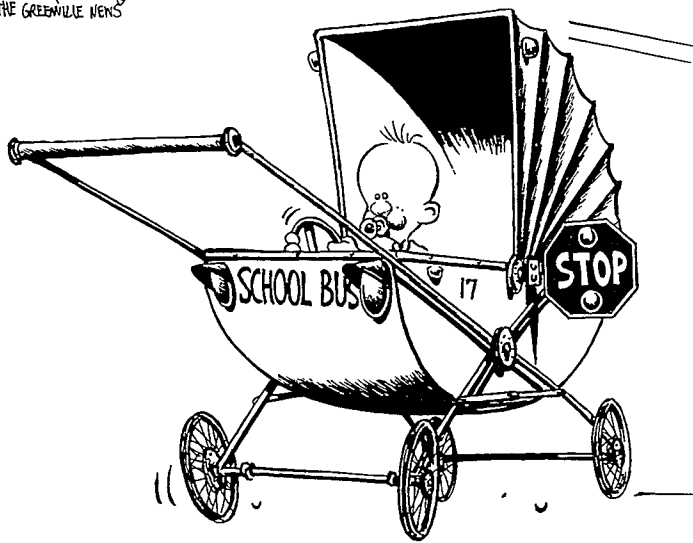

School Bus Safety



Old Enough to Drive a Car, Old Enough to Drive a Bus?

by David S. Perkins

Since the end of the Great Depression, North Carolina has allowed almost anyone with a bus driver's license and a few months' experience to drive a school bus. But nationally, many states have begun to raise the age for drivers of school buses. Now the U.S. Labor Department has decreed that North Carolina should join the ranks of those states requiring drivers to be at least 18 years old—but the N.C. General Assembly has to cough up \$18.8 million to pay for more adult drivers. What's the state's safety record in school bus driving—and what other safety concerns should the 1988 legislature address?



Lambert Der/The Greenville (S.C.) News

Barring an unforeseen court challenge, student bus drivers, like the family farm economy that gave rise to them, will become a thing of the past.

Replacing 17-year-old drivers with adults will not be an easy task for local school systems. New screening and training programs will be required, and so will better reporting on criminal and driving violations. More important, if local systems are to hire qualified, competent adults, the General Assembly will have to increase the bus driver's

wage and benefit package considerably when it convenes for a short session in June 1988.

"I'm worried about starting up next September," Gardner says, "and whether we'll find enough qualified people and not just go out and get warm bodies, people [who will take the job] until they find something better."

How much additional pay is needed? In February, the State Board of Education approved a \$24 million budget request for the salary adjustment—later pared down to \$18.8 million. The money would raise the bus driver's average pay from \$4.91 an hour (with no benefits) to \$6.10 an hour (plus prorated Social Security, health, and retirement benefits). The Department of Public Education had recommended a bigger increase—up to an average of \$6.50 (with benefits). But the Board wanted the bus driver's wages to be on a par with wages of teaching assistants, some of whom may want to take on part-time bus driving duties.

Prospects for passage of most of the \$18.8 million—equivalent to a 1 percent salary increase for all state teachers—appear to be good. Gov. James G. Martin has included the funding request in his proposed expansion budget for 1988-89. But Lt. Gov. Robert B. Jordan III, president of the Senate and Martin's opponent in the fall governor's race, warns that if budget constraints make it impossible to fund the request in full, he won't rule out a lawsuit

David S. Perkins is a freelance writer who lives in Raleigh.

School buses spent the night over a span of nearly 36 years in the same driveway in the Rawls Community outside Fuquay-Varina. Norfleet Gardner, now director of transportation in the state's Department of Public Education (DPE), remembers the bus driving job being handed down from one family member to another after he graduated from Lafayette Senior High School in 1952. His younger brother Alfred passed the bus to their younger sister, Gaynelle, who after she married and moved into a new house next door, saw her son Jim take over the same job in 1985. Some first cousins and neighbors had driven the bus in the meantime. And Jim's younger sister, Tanya, was next in line for the job next fall.

Drive down any of thousands of rural roads in North Carolina, and you'll see schoolbuses with similar stories behind them. Since the 1940s, student bus drivers have been woven into the fabric of school and community life—as inevitable as booster clubs or cheerleaders. For school principals, they were convenient and generally safe. For students, driving a bus was a symbol of status and competence, as well as a supplement to the family income.

Next fall, however, most of those driveways will be empty. The U.S. Department of Labor has declared that student bus drivers under the age of 18 in North Carolina are unsafe. Under the federal Fair Labor Standards Act, the department is forcing school systems to find adults to fill some 3,000 expected vacancies—about a fifth of the total force.

to force the Labor Department to give the state an exemption, with or without the Governor's cooperation.

"The Labor Department has not proven that 17-year-olds in North Carolina are less safe drivers. Indeed, the facts are the other way," says Jordan (see Tables 2 and 3 for more on the conflicting data on this point). "So, for them to put us through these gymnastics is expensive, and I don't appreciate it. They've put us in the position where if we're going to get further variances, we're going to have to go to the courts. If we find that the safest way to transport our kids next fall is to allow some of the better 17-year-olds to drive buses, then maybe we'll have to do that."

The \$18.8 million request can't be cut much without forcing some local systems to double the length of some bus routes and take longer to run them, DPE's Gardner says. Even the Charlotte-Mecklenburg school system has trouble finding enough good adult drivers now at its pay rate of \$8.09 per hour. Thus, the question appears not to be whether \$18.8 million is too much, but whether it is enough. And the answer, for some systems, is no.

