



International Brotherhood of Teamsters

**Testimony before the
Committee on Transportation and Infrastructure
Subcommittee on Highways and Transit**

U.S. House of Representatives

**Testimony of Matt Condon
Teamsters Local 384**

On

**“Examining the Federal Role in Improving School Bus Safety”
July 25, 2019**

**International Brotherhood of Teamsters
25 Louisiana Avenue, N.W.
Washington, D.C. 20001**

Chairwoman Norton, Ranking Member Davis, Members of the Subcommittee. My name is Matthew Condron, I am the Secretary-Treasurer of Teamsters Local 384 out of Norristown, Pennsylvania, and I also work under the Passenger Transportation Division of the International Brotherhood of Teamsters as a member of the First Student National Master Agreement Negotiating Committee. I have represented school bus drivers in Pennsylvania for over 18 years in both the private and public sectors. Thank you for inviting me here to represent the safety concerns of the over 30,000 school bus drivers, monitors, and mechanics represented by the International Brotherhood of Teamsters. Teamster drivers and monitors are the first line of defense in making sure our kids get to school and back home safely each day. Our International Union works closely with many of the top school bus contractors to ensure safe and fair working conditions across the country. Our national and local contracts with these companies have all translated into a safer transportation environment for students nationwide. But we can't do it all ourselves. We need your help to hold bus contractors and school districts who refuse to meet basic safety standards accountable.

Maintenance, Inspections, and Procurement

Some of the harrowing stories you may hear about today could have been directly prevented by stronger federal oversight and increased safety measures on the physical buses being used in our country. In my role as a school bus worker representative with the International Brotherhood of Teamsters, I have seen what works and what doesn't. At a minimum, it takes well-resourced private contractors and well-funded school districts to fulfill many of the responsibilities needed to run a safe bus fleet. School buses are expensive. The

maintenance they require to be kept in good operating condition is expensive. The prevalence of small “mom-and-pop” sized private contractors as well as underfunded school districts that don’t have the resources to meet basic maintenance and procurement needs is a serious problem across the industry. But even in areas where the funds are available, it’s not a guarantee of safe vehicles. Proper maintenance and procurement rules need to be put into place, and they need to be actively enforced. Our union has identified a number of ways to ensure that buses receive proper maintenance and servicing. We have specific remedies outlined in our contracts for when there is a failure or possibility of a failure to meet these standards. But, we don’t represent every school district in the country. We believe that the federal government should take a stronger role in setting a national floor for operational bus standards so that all bus operators are using a fleet that meets a basic level of safety.

Currently, the only federal rules for school bus equipment are focused on the manufacturing of school buses. Once buses are being used by a company or school district, there is no federal requirement that those buses be maintained in safe, working order. Requirements for ongoing maintenance of school buses are currently the responsibility of individual states, and many times, the privatized school bus company or school district themselves. Unfortunately, those maintenance standards are often lacking. One driver, working for a small contractor in my state of Pennsylvania was concerned about the thoroughness of the state safety inspections, specifically the inspection of the brakes on his bus. The wheels must be removed to inspect the breaks, so he put aluminum foil on his lug nuts on the evening prior to the inspection to make sure the wheel was actually being removed, and the brakes were actually being inspected. When he returned to work the next day, the new state inspection sticker was on his bus, while the

aluminum foil was still sitting on the lug nuts. While anecdotal, this experience is enough for me to urge you to recognize the limits of our current system.

Safety should also not be seen as a competitive advantage that can be used by one bus contractor over another. Private contractors often underbid one another by refusing to buy new buses for their fleet, or by failing to budget for the actual cost of maintenance into their contracts. We believe Congress can and should enact minimum contracting and procurement standards which school districts and private contractors must adhere to in order for any company they hire to be eligible to engage in home-to-school transport. This should include nationwide inspection and maintenance standards that prescribe preventative and corrective maintenance programs. These programs should be coupled with fines on privatized school bus companies, school districts, and the state agencies charged with completing the inspections if they fail to enforce these standards.

