



New York School Bus Contractors Association

Testimony for the Legislative Public Hearing on the Proposal to Mandate Ignition Interlock Devices on School Buses in New York State

*School Bus Safety: smart solutions for today's
complex school transportation systems*

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Good morning and thank you for inviting the New York School Bus Contractors Association to speak at today's public hearing on the proposal to mandate ignition interlock devices on school buses in New York...

...My name is Paul Quinn Mori and I am a Board Member of the New York School Bus Contractors Association and a Senior Manager at Huntington Coach, where I've worked for 32 years.

I am here today representing the New York School Bus Contractors Association. We are an organization of over 200 private pupil transportation companies with more than thirty-five thousand employees -- operating over 28,000 school buses across New York State. New York school bus contractors provide pupil transportation services for over one-million children every day or more than half of all students riding a yellow school bus to school in New York.

Given the focus of today's public hearing, I believe it is important for me to highlight my experience as a school bus safety professional. In addition to being a School Bus Operator or Contractor, I am also a Master School Bus Driving Instructor, Certified Safety Examiner, Defensive Driving Instructor and First Responder.

As I begin my remarks it goes without saying that providing our school children with the safest mode of transportation to and from school is the single most important thing we as school bus transportation professionals do every day. We take our responsibility seriously and truly love what we do.

School Bus Safety

We are here today because a very small number of irresponsible school bus drivers chose to put children in harm's way by operating a school bus while under the influence of alcohol.

While we cannot dismiss the severity of this egregious behavior, we also must not dismiss the sensibility of ensuring our public policy reaction is rational and judicious.

New York State is a leader in school bus and school bus driver safety. With approximately 50,000 school buses on the road in New York State, more than any other state in the country, there has never been a documented fatality of a school bus occupant attributed to a drug or alcohol offense.

School buses are, by far, the safest way for a child to get to and from school in New York -- statistically almost 40 times safer than riding in a car.

The US Department of Transportation has documented the fact that school buses continue to be the safest mode of transportation in the country for transporting children to and from school.

Nationwide over the last ten-years, there have only been 37 incidents of school bus drivers operating a bus under the influence, and while there have been some high profile incidents in

New York of late, it's important to look at them in the context of the nearly half-a-million school bus drivers on the road each day.

While we believe any case of an intoxicated bus driver is unacceptable, overall school districts and contractors are all doing a phenomenal job at transporting more than 2-million students to and from school every day.

We present these safety statistics to illustrate that school buses continue to be the safest mode of transportation for school children in the country and to illustrate why we believe that mandating ignition interlock devices on every school bus in New York is clearly not a rational response to these isolated events.

Interlock Ignition Flaws

As I turn to today's topic of ignition interlock devices, it goes without saying that there are a number of problems and concerns surrounding the idea of mandating the installation of ignition interlock devices on school busses.

Mandating ignition interlocks as way to monitor innocent drivers would be unprecedented. Currently, interlock devices are only used after a criminal conviction. This would be the first time an entire work force would be required to prove sobriety before going out on the road.

The "guilty until proven innocent" approach is generally not the best way to motivate, recruit, or retain good school bus drivers. We are, after all, talking about school bus drivers, statistically the safest and most conscientious drivers on the roads today. Mandating ignition interlocks would be like making every citizen in the state wear an ankle monitor – regardless of guilt.

There are serious concerns regarding the safety of and logic behind mandating ignition interlock systems on school buses. I would like to share with you just a few of the many concerns that we have as an association.

- First, school buses would not start until the interlock device is engaged. It would have to be engaged and re-engaged every time a school bus is started and re-started. Strict idling laws in New York State means school bus drivers would constantly be blowing into the interlock systems throughout the day -- creating a significant distraction for the driver.
- The device must be maintained and calibrated regularly for it to work consistently. Any false positives or other problems with the device would lead to significant employee and transportation management issues.
- Photographic and or Fingerprint data is required. This could be extremely problematic in the not-so unusual situations where drivers use different buses during the day.

- To be effective, these devices also require activation from a driver while the vehicle is running. While the vehicle will not stop moving during this process, warnings lights and horns are usually activated. These are things that could be alarming, create major distractions for the driver, and ultimately be very dangerous for students riding the bus.
- And make sure you don't rinse with Listerine before you drive your school bus, because this could trigger the interlock device. Any false positives or device glitches could cause transportation service delays for parents, schools, and children.
- If the ignition interlock is not serviced within a predetermined schedule, the school bus will be rendered inoperable – this alone will be a very severe and expensive item to add to the service schedule each month.
- Finally, there's the cost, installation typically costs between \$100 – \$200 with a monthly rental fee of somewhere between \$75 and \$100 per device. Add in the cost of regular maintenance, calibration, training, and additional staffing and the costs become astronomical. Extrapolate these costs over 50,000 school buses and the increase in costs to school districts and taxpayers could be over 100-million-dollars in the first year alone with recurring costs to school districts and taxpayers of more than 60-million-dollars a year.

Smarter solutions

As champions of school bus safety, we believe there are better solutions that will make school buses even safer and help prevent the very rare incident of an intoxicated or impaired school bus driver.

First, we believe increasing and expanding random drug and alcohol testing for School Bus drivers is a good place to start. An obvious flaw with the Ignition Interlocks is that they only test for alcohol, not other drugs.

While many contractors already subject all of their drivers to random testing, under current law drug and alcohol testing for school bus drivers only applies to certain license holders, and some drivers are actually excluded from the testing pool. We'd like to see New York State require testing of all drivers of all school vehicles.

This would include expanding the state's legal definition of "School Bus" to include all school vehicles, including nursery school and daycare vehicles. In addition, mechanics, driver attendants, monitors, and dispatchers should also be tested at the same rate as other more safety sensitive employees.

One of the most glaring school bus safety gaps in New York State law is the lack of a requirement that drivers of school buses with 14 or fewer passengers are not subjected to drug

and alcohol testing – the state could easily fix this problem.

New York should follow the Federal minimum of 50-percent random drug testing, and increase random alcohol testing to at least 25-percent, up from the 10-percent which is currently required.

Additional Employee and Management education programs should be implemented along with increasing the training for supervisors in drug and alcohol use recognition. There are also laws on the books that require the “direct observation” of a school bus driver, a law that needs to be better enforced throughout the industry.

New York State Department of Motor Vehicles should begin keeping a registry of drivers who have been disqualified from work due to failed or refusing to take drug or alcohol tests. In addition, expanding driving records to show alcohol or drug convictions. Current driver abstracts only show alcohol violations for the past ten years, unless the violation included an accident with injuries involved.

Expanding these lists would help in identifying potentially dangerous drivers before they are hired and hit the road.

The New York School Bus Contractors Association also favors increasing penalties for drivers convicted of operating a school bus under the influence.

Closing and Thank You

We realize that even one DWI or incident of driving under the influence of alcohol among school bus drivers is one too many, but again, now is the time to be rational and judicious in our approach.

There are a number of smart improvements that can be made to our current laws to keep our school buses as safe as possible; all of which will be more effective than mandating expensive and untested ignition interlock devices

The New York School Bus Contractors Association remains committed to making sure New York’s school children are provided the safest, most reliable school transportation services in the country.

We look forward to working with the legislature to make sure school bus travel remains the safest mode of transportation for a child going to and from school.

Thank You and I will take any questions you may have at this time.