Those that will be spared any harsh adjustment are Charlotte-Mecklenburg—which already has an all-adult force—and three other city school systems—Rocky Mount, Asheville and Statesville—that hire private carriers to transport students. Some systems have few student drivers. Twenty-one of the state's 140 school systems had 10 or fewer drivers under 18 in the fall of 1987, and most have been recruiting adults since last August, when the Labor Department began making noises about withdrawing the state's traditional exemption.¹

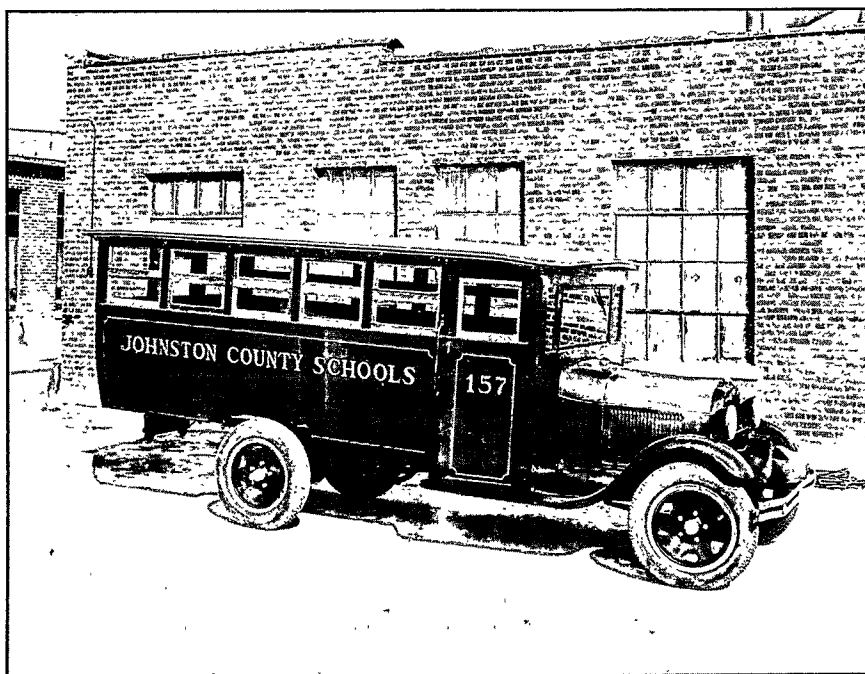
Largely rural school systems with urban centers—and large labor pools—are also expected to make the transition smoothly, DPE officials say. Cumberland County, which merged with the Fayetteville city system in 1985, had nearly 300 under-18 bus drivers last fall—the second largest of any system (after Guilford

County, which had 350). But Cumberland schools Director of Transportation Ted Chappell says he has received applications from housewives, retirees, students, and the unemployed, stimulated by news reports of higher pay ahead. "We've had a recruiting push since last August, and we think we can make it," he says.

But serious problems could arise in the sprawling rural areas of eastern North Carolina without urban centers—such as Duplin, Sampson, and Johnston counties. "Some of these systems are going to have to turn to their professional people, their clerical, custodial, cafeteria, and even some of their teacher assistants, as substitute drivers," Gardner says. "There's no way they're going to be able to find qualified people willing to take the jobs part-time." Before they do, however, some local school boards will have to rewrite policies defining the workday for the teacher assistant or non-certified worker.

Adding bus driving to the duties of the state's 3,600 part-time cafeteria, clerical, and custodial workers could help solve two problems. Some school systems have had trouble filling those support jobs because they are part-time and carry no benefits. By adding bus driving responsibilities, they would become full-time jobs with benefits. The Charlotte-Mecklenburg and Winston-Salem/Forsyth school systems already have combination jobs.

But using teaching assistants as drivers is more controversial. The N.C. Association of Educators,



Department of Public Education

Table 1. Minimum Age for School Bus Drivers, by State

State	Minimum Age of Drivers					
	16	17	18	19	20	21
Alabama			X			
Alaska				X		
Arizona			X			
Arkansas				X		
California			X			
Colorado						X
Connecticut			X			
Delaware			X			
Florida			X			
Georgia			X			
Hawaii					X	
Idaho			X			
Illinois						X
Indiana						X
Iowa	X					
Kansas			X			
Kentucky			X			
Louisiana						X
Maine			X			
Maryland						X
Massachusetts						X
Michigan			X			
Minnesota			X			
Mississippi		X				
Missouri			X			
Montana			X			
Nebraska			X			
Nevada						X
New Hampshire			X			
New Jersey			X			
New Mexico			X			
New York						X
North Carolina		X				
North Dakota			X			
Ohio			X			
Oklahoma			X			
Oregon			X			
Pennsylvania			X			
Rhode Island			X			
South Carolina		X				
South Dakota			X			
Tennessee						X
Texas			X			
Utah						X
Vermont			X			
Virginia			X			
Washington			X			
West Virginia			X			
Wisconsin			X			
Wyoming	X					
Totals	2	3	32	2	1	10

Source: Fourth Annual *School Bus Magazine* State Directors of Pupil Transportation Survey Report, March 1988.

the state's largest teacher organization, opposes the use of teaching assistants outside the classroom, and suggests that if the state wants more adult bus drivers, it ought to raise driver salaries to attract them.

