs nor the bridge itself before the impact. Crash evidence indicated that he did not apply any brakes before impacting the bridge.

The Safety Board concluded that the driver's distraction resulting from his use of a hands-free cell phone caused the accident.

The use of a cellular telephone while driving can impair the performance of even a Commercial Drivers License holder, the Board said, "and these drivers have a special obligation to provide the safest driving environment possible for the passengers in their care."

As a result of their investigation, NTSB recommends that the Federal Motor Carrier Safety Administration and the 50 States and District of Columbia prohibit CDL holders with a passenger-carrying or school bus endorsement from using cell phones while driving those vehicles, except in emergencies.

The Board recognizes that regulatory change takes time, however, so they are also recommending that the bus associations, including NSTA, develop formal policies for their members containing the same proscriptions. NSTA has received official communication from NTSB, asking us to adopt such a policy and to report back within 90 days on our progress.

The NSTA Board of Directors will consider the issue at the January Board Meeting in Tucson.



## TSA Cautions Schools on Posting of Bus Schedules

The Transportation Security Administration passed along the following message:

Online bus schedules, while convenient, pose a significant risk of child abductions, accusations of negligence on behalf of school or district officials, and other unwanted scenarios.

Among other risks raised by online bus schedules, there are:

- The enabling of a non-custodial parent to illegally take custody of a child once they have easy access to the child's unsupervised whereabouts.
- The enabling of a sexual predator who can take advantage of the same situation. Also, the information would reduce the need for predators to target victims at schools where they are more likely to be noticed.
- The enabling of an act of terrorism or school assault. Online information could allow for multiple targets and optimal hostage situations.

Other than posting bus schedules online, they can be mailed directly to parents, picked up at school, or schedules online could simply be password protected.

## Ethics Changes Top Order of Business

House-Speaker designate Nancy Pelosi has said she plans to make ethics changes the House's "first order of business" when the Party takes control early next year.



The exact details have yet to be announced, but the ethics package the Democrats offered earlier in the year is expected to be a "good guide." That package included restrictions and disclosure requirements for lobbyists, a ban on lobbyist's gifts and travel, and extending the one-year "cooling off" period for Members and senior staff who become lobbyists.



## Lame Duck Session Continues Next Week

Both the House and Senate are set to return to a lame duck session next week.

The House is expected to only be in the week of December 4, while the Senate may be in a few days longer due to the Robert Gates nomination to serve as the new Secretary of Defense and other pending nominations.

Top of the list for both bodies is to resolve the outstanding appropriations bills. It appears as if efforts to reach agreements on the remaining 11 bills have not proven successful and yet another

Continuing Resolution will be in the offing, continuing current funding until February 15.

With respect to transportation funding, the guaranteed highway funding was set to increase on October 1 per SAFETEA-LU will not increase without a Fiscal Year 2007 enacted appropriations bill. Therefore, funding will remain at the Fiscal Year 2006 spending level.

Other legislation being considered for the short lame duck session includes a possible tax extender package and an off-shore drilling bill.



## The Braun Corporation

The Braun Corporation is the world's largest producer of automotive mobility products. The mission of The Braun Corporation is "providing access to the world." Braun provides a valuable service to wheelchair users, scooter users, and others who need extra help to get around.

By producing and supporting a wide range of automotive mobility products, Braun aims to fill the needs of customers with a broad spectrum of abilities and challenges.

For more information, contact Perry DeGroot at (574) 946-4139 ext. 3010 or by e-mail at [perry.degroot@braunlift.com](mailto:perry.degroot@braunlift.com)





## January Congressional Schedule

Incoming Senate Majority Leader Harry Reid (D-NV) stated this week that he intends to kick off the 110<sup>th</sup> Congress with an unusually long seven-week session, lasting from January 4 until February 16, when the Senate will take its first weeklong break, following President's Day.

This would be a departure from recent tradition when the Republican Congress would convene in early January to swear in Members, organize Committees and do general housekeeping before departing until the President's State of the Union address in late January.

House Speaker-designate Nancy Pelosi (D-CA) has not made any specific schedule promises, but has vowed to schedule longer workweeks when the Democrats take over in January.

In recent years Monday votes have been late in the day to allow for travel and Friday votes have been rare.

This may prove difficult to keep, however, as numerous Members of Congress are contemplating running for the presidency in 2008, further increasing the need for flexibility.

## Republicans to Clarify Rules on Committee Leadership Slots

Outgoing House Transportation and Infrastructure Committee Chairman Don Young (R-AK) has put aside his bid to become Ranking Member of the Committee to focus on gaining the top Republican slot on the Resources Committee.

