

HB 85

SENATE FINANCE COMMITTEE REPORT

DATE: 5/14/91

FURTHER:

DATE TURNED INTO OFFICE: 5-16-91

The Finance Committee considered CS FOR HOUSE BILL NO. 85 (FINANCE)

"An Act relating to lighting equipment required on a school bus; and providing for an effective date."

and recommended:

replace with _____ CS
 or adopt SCS CSHB 85 (Trans)
 attached amendment(s)
 _____ letter of intent adopted

same title
 new title
 technical title change (HB only)

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):
Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:
Dept/Date:

fiscal note(s) _____
DOE 2/21/91 \$173.7

zero fiscal note(s) _____

SIGNING DO PASS:

Al Adams
Gregory Hoffman
John Kelly
Pat Sanchez
1. Pat Sanchez do pass

OTHER RECOMMENDATIONS:

Dick Staley Do Pass
Do Pass
2. Do Pass

Co-Chairs: Signatures and Recommendations

FISCAL NOTE

No. 2

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Bill Version: CSHB 85(FIN)
(H) Publish Date: 4/8/91

Revision Date: 2/21/91 Department Affected: Education
Title: Equipment required on a school bus BRU: K-12 Support
Component: Pupil Transportation

Sponsor: Navarre
Requestor: House Transportation COMPONENT SERIAL NO.

	1	4	3
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	173.7	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	173.7	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME			
PART-TIME			
TEMPORARY			

Changes in Senate CSHB 85(Trans) have no fiscal impact. This fiscal note is appropriate.

5/2/91 date AMM Comite Aide (initial)

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared By: Romayne Kareen Phone: 465-2865
Division: Education Finance & Support Date: 2/21/91

Approved by Commissioner: Steve Hole, Acting Commissioner
Agency: Education Date: 2/21/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

This fiscal note is updated to reflect revised estimates provided to the department by school districts for the number of Stop Arm Strobes needed under HB85.

Roof Mount Strobes:
630 buses X \$175 = \$110,250

Stop Arm Strobes:
423 buses X \$150 = \$63,450

Total estimated FY92 cost: \$173,700

COMMITTEE COPY

SENATE CS FOR CS FOR HOUSE BILL NO. 85 (TRANSPORTATION)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE TRANSPORTATION COMMITTEE

Offered: 5/3/91
Referred: HES, Finance

Sponsor(s): REPRESENTATIVES NAVARRE, G.Phillips, B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to lighting equipment required on a school bus; and providing for an
2 effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 28.05.104(b) is amended to read:

5 (b) The Department of Education, in coordination with the Department of Public Safety,
6 shall

7 (1) establish equipment requirements for each type of school bus that is used to
8 transport school children to or from a public school; equipment requirements must include two
9 red strobe lights with alternating flashes attached to the stop arm, a white strobe light
10 attached to the roof of the school bus and not more than six feet from the rear of the school
11 bus, interior flammability standards, number and location of emergency exits, seat-back height
12 and padding requirements, and seat belt standards;

13 (2) at least twice each calendar year, inspect each school bus for compliance with
14 this subsection; and

1 (3) maintain a record of each accident involving a school bus or other vehicle
2 transporting school children that is owned, leased, or provided under contract to a school district
3 or regional educational attendance area; the record must include the date of the accident, a list
4 of persons injured, whether the person's injury occurred within the school bus, and each type of
5 injury.

6 * **Sec. 2. SCHOOL BUS RENOVATION.** (a) The Department of Education shall reimburse each
7 school district for the initial cost incurred by each school district between January 1, 1991, and
8 November 1, 1991, of obtaining and installing stop arm strobe lights and roof strobe lights required by
9 AS 28.05.104(b), as amended in sec. 1 of this Act. Reimbursement may not exceed \$150 for each stop
10 arm renovation, \$175 for each roof renovation, and shall be subject to approval by the Department of
11 Education.

12 (b) The requirement contained in AS 28.05.104(b), as amended in sec. 1 of this Act, that a white
13 strobe light attached to the roof of the school bus must be not more than six feet from the rear of the
14 school bus, does not apply to a school bus that has a white strobe light already attached to the roof of
15 the school bus on November 1, 1991.

16 * **Sec. 3.** This Act takes effect November 1, 1991.

ALASKA STATE LEGISLATURE
REPRESENTATIVE MIKE NAVARRE

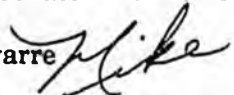
Co-Chair
House Finance Committee
P.O. Box V
Juneau, Alaska 99811
(907) 465-3779

SPONSOR STATEMENT

May 14, 1991

TO: Senator Pat Pourchot, Co-Chair, Senate Finance Committee
Senator Kertulla, Co-Chair, Senate Finance Committee

FROM: Representative Mike Navarre



SUBJECT: House Bill 85, "An Act relating to lighting equipment on a school bus; and providing for an effective date."