"If we need teaching assistants at all, and we do, we need them full-time in the classroom," says Glenn Keever, NCAE's communications director. "Our suggestion is that it's been shown that when you have a job [such as a bus driver vacancy] and you're not attracting enough applicants, all you have to do is raise the salary."

A Vestige of World War II

Students began driving North Carolina school buses in large numbers during the war years of the 1940s. There was a shortage of adult manpower, and teenage boys, raised on farms and used to driving tractors, knew how to handle the unwieldy vehicles. Student drivers became a custom that held on for nearly five decades, long after other Southern states like Georgia and Virginia discarded it in the late 1970s. Gardner attributes its longevity to the state's tradition of local control. North Carolina is one of the few remaining states in which buses are owned by local school boards. And 80 percent of the state's school bus routes are still in predominantly rural areas—outside city boundaries—where many student drivers have experience operating farm vehicles.

Using student drivers has offered a number of advantages. Principals have found student drivers cheap and convenient. If school had to be closed because of snow or a burst water main, the bus drivers could be called together over the school intercom and dispatched. Student drivers were easier to screen and supervise than adults. In many systems, students had to be nominated by their teachers to become drivers, and it was a point of pride to get the job.

In the 1960s and 1970s, the driver's job became more demanding as urban areas became more congested and bus routes more complicated, particularly in systems with court-ordered busing. Top students, meanwhile, were less interested in driving a bus. They had other demands on their time, including more stringent course requirements. "We just stopped getting the caliber of student we used to," says Don W. Baucom, Charlotte-Mecklenburg schools director of transportation.

Federal policy had also taken a shift that was to affect student school bus drivers. In 1966, Congress amended the Fair Labor Standards Act of 1938 to bring the public sector, including school and hospi-

tal employees, under its provisions.² The provisions included the "Hazardous Occupations Order No. 2," a 1940 regulation that had forbidden employment of youths under 18 as motor vehicle drivers or outside helpers on motor vehicles.³

The order created immediate problems for states like North Carolina that relied on student bus drivers. Nearly 80 percent of the state's drivers were under 18 at the time. In 1968, the Labor Department agreed to exempt certain states from the order, at the request of each state's governor.

For almost 20 years, North Carolina was exempted routinely, although it had less and less company from other states. By 1985, only North Carolina and 9 other states were receiving exemptions. Of those, Wyoming, Oklahoma, Iowa, Nebraska and Virginia used just a few student bus drivers on rural routes. Nevada filed for an exemption but did not use any student bus drivers. The other states were South Carolina, Alabama, and Mississippi. By 1987, only Mississippi, Iowa, Wyoming, and the Carolinas were seeking exemptions.

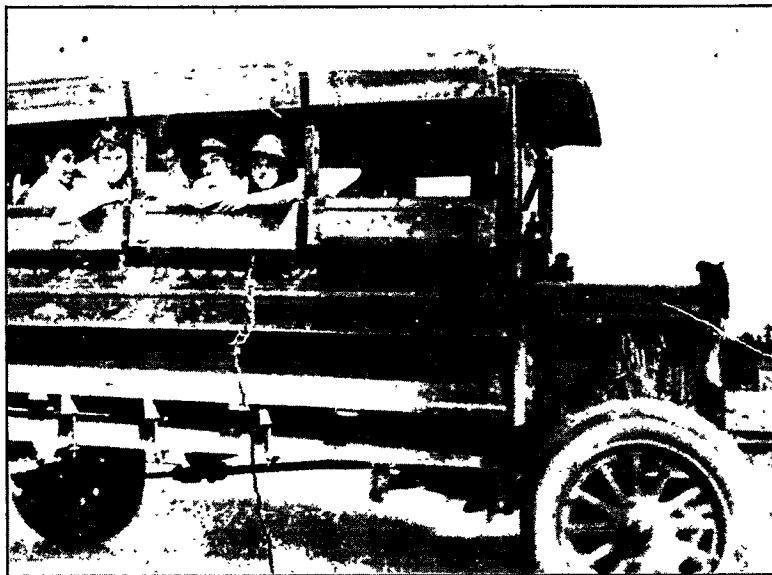
The Labor Department began to resist further exemptions. When Governor Martin asked for an exemption for 1987-88, the Labor Department asked, for the first time, for comparative statistics on the accident rates of under-18 and 18-and-over drivers. In August 1987, then-Labor Secretary William E. Brock approved exemptions for North and South Carolina—but only through December. The other exempted states—Iowa, Mississippi, and Wyoming—were exempted for the full year.

Why single out North and South Carolina? First, the two states now had most of the nation's under-18 bus drivers. Second, in 1985, two headline-grabbing accidents—one involving a 17-year old driver, the other an 18-year-old driver who was found not to be at fault—in Ashe and Greene counties, North Carolina, led to inquiries by the National Transportation Safety Board. In its reports, the Safety Board for the first time compared accident rates for student drivers and for adults, with results that were unfavorable to the students. In 1984-85, according to the board, 16- and 17-year-old drivers had an accident rate of 13.2 per million miles, as compared to 9.2 for those 18 years old and older.⁴ A comparable gap was found for the preceding two years. (DPE officials dispute those findings, contending they were based on a different methodology for counting accidents. North Carolina's actual accident rate for those years was much lower, they say. The figures cited by the board were developed by the N.C. Department of Transportation.) The