Young, who has served the last six years as Transportation and Infrastructure Committee Chairman, is term-limited under a House Republican Conference rule, which limits Republicans to six consecutive years as Chairman or Ranking Member on a Committee.

Young was hopeful the rule would not preclude him from serving as Ranking Member despite his previous six years as Chairman.

The Conference is expected to resolve this issue during the lame duck session, but is expected to instill a strict interpretation and preclude Members such as Young from continuing to hold such senior positions.

Young is also next in line among Republicans on the Resources Committee, thus the ease in making the switch.

The rule is also expected to affect Judiciary Committee Chairman James Sensenbrenner (R-WI) and Small Business Committee Chairman Donald Manzullo (R-IL).



## House Appropriations Committee Considers Some Reorganization

Congressman David Obey (D-WI), the presumptive Chairman of the House Appropriations Committee is also expected to become the Chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies.

The Democratic leadership of the Subcommittees will not see much change next year, with most of the Ranking Members from the 109<sup>th</sup> Congress simply sliding into the Chairmanship slots.

The only known exception to this appears to be on the Homeland Security Committee, where a vacancy was left due to the retirement of Congressman Martin Sabo (D-MN). It is expected that Congressman David Price (D-NC) will assume this slot due to his seniority on the Subcommittee.

Obey is expected to make some minor adjustments to the jurisdiction of the 10 subcommittees. One of the subcommittees which may see changes is the Transportation, Treasury and Housing and Urban Development, the Judiciary, District of Columbia Subcommittee.

Obey is apparently considering separating the transportation portion from the housing and District of Columbia components. As currently structured, the Transportation Subcommittee is expected to be led by Congressman John Olver (D-MA).

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## Senate Environment and Public Works Subcommittees Reorganized

Incoming Senate Environment and Public Works Committee Chairman Barbara Boxer (D-CA) recently announced the reorganization of subcommittees and unveiled two new subcommittees.

The new subcommittees include: Subcommittee on Public Sector Solutions to Global Warming, Oversight, Children's Health Protection and Nuclear Safety and the Subcommittee on Transportation Safety, Infrastructure Safety and Water Quality.

The Public Sector Solutions Subcommittee will be led by Senator Boxer herself and will have jurisdiction over global warming, oversight, children's health protection, Nuclear Regulatory Commission (NRC) and the National Environmental Policy Act (NEPA).

The Transportation Safety Subcommittee will be led by Senator Frank Lautenberg (D-NJ) and will have jurisdiction over drinking water, chemical and waste water security, the Clean Water Act – including wetlands, Safe Drinking Water Act, Coastal Zone Management Act, Invasive Species, transportation safety and the outer continental shelf lands.

The other subcommittees will be renamed to: Subcommittee on Transportation and Infrastructure; Subcommittee

on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection; Subcommittee on Clean Air, Nuclear Plant Security and Community Development and Subcommittee on Superfund and Environmental Health.



## Future of No Child Left Behind Dependent Upon Additional Funding

In 2001 President Bush forged a strategic alliance with Senator Ted Kennedy (D-MA), the Ranking Member on the Senate Health, Education, Labor and Pensions Committee and Congressman George Miller (D-CA), the Ranking Member on the House Education and the Workforce Committee in order to secure passage of the No Child Left Behind legislation.

Kennedy and Miller, both set to take over the chairmanships of their respective Committees, however, are less than enthusiastic about the reauthorization of this legislation.

Both Members have been frustrated over their belief that the Administration and Congress have not given local schools all of the money they want to meet the performance standards established under the law.

Now that both Kennedy and Miller are set to become new Chairmen of their Committees in January, both seem to have decided to wait and see what funding levels are offered in the President's Fiscal Year 2008 budget, which will be sent to Congress in early February.

Safeguards were built into the bill in 2001 to prevent problems if it is not reauthorized prior to its September expiration.

If no such reauthorization is enacted, the law would automatically receive a one-year extension. If that isn't enough time, Congress could continue core elements of the law by simply appropriating money for its programs.

Given the 2008 presidential elections and the political climate surrounding this legislation, it is entirely possible that if little progress has been made by this summer, Congress could wait until after the 2008 elections to consider this reauthorization.



As private contractors, NSTA members provide safe, affordable, and efficient transportation for our nation's schoolchildren.

Many of us make corporate responsibility a core value of our businesses, too. This year, NSTA is launching an effort entitled *Contractors Care* to promote and encourage private school bus operators to make a positive difference in their communities and recognize those who contribute time and money to those in need.

Our first national event will be a partnership to build homes in New Orleans on January 16, 2007. We invite you to participate in this worthwhile project. We also would like to hear how your company gives back to the communities you serve. If you have a story to tell, please share it with us.