.....

House Bill 85 addresses a long overdue safety issue involving school buses. This legislation will mandate the installation of two flashing red lights on the stop arm and a white strobe at least six feet from the rear of the bus. The visibility afforded by these equipment additions will without question offer a greater measure of safety for the school children of Alaska.

HB 85 provides funding for the initial retrofitting of the required safety lights. The Department of Education will require proper documentation from the school districts for reimbursement. Minimum standards for safety lighting will be adopted by the Department of Education. Deadline for completion of the installation of the safety strobes/lights would be November 1, 1991. All school bus contracts after November 1, 1991 will require contractors to supply buses equipped with the proper safety lighting. In conversations with some of the larger districts this deadline appears to be workable.

The number of buses in Alaska is approximately 940. Some districts have part of the required equipment and some districts have none of the safety lights. The fiscal note is \$ 173,700.00.

The House Finance Committee amended HB 85 to remove the word **strobes** on line 9 after the word flashing. This amendment would allow either lights or strobes on the stop arm. White strobes will be the standard on the roofs of school buses.

The House of Representatives passed HB 85 37-0, on April 19, 1991.

The Senate Transportation Committee amended HB 85 to insert the word strobe (in reference to stop arm) on line 9 preceding the word lights. This amendment returns strength to HB 85, because red flashing lights on the stop arm are the current minimum for school buses, with the addition of strobes to the stop arm the minimum bus lighting standard will provide a greater margin of safety and visibility.

The Senate HESS Committee passed HB 85 out of committee with individual recommendations, on May 14, 1991. There were no changes made in the legislation.

Letters of support are available upon request. There are no known opponents to providing school students with a safer means of travel to school.

DISTRICT 5
Contact person: Tom Ackley at 37794 Capitol Building, Juneau, Alaska 99869 • (907) 262-7842



FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

P.O. Box 71250 Fairbanks, Alaska 99707-1250 (907) 452-2000

February 1, 1991

Representative Navarre
PO Box V
Juneau, Alaska 99811

Dear Representative Navarre:

I would like to take this opportunity to offer my support for your efforts, through House Bill 85, to require strobe lights on school buses.

I am currently the transportation coordinator for the FNSB School District, a position I have held for the past 10 years. I have also been a member of the Alaska delegation to the 1985 and 1990 Conferences on National Minimum Standards for school buses. In addition, I participated in the development of the Alaska School Bus Driver Training Program and the Alaska Enhanced School Bus Inspection Program.

One of the major ways to protect the school bus and its passengers is to ensure that other motorists are aware of its presence. A "safety cushion" around a school bus is created by the unique color and lighting equipment that are part of existing school bus standards. This allows the motorists on the road the opportunity to take extra precautions, knowing that school children are nearby. Strobe lights, in the stop arm and on the roof, increase the effectiveness of this "safety cushion".

We have used white strobe lights on the tops of our school buses in Fairbanks for at least 15 years. (They have been on so long that no one remembers when they were first required.) They are particularly effective in the difficult conditions of darkness, snow, and ice fog in which we operate in Fairbanks. Under adverse conditions drivers are aware of the strobe long before seeing the actual bus itself. This can be a critical safety feature when visibility is reduced to less than 50 feet.

The best measure of the usefulness of strobes that I can offer is the public awareness their presence. The strobes are so much a part of school busing in Fairbanks that monitoring for compliance is not necessary. The public is so accustomed to seeing strobes on our buses that my office receives complaints when a bus

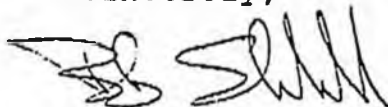
is running around without a strobe.

We have no direct experience with strobe in the stop paddles in Fairbanks. However, they were tested as part of a pilot project of the Alaska School Bus Safety Committee, and proved effective there as well. I have observed them on buses in the Kenai Peninsula area and found the strobes to be a great improvement over standard paddle lights.

Your efforts to increase the "safety cushion" around our school buses through the mandatory use of strobes is supported throughout the pupil transportation industry. The significant increase in safety certainly warrants the small additional cost to the price of an entire school bus. Your efforts to retrofit the existing buses in the state will create an immediate impact for a relatively low cost. Such an approach is far superior to a slow phase-in on new buses. In addition to the several year delay in equipping all buses in the state, the effort to raise public awareness would be diminished by the lack of standardized equipment between buses.

Thank you for your support of safe, effective pupil transportation. Do not hesitate to contact me if I can be of any assistance to your efforts.