**Table 2. Comparison of N.C. Student and Adult Bus Driver
Accident Experience, 1986-87**

Number of:	Students (16- and 17- year-olds)	Adults (18 years old and older)
Drivers (% of total)	5,773 (37.2%)	9,760 (62.8%)
Miles driven (% of total)	44,055,841 (37.2%)	74,373,839 (62.8%)
Property damage accidents over \$100 (% of total)	292 (36.4%)	512 (63.6%)
Accidents per million miles	6.63	6.88
Fatalities and disabling injuries to school bus drivers (% of total)	0 (00.0%)	0 (00.0%)
Non-disabling injuries to school bus drivers (% of total)	3 (23.1%)	10 (76.9%)
Injuries per million miles to school bus drivers	.07	.13
Bus passenger fatalities	0	0
Bus passenger injuries (% of total)	39 (36.4%)	68 (63.6%)
Injuries per million miles to bus passengers	.89	.91
Fatalities in other vehicles (% of total)	2 (40.0%)	3 (60.0%)
Fatalities per million miles (% of total)	.05	.04
Injuries in other vehicles (% of total)	25 (15.0%)	142 (85.0%)
Injuries per million miles	.57	1.91
Pedestrians injured (% of total)	0 (00.0%)	6 (100.0%)
Per million miles	0	.08

Source: Controller's Office, N.C. Department of Public Education



ing more adult drivers with *local* tax dollars. In 1984-85, three accidents involving under-18 drivers occurred in Charlotte-Mecklenburg, prompting school officials to analyze the accident rates. To the officials' surprise, under-18 drivers were having approximately twice as many accidents as over-18s, and an even higher percentage of the accidents with injuries. "I was shocked," recalls Baucom, the local director of transportation. "In the 1970s, our student drivers had a lower accident rate than our adults. I had assumed that still was true."

The school board voted to hire an all-adult force in fall

transportation board recommended that the Carolinas and Alabama stop hiring 17-year-olds.

In response, the N.C. Department of Public Education conceded that 16- and 17-year-old drivers should be reduced on dangerous routes, particularly in urban areas. But there was disagreement over the numbers used in the comparison. In fact, North Carolina officials and federal officials use statistics that vary so widely in their conclusions that each side seems to be able to prove its own points. (See page 26 for more on this inconsistency.)

And, as Gardner put it in a response to the safety board's findings, the elimination of student drivers "may create severe economic and operational problems." Gardner said a 20 percent under-18 force—a reduction of about 10 percent—was the "ideal statewide percentage" at least as a short-term goal, and an additional \$12 million would be sought from the General Assembly to hire more adults.⁵

In 1987, the legislature raised the minimum bus driver age to 17, effective January 1, 1988, eliminating about 600 16-year-olds hired the previous fall.⁶ But, with rural representatives insisting that their local systems had no safety problems (in 1985-86, 52 counties had 5 or fewer accidents, and 23 had 2 or fewer), the legislature did not approve the \$10 million for a pay hike sought by the state board. Instead, bus drivers got an across-the-board pay raise of 5 percent, increasing the bus drivers' average hourly wage from \$4.68 to \$4.91. "The legislators must have thought that we were moving ahead, and that we could keep getting exemptions," Gardner says.

Individual urban school systems, meanwhile, were already addressing the safety problem by hir-

ing more adult drivers with *local* tax dollars. In 1984-85, three accidents involving under-18 drivers occurred in Charlotte-Mecklenburg, prompting school officials to analyze the accident rates. To the officials' surprise, under-18 drivers were having approximately twice as many accidents as over-18s, and an even higher percentage of the accidents with injuries. "I was shocked," recalls Baucom, the local director of transportation. "In the 1970s, our student drivers had a lower accident rate than our adults. I had assumed that still was true."

The school board voted to hire an all-adult force in fall 1985 (about half its drivers were under 18 at the time) and approved a large pay supplement, now \$1.8 million a year, to attract competent drivers. Charlotte-Mecklenburg's overall accident rate the next year—1985-86—declined from 11.38 to 6.0 accidents per million miles, Baucom says. The following year, 1986-87, it rose to 8.5 per million miles, but dropped to 5.0 per million miles through March 31 for the 1987-88 school year.

The Winston-Salem/Forsyth school system is phasing out its under-18 drivers gradually, creating a local pay supplement in order to hire more adults and developing a seven-step pay scale that rewards safety as well as seniority. Last fall, Winston-Salem/Forsyth had only 35 drivers who were younger than 18.

A Battle of Statistics

Despite the apparent advantages of going to an all-adult force, the Department of Public Education maintained that local boards should be left to make their own decisions. Urban areas had the most accidents and their systems were addressing the problem. The state's overall accident record had improved steadily since the mid-1970s, state officials said. In any case, the state couldn't afford to hire an all-adult force, DPE said.

