



NATIONAL ASSOCIATION OF
STATE DIRECTORS OF
PUPIL TRANSPORTATION SERVICES

POSITION PAPER

Safety Recalls Involving School Buses

Background:

Safety recalls of motor vehicles are fairly routine events. A recall occurs when a safety-related defect exists in the design, manufacture or performance of a component such that an unreasonable risk to motor vehicle safety exists. A safety recall also occurs when a motor vehicle or item of motor vehicle equipment does not comply with an applicable Federal Motor Vehicle Safety Standard (FMVSS). All types of motor vehicles and items of motor vehicle equipment are recalled. In 1999, there were 371 safety recalls involving 19.8 million motor vehicles with fewer than 36,000 school buses involved in 25 of those safety recalls. Potential safety-related defects and safety recalls involving school buses are taken very seriously because of the nature of the passengers transported on school buses – young children.

Under federal law, all safety-related recalls must be reported to the National Highway Traffic Safety Administration (NHTSA) so the agency can assure that vehicle owners are properly notified and that the proposed remedy is effective in eliminating the safety-related defect or correcting the non-compliance with a FMVSS. Manufacturers of motor vehicles or items of motor vehicle equipment initiate some safety-related recalls. Others are initiated as a result of a safety defect or non-compliance investigation by NHTSA.

Often times a component that is used on various types of motor vehicles has a safety-related defect. In such instances, all of those vehicles generally will be included in the safety recall. However, there are instances where only the school buses are recalled because the school bus manufacturers and NHTSA seek the highest levels of safety in school buses – primarily because of the child passengers. For example, several years ago when a safety problem occurred with the drive shafts on various types of trucks and school buses, only the school buses were recalled. The logic was simple – while a broken drive shaft may be a problem for the driver of a truck, a school bus that broke a drive shaft in traffic with 50 or more children onboard presented a serious safety concern.

While all safety recalls are important, and the vehicles or items of motor vehicle equipment involved need to be fixed according to the safety recall, some safety defects or non-compliance with a FMVSS present a more serious risk than others do. If a school bus recall involved a safety problem that presented an imminent risk, then the school bus manufacturer or NHTSA would order that the buses be taken “out-of-service” until repaired. Historically, that has been a very rare event

Most safety recalls involve a safety-related defect, or a non-compliance with a FMVSS, that needs to be remedied, but not at the expense of taking the motor vehicles involved “out-of-service.” The federal law governing safety recalls provides for an 18-month time frame for manufacturers to notify owners of the safety defect or non-compliance and fix the vehicles under the safety recall. During this period, manufacturers are required to submit detailed reports to NHTSA on the number of owners notified of the recall and the number of vehicles remedied under the recall. The agency uses that information, and information from consumers, to ensure that the recall is conducted in accordance with federal requirements and that the recall remedy is effective.

It is important that all motor vehicles included in safety recalls be remedied in accordance with the recall. Unfortunately, it is sometimes difficult to locate and inform all vehicle owners of the safety recalls. As discussed further below, this is particularly true for school buses.

Discussion:

By every measure, school buses are the safest form of motor vehicle travel in the United States. Unless a school bus is taken “out-of-service” by a safety recall, the school bus is still the safest way for children to get to and from school and school-related activities. It would be an error in judgment for parents to take their children off a school bus just because it was involved in a safety recall. Children that go to and from school in passenger motor vehicles are exposed to significantly higher safety risks. According to the most recent NHTSA data, children in school buses are more than 100 times safer than children going to and from school in passenger motor vehicles.

The pupil transportation industry is made up of thousands of people who have the safety of children as their highest priority. Most are parents, also, and have their own children or even grandchildren riding in school buses. If there were an imminent safety risk associated with the continued operation of a school bus, the pupil transportation industry would be at the forefront to insure the vehicles were not used until the safety problem was corrected.

Because both public and private carriers own school buses, there are no readily available lists that provide the name/address of the person(s) responsible for each individual school bus operating in the United States. Therefore, when a safety recall is initiated, it is often difficult for a manufacturer to send recall notification letters to persons that can locate the appropriate school buses that need to have recall work performed. In addition to sending owner notification letters to the known purchasers of the school buses, various supplementary techniques are employed to ensure safety recalls of school buses are completed. One of these involves a multi-tiered notification system, starting with the State Director of Pupil Transportation, or equivalent position, in each State.

While it takes additional time and effort to make sure the information about safety-related recalls is disseminated, and that the recall remedy has been completed on all school buses, the additional time and effort is well spent.

Conclusions:

The National Association of State Directors of Pupil Transportation Services believes that it should do whatever it can to assist in ensuring that school buses that have been recalled for a safety-related defect, or non-compliance with a FMVSS, are remedied in accordance with the safety recall. Accordingly, whenever the State Directors Association receives notification of a safety-related recall from either a manufacturer or NHTSA, an article will be published in the association's newsletter. Recalls will be listed by manufacturer and will include a detailed description of the vehicles involved in the recall, the safety-related problem and potential consequences, and the manufacturer's recall identification number.

The State Directors Association encourages each State Director, or equivalent position, to provide this recall information to each school jurisdiction in his/her state by some reasonable and feasible manner. Additionally, each State Director, or equivalent position, is encouraged to notify the organization in his/her state that conducts the school bus inspections and specify that the safety-related recall remedy be included as one of the items inspected the next time the school bus is scheduled for inspection.

The State Directors Association will work with the media to help inform the public of the "facts" involved in each safety recall involving school buses. When necessary, the State Directors Association will provide information to the School Bus Information Council for use on its web site as a means of informing the media and the public about safety recalls and the overall safety of school buses.

It is noted that manufacturers also conduct recalls of school buses for problems that have no potential safety consequences. Such recalls do not have to be reported to NHTSA. The State Directors Association believes State Directors, or equivalent positions, should use their own judgment about notifying school jurisdictions of a non-safety recall.

The State Directors Association will work with NHTSA to ensure that any information developed by the agency concerning school bus safety recalls, such as NHTSA's "School Bus Safety Assurance Program: Recall Listing," is disseminated to each State Director or equivalent position. Upon request, the State Directors Association will provide assistance to NHTSA in fulfilling its responsibility to monitor the status of school bus safety recalls.