Sincerely,



Bob Shefchik
Transportation Coordinator



ANCHORAGE
SCHOOL DISTRICT

Pupil Transportation

3580 East Tudor Road

Anchorage, Alaska 99507

Area Code 907 — 563-3022

FAX 907-562-3957

February 4, 1991

Representative Mike Navarre
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811
FAX 465-2278

Dear Representative Navarre,

The Anchorage School District believes that the addition of red strobe lights to the stop arm and white strobe lights to the roof of school buses will enhance school bus safety. All buses in our District, as well as Contracted bus fleets, have been equipped with red strobe lights on the stop arm since September 1989. The addition of these strobe lights has significantly reduced the number of motorists who pass stopped school buses. We also feel that the addition of roof mounted white strobe lights will further increase the visibility of school buses and increase the awareness of the presence of school buses with the general motoring public. Approximately 60% of the fleet have already been equipped with roof mounted strobe lights. The District made roof mounted strobe lights mandatory in our current transportation contracts. After the buses were delivered and began operating the Anchorage Police Department notified me that these lights were illegal and school bus drivers using the lights would be issued citations (see attached letter).

The Anchorage School District would support passage of House Bill 95 if the bill not only mandates installation of white roof mounted strobe lights, but also addresses use of the lights. I would also like to see an exception made on the location of the lights that are already installed. The Anchorage School District has almost fifty buses that have strobe lights mounted in the center of the roof.

Thank you for the interest that you have shown in school bus safety issues. If you need any additional information feel free to contact me at 563-3022.

Sincerely,

Steven Kalms
Director of Transportation Services



ALASKA SCHOOL BUS SAFETY COMMITTEE

February 5, 1991

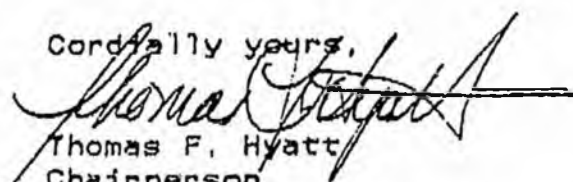
Representative Mike Navarre
P.O. Box V, Room 515
Juneau, AK 99811

Dear Sir:

The Alaska School Bus Safety Committee strongly supports House Bill 85, an act requiring school bus stop arms with alternating red strobe lights and a roof mounted white strobe light. The Safety Committee has researched and evaluated aspects of both strobe light systems and found them very effective in the visibility enhancement of school buses during Alaska's inclement weather. Alaska's unique and varied weather conditions severely limit visibility of school buses during their most vulnerable period, the loading and unloading of students.

It is also imperative that the Legislature supply the funding for these projects. Currently, school districts throughout the State are having their pupil transportation reimbursement funds prorated by the Department of Education due to funding short falls. The proposed budget by the Governor suggests further reductions in pupil transportation reimbursement funds. Additionally, school bus operators throughout the State are suffering the effects of extraordinary high fuel costs with no relief from these expenses. It would be unfair to ask either the Districts or Bus Operators to shoulder the expense for these items.

Cordially yours,


Thomas F. Hyatt
Chairperson

TFH/ec



ASTA

Alaska School Transportation
Association

Box 952

Delta Junction, Alaska

February 7, 1991

Representative Mike Navarre
Pouch V (MS 3100)
Juneau, Alaska 99811

RE: HB 85

Dear Representative Navarre:

I regret that I was unable to participate in this morning's scheduled teleconference regarding House Bill 85: "An Act relating to equipment required on a school bus..."

The matter of a statewide requirement for red strobe lights on stop arms and white strobe lights on the roof of buses has not been brought before the membership of this organization. While most would agree that these items provide increased visibility in some areas (such as Fairbanks), one wonders if the requirement is necessary in all areas? Not all areas of the state experience ice fog conditions.

Other vehicles (such as DOT road maintenance equipment and fuel tankers) use the white strobe lights, so their use will not automatically tell motorists there's a school bus in the vicinity.

Retrofitting all buses will certainly be a challenge -- school buses are already electrical and wiring "nightmares". This is not to say it would be impossible.

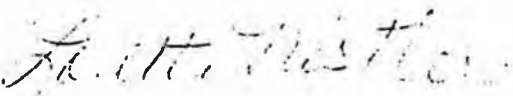
At any rate, if the requirements added to AS 28.05.104(b) (1) are to become law, then most definitely the fiscal appropriation in Sec. 2 is imperative!

If the Legislature adds these requirements, the state must be prepared to pay for same. School districts and school transportation contractors are already working with severe budget constraints due to reductions in funding and fuel costs which have sky-rocketed since the onset of the Persian Gulf crisis last fall.

It would be unreasonable to expect districts and contractors to bear the costs of retrofitting without reimbursement by the state. And I doubt that even the amounts noted in Sec. 2 will be adequate to cover all the costs of parts and installation labor. (There will also be additional maintenance expenses for these items.)