The Labor Department was not impressed by that argument. In rejecting Governor Martin's request for an exemption for the full 1987-88 year, then-Secretary Brock noted that under-18 drivers had a worse accident rate in 1985-86 than that of over-18 groups, and that several fatalities had oc-

Table 3. Accident Data on North Carolina School Bus Drivers, 1982-1987

	1982-83	1983-84	1984-85	1985-86	1986-87
1. No. of 16 and 17-year-old-drivers (% of total)	4,599 (36.0%)	4,580 (35.7%)	4,249 (32.9%)	5,123 (35.7%)	5,773 (37.2%)
2. No. of 18-and-older drivers (% of total)	8,160 (64.0%)	8,245 (64.3%)	8,666 (67.1%)	9,229 (64.3%)	9,760 (62.8%)
3. Total drivers	12,759	12,825	12,915	14,352	15,533
4. Miles driven by 16- and 17-year-old drivers [millions of miles] (% of total)	39.9 (36.3%)	39.5 (35.7%)	36.8 (32.9%)	38.2 (33.0%)	44.1 (37.2%)
5. Miles driven by 18-and-older drivers [millions of miles] (% of total)	69.9 (63.7%)	71.1 (64.3%)	75.1 (67.1%)	77.5 (67.0%)	74.4 (62.8%)
6. No. of school bus accidents for 16- and 17-year-old-drivers (% of total) Per million miles	413 (48.3%) 10.3	430 (48.5%) 10.9	329 (41.0%) 8.9	321 (43.1%) 8.4	293 (36.3%) 6.6
7. No. of school bus accidents for 18-and-older drivers (% of total) Per million miles	442 (51.7%) 6.3	457 (51.5%) 6.4	473 (59.0%) 6.3	423 (56.9%) 5.5	512 (63.7%) 6.8

curred involving the younger drivers (see Table 3, above, for more). Future exemptions, Brock added, would hinge on North Carolina's ability to show a favorable comparison for the 1986-87 year. That touched off a year-long war of memos between Washington and Raleigh, with each side putting forth statistics to prove their point.

This battle of statistics points up one of the key difficulties in resolving whether North Carolina's under-18 drivers are safe enough to continue driv-

ing. North Carolina officials over the years have maintained that the overall bus accident rate in the state has always been better than the national average (though they admit there is no reliable national average figure to compare with North Carolina's record). And they point out, as shown in Table 2, that the accident rate per million miles is about the same for both under-18 and 18-and-older drivers. But using the exact same data in Table 2, federal authorities correctly point out, for instance, that North

Table 3. Accident Data on North Carolina School Bus Drivers, 1982-1987

	1982-83	1983-84	1984-85	1985-86	1986-87
8. No. of passenger fatalities when 16- and 17-year-olds are driving	0 (00.0%)	0 (00.0%)	0 (00.0%)	0 (00.0%)	0 (00.0%)
9. No. of passenger fatalities with 18-and-older drivers (% of total)	0 (00.0%)	0 (00.0%)	6 (100.0%)	0 (00.0%)	0 (00.0%)
10. No. of driver fatalities all ages (% of total)	0 (00.0%)	0 (00.0%)	0 (00.0%)	0 (00.0%)	0 (00.0%)
11. No. of non-bus* fatalities when 16- and 17-year-olds are at wheel (% of total) Per million miles	2 (40.0%) .05	3 (37.5%) .08	0 (00.0%) 0	2 (22.2%) .05	2 (40.0%) .05
12. No. of non-bus* fatalities when 18-and-older drivers are at wheel (% of total) Per million miles	3 (60.0%) .04	5 (62.5%) .07	5 (100.0%) .07	7 (77.8%) .09	3 (60.0%) .04

* "Non-bus" fatality means fatalities to persons in other vehicles or to pedestrians.

Source: Office of the Controller, N.C. Department of Public Education

Carolina's under-18 drivers account for 37.2 percent of the drivers and 36.4 percent of the accidents, but that they account for almost as many non-bus fatalities as 18-and-older drivers. The difference between the two—two fatalities for the younger group, three for the older, a difference of just one—is a statistically minute number. Figured on a basis of *fatalities per million miles*, the younger group was involved in accidents with 56 percent of the fatalities per million miles (.05 fatalities per million miles) compared to

the older drivers, who were involved in accidents with 44 percent of the fatalities per million miles (.04 fatalities per million miles). This shows how both sides can argue from the same set of statistics. And there's more to it than that. Federal authorities also define the terms differently.

The Labor Department wanted accidents to be reported against the number of drivers who were 16 or 17 *at the end of the school year*. The DPE said that would give a distorted picture of the accident rate

The Statistics Don't Lie—But They May Mislead

Confused as to whether to believe the figures of the N.C. Department of Public Education or the U.S. Department of Labor on the safety records of under-18-year-old drivers? No wonder—you've got good reason. Just look at Table 3, and you can see how the two sides could disagree on whether 16- and 17-year-old drivers have good safety records.

For instance, the five-year trend from 1982-83 to 1986-87 seems to show that 16- and 17-year-old drivers are getting safer, because the number of school bus accidents per million miles (see Row 6, bottom line) dropped steadily—from 10.3 accidents per million miles to just 6.6 accidents per million miles in 1986-87. And in 1986-87, the younger drivers' accident rate per million miles is better than drivers aged 18 and over—6.6 compared to 6.8 (Row 7, bottom line) for the older drivers.

But wait—compare the trends. During the same period, the 18-and-older drivers had a consistently low accident rate, hovering between 6.3 and 6.8 accidents per million miles, except in 1985-86, when it dropped to 5.5 per million miles (see Row 7). So over the long haul, the older drivers have a better record.

Or consider non-bus fatalities—that is, fatalities to passengers in other vehicles, or to pedestrians, caused in accidents with school buses. Based on non-bus fatalities per million miles, the younger drivers seem to have a better record for the last three years than do the 18-and-older drivers, whose accident record appears to rise steadily (see Rows 11 and 12). But the numbers are so low here that even the addition of one fatality might shift the findings in the opposite direction. So which drivers are safer? And which drivers would you prefer your children to ride with?