Fleet Size

Even under the most comprehensive of inspection regimes, buses will sometimes break down. That's a fact of life. It is how these breakdowns are handled that is another crucial step for safety. When a bus breaks down, it must be taken out of service for maintenance and spare buses must be utilized to cover scheduled routes. Contractors must have an adequate number of spare buses in rotation in order to ensure that only safe buses are put on the road. Without enough quality spare buses, contractors and school districts are often left to put unsafe buses on the road or double up on routes, putting children at risk in an overcrowded bus. Policies should be put in place setting minimum number of spare buses any school bus fleet must hold. We believe this number should be at least 10-15% of the total fleet. That would drastically reduce the risks posed

to our students who are being forced to ride on overcrowded or unsafe buses. Additionally, the age of a school bus directly correlates to the cost of maintenance and rate of equipment failure. Limiting the age of school buses on the road to an average fleet age of 7 years and capping the age of any bus at 15 years would help to prevent school districts and contractors from using unsafe buses by pulling those vehicles most likely to break down out of the equation entirely.

Manufacturing and Capacity Standards

There are currently no federal regulations limiting the number of students who can be loaded onto a school bus at one time. School bus manufacturers determine the maximum capacity of their vehicles, often by assuming three students can fit on one bench seat, and then multiplying that by the number of benches and adding any other seats on the bus to that total. Three students on a bench may be appropriate for young children, but it is wildly deficient for middle and high school students. If older and larger students are loaded onto buses in numbers meant for young children, it leads to unsafe situations like students sitting on each other's laps or sitting in the aisles. In the event of a crash, those students are at a much higher risk of injury than those on a bus with an appropriate number of students.

Some districts and contractors have rightly taken it upon themselves to lower the maximum capacity of their buses. But without national rules enforcing these sorts of limits, it is another area that can be ignored by bad actors. As many school districts look to run their bus routes as inexpensively as possible, overcrowding is one of the most preventable dangers our students face. Seat belts and other pieces of technology aimed at safety become irrelevant if children are forced to sit in the aisles.

Working Conditions and Retention of Qualified School Bus Drivers

While many preventable tragedies can be traced back to human error, the causes of the error must also be closely examined. Many drivers working for under-resourced contractors report being pressured to work even when they are too sick to do so for fear of retribution or discipline. We support a number of proposals to improve driver health because they are morally right, and important for safety. This includes treatment for those with sleep apnea and other conditions which may impede a driver's ability to provide safe transportation for students. Unfortunately, in the current state of the industry, many drivers are not able to even take a sick day and get properly diagnosed and treated for illnesses for fear of harassment or job loss. Many drivers who work for small contractors also earn significantly less per hour than drivers who work for reputable contractors and are unlikely to be covered by health insurance in the first place. Drivers without health insurance may not be able to get diagnosed or treated for an illness that directly impedes their ability to drive. The ability of a school bus driver to maintain their own health must be considered as important as the operational condition of the bus itself.

The pay and scheduling issues inherent with the school bus industry also directly contribute to safety on the job. Low pay by many companies leads to some drivers working two or more jobs to make ends meet, leading to greater fatigue when they show up to drive their bus. Scheduling issues are present an enormous hurdle. Many drivers aren't able to work as many hours a week as they'd like because of the nature of a school's schedule. They don't get paid for the time in between their morning and evening routes, and they often don't get paid at all when school is out of session. Even many safe and experienced drivers who work for reputable, well-resourced contractors leave the industry every year when they do not qualify for unemployment

insurance in the summer months and there is not enough summer work to go around. This leads to high turnover in the industry, and new drivers, fresh out of training, or without any quality training at all, are learning routes as they go and building relationships with the students on the fly. This leads to challenges in keeping track of students who the driver just met, identifying obstacles outside the bus like a child walking through the blind spot, and other issues that become much easier as the driver gains more experience on the job.

Conclusion

I am pleased to be here to and help you understand the wide variety of safety issues plaguing the school bus industry. The Teamsters are committed to working with you to push forward meaningful, national safety reforms that keep our nation's students and drivers safe. I look forward to your questions.