We will appreciate you keeping our association informed of developments as HB 85 proceeds through committees. If we can provide further suggestions or input, please let us know.

Cordially,



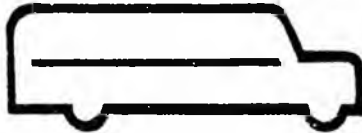
Loretta Mistler
Vice-president

cc: House Committees on Transportation; Health, Education and Social Services;
Finance

Sen. Dick Shultz; Rep. Johnny Gonzales

Romana Kanoo, Pupil Trans. DOE

ALASKA MOTOR COACHES, Inc.



P.O.Box 952, Delta Junction, Alaska 99737

Telephone (907) 895-4550

February 15, 1991

Representative Mike Navarre
P. O. Box V
Juneau, Alaska 99811

Dear Representative Navarre:

I am sending this very quick response to your February 11 reply, which I just received. A more detailed response will follow next week but I'm due in Fairbanks in a couple of hours and must get on the road.

I am disappointed that you attempt to read more into and out of the letter I sent as ASTA vice-president than was contained in the letter! I am most certainly interested in school bus safety and the safety of the children we transport.

I have devoted countless hours to this very purpose -- all volunteer time, with no reimbursement from anyone for my expenses incurred.

You are construing my letter to suit your own purposes.

Until later,

Loretta Nistler

Specializing in Safe, Dependable School Transportation Since 1956

At the End of the Alaska Highway



ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET • ANCHORAGE, ALASKA 99507-1599
TELEPHONE (907) 786-8500



TOM FINK
MAYOR

Steve Kalmes
Director of Transportation Services
3580 E. Tudor
Anchorage, Alaska
99507

August 4, 1988

Dear Director Kalmes,

You recently made an inquiry of Sergeant Greg Stewart regarding the use of a white strobe light on top of school buses.

A review of Anchorage Municipal Code of Ordinances title 9.44.210 (C) relating to vehicular hazard warning signals states that a dual lateral lighting system facing the front and rear of a bus is allowed.

The front lamps may flash simultaneously a white or amber light, or any color between white and amber. The rear lamps may only show simultaneously flashing amber or red light.

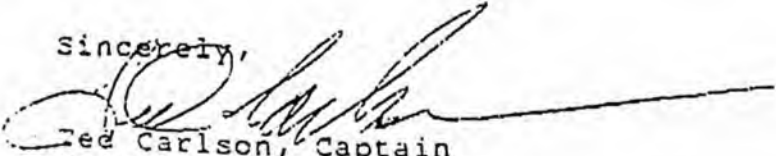
Municipal Prosecutor Jim Wolf interprets the lighting equipment ordinances of title 9 to mean that no white light may be displayed to the rear of any vehicle, regardless of the mounted position.

A review of the State of Alaska statutes indicates a similar finding.

School buses equipped with the roof mounted white strobe lighting system should be modified with an amber lens or removed completely. Any buses with a white strobe light activated to the rear may receive a traffic citation if observed by an officer.

If you have additional questions or comments please don't hesitate to contact sergeant Greg Stewart at 786-1703.

Sincerely,


Ted Carlson, Captain
Uniform Field Services



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

February 1, 1991

Rep. Mike Navarre
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Rep. Navarre:

NEA-Alaska appreciates and supports your desire to improve school bus safety. It is very important that the safety of our children remain paramount and your legislation appears to meet those needs. If we can be of any assistance please let us know.

Sincerely,

Don Oberg
President

Tom

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street • Soldotna, AK 99669 • Phone 907/262-5846 • Fax 907 262-1882

FEBRUARY 1, 1991

Representative Mike Navarre
Box V
Juneau, AK 99811

Dear Representative Navarre:

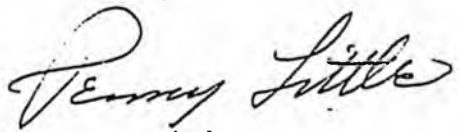
The Kenai Peninsula Borough School District supports the introduction of HB 85, making stop arm strobes and white strobes on the roof of the bus part of the standard bus equipment in our state. We feel both lights enhance the safety of student riders.

Our district has used the stop arm strobe for the past three years and because it has proven effective, it was specified as an equipment requirement in our current bus contracts. Other districts in the state are using the white roof strobe and it has proven effective.

We would request that the bill provide districts and contractors with reimbursement for the initial equipment expenses. It appears that DOE will be lacking in funds to reimburse school districts for school bus transportation next year and we would not want to see an additional expense to that fund that would reduce transportation reimbursement even further.

If I can be of further assistance, please let me know.

Sincerely,


Penny Little
Transportation Coordinator