—Jack Betts

because so many student drivers would age out of the category by June. There would be a smaller pool of 16- and 17-year-old drivers, but the number of accidents would remain high, thus creating a worse driver-to-accident ratio for under-18-year-olds than really existed. A fairer picture would be presented by the ratio of accidents to miles driven by the different age groups, the state contended. The N.C. Department of Transportation's Alvin M. Fountain has urged that the state take a regular census of bus drivers at the end of each pay period, so accidents can be counted by the age of the driver at the time they occur, but DPE has not conducted such regular surveys.

In November 1987, seeking an extension of the exemption through the end of the current school year, Education Controller James Barber wrote the U.S. Labor Department that, based on miles driven, in 1986-87 student drivers were marginally *safer* than adults, according to the state Education Department's statistics. But an accompanying chart (developed from N.C. Department of Transportation statistics) in Barber's letter offered evidence to dispute his claim. That chart (*not* reprinted here) showed that 41 of the 80 passengers injured in 1986-

87 had been injured in buses driven by a 16- or 17-year-old.⁷ Thus, each side's own evidence contained what appear to be arguments for and arguments against the continued use of under-18 bus drivers.

"We said they couldn't prove the student drivers were unsafe, and they said we couldn't prove [they were safe]," Gardner says. "We were phasing out the young drivers by 4 to 5 percent a year, and that's what they had been asking us to do—show progress. But apparently we weren't moving fast enough. We may not have had a clear policy [about the phase-out goal], but they didn't either." In December 1987, the U.S. Labor Department extended North Carolina's exemption from January to August 1988 on three conditions:

- that no dropouts or minors who had moving violations or who had been responsible for accidents during the year be hired;

- that no new 17-year-olds be trained to drive buses; and

- that all drivers be enrolled as students or be high school graduates. (A later requirement, imposed in February, mandated that all drivers have health certificates attesting to their physical health).

In early January, a school bus in West Columbia, S.C., struck and killed a 4-year-old kindergarten student. The driver, investigators found later, was a 17-year-old who had two infractions in the previous school year. Prompted by the accident, U.S. Labor's Wage and Hour Division investigated a random sample of school systems in North and South Carolina and found 80 violations of the agreement in North Carolina, and 200 in South Carolina. Most were instances of student drivers who had been charged and, in some cases, convicted of moving violations, but who had never been removed from their duties.

Once again, the state DPE objected to the department's conclusions. For instance, 14 of the 80 "violations" cited by the U.S. Labor Department were missing driver certificates that schools must keep on file. Those 14 had burned in a Christmas Eve 1987 fire at the Four Oaks School and had not yet been replaced, Gardner points out.

In a dramatic gesture, the department on Feb. 25, 1988 moved up the cutoff of its exemption from August to April 1, throwing North Carolina school systems into a near panic. Negotiations between Governor Martin and the Labor Department—together with legislation introduced by U.S. Rep. Charles Rose to force an extension of the deadline (the bill passed the House, then stalled in the Senate)—yielded a compromise. The cutoff date was moved back to June 15, the last day of school for the regular academic year. But the Labor Department had made its point, securing a public promise from Martin that he would not seek any further exemptions, and turning the news spotlight on the budget-fix in the General Assembly.

Other Safety Concerns Abound

Even if the 1988 General Assembly provides the full \$18.8 million funding, safety concerns are not going to disappear with the exit of 17-year-old drivers. In some respects, they will be heightened. Adults create problems, too, as news stories that vied for February and March headlines with the Labor Department's orders indicated. The year's first school passenger fatality came on Feb. 26, 1988, in Charlotte-Mecklenburg—with its corps of adult drivers. A bus struck and killed a kindergartener who had bent over in front of it to tie her shoe. The driver was 27. Other incidents were reported involving drivers who were 18 or older.

The problems with young bus drivers, both in North Carolina and nationally, are the main reasons why state officials for several years have said they eventually would prefer to employ 21-year-old or older drivers. With adult, full-time drivers, the state would be able to use fewer buses—which cost more than \$30,000 each—because full-time drivers would be able to drive more than one route. "With an adult driver, we could park one or two or three buses and have adult drivers handle an elementary route, a middle school route, and a high school route," says Gardner. "It requires some rescheduling of school opening times, but it would allow us to use fewer buses," he adds.

Against this backdrop, adult-driver advocates are seeking an even higher minimum driver's age and tougher screening and reporting procedures for driving violations. An alliance of groups, led by an organization called the North Carolina School Bus Safety Committee, is asking legislators to consider

raising the minimum driver's age in phases over several years to 21 (see sidebar, page 29, for a summary of the group's other concerns). Ten other states, including Tennessee, Maryland, and Louisiana in the South, require 21-year-old school bus drivers (see Table 1 for more). One state requires 20-year-old drivers at a minimum; two states require them to be at least 19.

A look at the N.C. Department of Public Education's figures suggests, moreover, that even 18-year-olds are responsible for a disproportionate number of accidents. In 1986-87, 18-year-old drivers alone—



Thomas Built Buses

not including older drivers—were responsible for bus accidents involving 21 percent of passenger injuries, and 28 percent of the injuries in other vehicles. But those drivers constituted only 11 percent of the state's cadre of bus drivers.

