

Board of Education Agenda Item

Item: H.

Date: September 27, 2006

Topic: First Review of a Request from Fairfax County Public Schools for a Pilot Program Using Additional Warning Lights on School Buses

Presenter: Dr. Billy K. Cannaday, Jr., Superintendent of Public Instruction

Telephone Number: (804) 225-2023 E-Mail Address: _____

Origin:

Topic presented for information only (no board action required)

Board review required by
 State or federal law or regulation
 Board of Education regulation
 Other: _____

Action requested at this meeting Action requested at future meeting: _____ (date)

Previous Review/Action:

No previous board review/action

Previous review/action
date May 2006
action Board requested additional information on this topic and presentation of this item

Background Information:

At its May 2006 meeting, the new specifications for Virginia's school buses were presented to the Board of Education for first review. During the presentation of that item, the Board discussed a request from Fairfax County Public Schools for approval of a pilot program to place additional warning lights on the front sides of school buses.

The purpose of these lights would be to serve as additional warning lights to signal that the school bus is about to stop to load or unload students or is stopped and is in the process of loading or unloading students. Fairfax submitted this request because they believe the additional warning lights will improve recognition of the actions being taken by school buses, especially at intersections, and will ultimately reduce the number of motorists that pass stopped school buses, thus improving student safety.

Staff explained that, after researching this request and after consulting with the Office of the Attorney General, this request needed to be approved by the Board of Education rather than by the Department of Education. Section 46.2 – 1090, *Code of Virginia*, states:

“§ 46.2-1090. Warning devices on school buses; other buses; use thereof; penalties.

Every bus used for the principal purpose of transporting school children shall be equipped with a warning device of such type as may be prescribed by the State Board of Education after consultation with the Superintendent of State Police. Such a warning device shall indicate when such bus is either (i) stopped or about to stop to take on or discharge children, the elderly, or mentally or physically handicapped persons or (ii) stopped or about to stop for another such bus, when approaching from any direction, that is stopped or about to stop to take on or discharge any such persons. Such warning device shall be used and in operation for at least 100 feet before any proposed stop of such bus if the lawful speed limit is less than thirty-five miles per hour, and for at least 200 feet before any proposed stop of such bus if the lawful speed limit is thirty-five miles per hour or more.

Failure of a warning device to function on any school bus shall not relieve any person operating a motor vehicle from his duty to stop as provided in §§ [46.2-844](#) and [46.2-859](#).

Any person operating such bus who fails or refuses to equip such vehicle being driven by him with such equipment, or who fails to use such warning devices in the operation of such vehicle shall be guilty of a Class 3 misdemeanor.

Transit buses used to transport school children in the City of Hampton may be equipped with an advisory sign that extends from the left side of the bus and displays the words: "CAUTION-STUDENTS." Such sign may be equipped with not more than two warning lights of a type approved for use by the Superintendent of State Police.”

Staff further explained that the request had been discussed with the specifications committee and a representative of the state police. Initial reactions from both entities did not support Fairfax’s request. As a result, the additional lights were not included in the new school bus specifications that were presented to the Board.

Upon hearing this information, the Board requested that staff revisit the issue to determine if there was a way to honor Fairfax’s request to improve school bus safety and to address the concerns of the affected parties and to request their support.

Summary of Major Elements

Department staff met with representatives of the school bus dealers in Virginia and the specifications committee. The Board President, the Superintendent of Public Instruction, and the Assistant Superintendent for Finance met with the Superintendent of State Police and his staff to discuss this issue.

In summary, the school bus specifications committee and the school bus dealers concluded that warning lights could be added to school buses at an estimated cost of between \$500 and \$700 per bus, including labor and installation costs of the dealer. These costs could be lower if the lights were installed by the

school division school bus staff.

The Superintendent of State Police indicated that he would support the approval of a pilot in Fairfax County Schools as well as other school divisions so long as the lights meet Federal Motor Vehicle Safety Standards (FMVSS), Society of Automotive Engineers (SAE) Standards, or are of a type that is approved by the Department of the State Police. The Superintendent of State Police also suggested that the participants in the pilot program be required to collect information about the effectiveness of the additional lights and that this information be reported to the Department of Education to determine if the lights should be required on all school buses in the future.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education waive first review and approve the request from Fairfax County Public Schools to initiate a pilot program to place additional warning lights on the front sides of selected school buses provided that:

1. these lights are used to signal that a school bus is about to stop to load or unload students or is stopped and is in the process of loading or unloading students and that they work in conjunction with the existing warning light system;
2. these lights meet Federal Motor Vehicle Safety Standards (FMVSS), Society of Automotive Engineers (SAE) Standards, or are of a type that is approved by the Department of the State Police;
3. Fairfax County pays all costs associated with the pilot; and,
4. Fairfax County provides a report to the Department of Education no later than June 30, 2007, of the effectiveness of these additional warning lights and the pilot program overall, the cost to purchase and install these lights, and any other information that may be needed to determine if additional warning lights should be required on all school buses in the future.

Finally, the Superintendent of Public Instruction further recommends that the Board of Education authorize him to approve participation in this pilot program by additional school divisions that agree to meet the above stated requirements.

Impact on Resources:

There is no impact to state resources to implement this pilot program.

Timetable for Further Review/Action:

No additional review or action is needed.