That's clear evidence in favor of older drivers, says Gardner. "I've been arguing for two years that if we get out of the student driving program, let's go to 21," he says. "The most unsafe drivers we have are 18-year-olds. Many of them are dropouts or just graduated and are in a holding pattern until they get something better. We began to realize we'll have a real problem if we have to turn to them. Once you get to 21-year-olds, however, you're getting people who want the job as a profession."

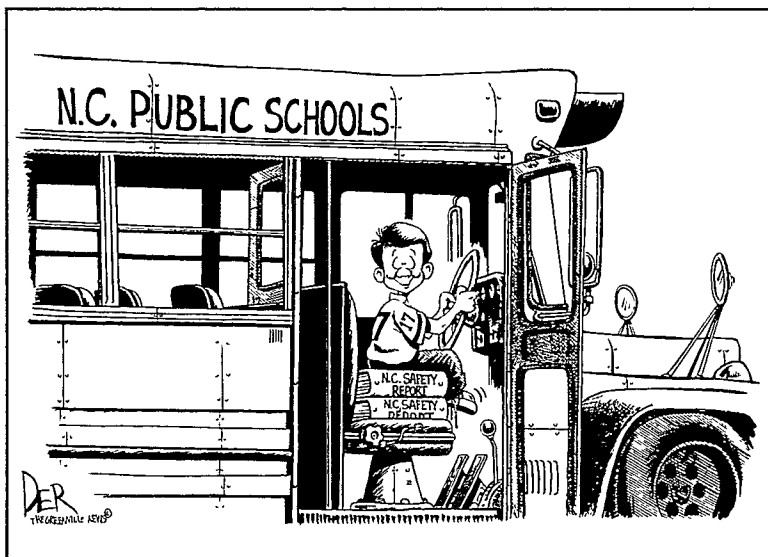
M. Reid Overcash, a Raleigh advertising executive who is president of the N.C. School Bus Safety Committee, explains that there's more to driving than being old enough. "Driving *experience* is more the issue than age," says Overcash. "Teenagers haven't had a chance to be in many varied [driving] situations. We'd prefer 25, but that's probably unrealistic."

State Rep. Bobby Etheridge, D-Harnett, House Base Budget Committee Chairman and the Democratic nominee for state Superintendent of Public Instruction, is unpersuaded. "A capable, competent 18-year-old is a lot better than an incompetent 21-year-old. I don't know that you can use age as the criterion. What you have to use is the person you hire and how well they're screened," says Etheridge.

Etheridge's opponent has also spoken on the subject. Tom Rogers, a teacher at Stonewall Jackson Training School in Cabarrus County, and the GOP nominee for Superintendent of Public Instruction, says most under-18 drivers have been good ones, but adds, "I would love to see adults as drivers, and if we can't do that, the closer we can get to it, the better."

Already, school systems are finding that an all-adult force requires close screening. Charlotte-Mecklenburg required a drug test this year, and 11 percent of the applicants failed it, according to local schools Transportation Director Baucom. The system also reviews drivers' criminal records before they are hired.

"I'm more worried about criminal records than



driving violations," says Charlotte-Mecklenburg's Baucom. "About all we're checking here is criminal convictions in the 26th Judicial District [Mecklenburg County]. We don't have a statewide data base, and certainly not a national one. Some weirdos can slip through."

The N.C. Division of Motor Vehicles (DMV) automatically suspends a driver's bus certificate if he is convicted of two moving violations within one year, or one moving violation in connection with an accident, reckless driving, or speeding greater than 15 miles per hour over the posted limit.

But the court decisions take time, citations often are dismissed, and there is no process for DMV to notify school systems that their drivers have cases pending, says Worth McDonald, director of school bus and traffic safety in DMV. It may take six months between the issuing of a ticket and notification to a school system of a conviction, he says. And some school systems take a permissive view of bus driver violations. Nevertheless, Wake County, which has several drivers with convictions on their records, has made three changes in its procedures. It is hiring temporary employees to review 10 percent of its bus drivers' DMV and court records monthly—including tickets. And a new administrative panel, instead of the driver's immediate supervisor, will determine whether a driver should be suspended, says William R. McNeal, assistant superintendent of administration.

Wake also is drafting an affidavit that all bus drivers will have to sign, pledging that they will notify the school system of any driving violations or accidents in which they are involved. Failure to comply would result in dismissal. Other school sys-

There's More to the Issue Than Driver Age and Experience

Bus driver age and experience are the hottest topics when it comes to school bus safety issues these days, but there are other concerns the state should address as well, say a coalition of groups pressing for a series of changes in the North Carolina school bus system. M. Reid Overcash, a Raleigh advertising executive and president of the North Carolina School Bus Safety Committee, says his group was founded in 1981 when a group of concerned citizens became "outraged at the safety problems found in transporting school children from home to school and back."

The safety organization, which works with the North Carolina Parent Teacher Association, the Wake County Junior League, and the N.C. Pediatric Association, has lobbied the legislature for several years seeking improvements, but has come up short each time. Overcash describes the problems this way: "Through lack of funding and complacency by some, North Carolina's record of school bus safety has been below average. We have unqualified, under-trained, and underpaid drivers. We still have a large number of pre-1977 buses that do not meet federal safety standards. We have continued to have standees on overcrowded school buses. And the public has developed an apathetic attitude towards school bus safety in general by ignoring traffic laws when driving around school buses and by not demanding better, safer conditions."

In terms of priorities, the safety group ranks driver age and driving experience as the top problem. But running closely behind are these concerns:

- bus driver training programs;
- replacement of aging and unsafe buses; and
- promoting public awareness of the laws about school buses and understanding of appropriate driving when school buses are on the road.

Safety advocates are pushing for a longer training period for bus drivers—something that

state officials concede an all-adult force will require. Many adult drivers need to learn how to use a standard transmission, used in a number of school buses, while others have to unlearn bad habits acquired from years of driving. Still others must learn how to help handicapped children get on board and off.

The N.C. Department of Transportation's Division of Motor Vehicles currently trains school bus drivers in a four-day minimum program—two days of classroom instruction and two days on the road. The average driver gets a total of 30 hours of instruction. To Overcash, that's not nearly enough, especially in light of the fact that the state requires at least 160 hours of training for commercial truck driver training schools (attendance at such schools is not mandatory for a trucker's license, but those who attend such schools must receive at least 160 hours' training).

"I'm wondering how you can learn to drive a school bus, with the precious cargo it carries, in 30 hours, when we're requiring a lot more training to haul some fruit," says Overcash. What's more, the state does not pay its bus drivers during their training period—a practice that amounts to a disincentive for some potential applicants, he says.

Norfleet Gardner, director of transportation for the DPE, says these drivers should be paid for their training period, and says his department is seeking approval to use staff development funds to provide pre- and in-service classes in first aid, discipline, and transporting exceptional children. In the past, Gardner adds, "We were spoiled by having kids who were only too eager to leave class or study hall to do in-service [training]."

The aging of the state's school bus fleet is another problem, both Overcash and Gardner agree. While school buses do meet the minimum federal safety standards, Overcash says, a 10-year-old bus probably is too worn out to continue using for school children's transportation. The

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tems may decide to get tough with their drivers, too, as public support grows for greater care in transporting children to school. In 1988, a major election year for both statewide candidates and members of the General Assembly, the big question remains whether politicians will support a better safety program for transporting school-age children—children whose parents may remember the legislature's actions in June when they go to the ballot box in November.

But in the meantime, state officials have one more nagging worry. The state is being forced to quit hiring 16- and 17-year-old drivers, and will spend at least \$18.8 million—and up to \$50 million in the next few years—just to hire 18-year-old drivers. But, they say, there's no hard evidence, based on anyone's statistics, that more 18-year-old drivers will mean any improvement in the state's record for school bus safety. As Nancy Team, a top aide to Gov. Jim Martin, puts it, "We're going to be spending \$18.8 million for older drivers, which sounds like a desirable goal, but the real question is whether,

five years from now, there will be any improvement." □◡□

FOOTNOTES

¹"Age & Sex Distribution of Bus Drivers, 1986-87 School Year," printout of data from N.C. Department of Public Education, July 1, 1987.

² 29 U.S.C., 201 et. seq. Violations of the Fair Labor Standards Act carry a penalty of up to \$10,000.

³Hazardous Occupations Order No. 2, U.S. Department of Labor, 29 CFR 570.52(b)(3)(i).

⁴National Transportation Safety Board Highway Accident Report, School Bus Rollover, State Route 88, Jefferson, N.C., March 13, 1985, Report No. NTSB/HAR-85/05; and National Transportation Safety Board Highway Accident Report, Multiple Vehicle Collision and Fire, U.S. 13, Snow Hill, N.C., May 31, 1985, Report No. NTSB/HAR-86-02. Available from the National Transportation Safety Board, Washington, D.C. 20594.

⁵Letter from Norfleet Gardner, Director of Transportation, N.C. Department of Public Education, to National Transportation Safety Board, April 6, 1985, p. 1-2.

⁶G.S. 115C-245(a), enacted as Chapter 276 of the 1987 Session Laws.

⁷Letter from James Barber, Controller, N.C. State Board of Education, to Dennis Whitfield, Acting U.S. Secretary of Labor, Nov. 24, 1987, Attachment 2.

More than Age and Experience

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General Assembly has allocated large amounts of money to phase out the pre-1977 buses, beginning with \$32 million per year for the 1985-1987 biennium. That has eliminated about 1,200 buses that were more than 12 years old. And the 1987 General Assembly sweetened the pot to provide \$34 million for bus replacement in the 1987-1989 biennium. By the time the 1989 General Assembly convenes next January, the legislature will still need to appropriate funds to replace the last 900 pre-1977 buses.

"They are moving on it," says Overcash, "but they need to go ahead and wipe that thing out." Besides, he says, the state waits until a bus is about 12 years old to replace it with a new bus. "That's not often enough," says Overcash. "We used to replace them every 10 years, and we need to get back to that."

Overcash's group also would like the General Assembly to fund one or more experiments with passenger restraints to

determine if they would reduce bus injuries. In previous sessions of the N.C. General Assembly, legislation has been introduced to require seat belts on N.C. school buses, but the proposals have gone nowhere.¹ Overcash said his group wants the state to evaluate research on such restraints before backing legislative proposals to extend restraint devices statewide. The problem of standees—children who must stand on buses because the seats are filled—is difficult to quantify, says Overcash. Federal and state laws prohibit standees, but motorists can often spot school buses with students standing in the aisles. "The schools say they can't accurately predict how many students will be on a bus, because some students stay after school for ball practice or meetings, but I just don't buy that. They know how many students might ride a bus, and they should provide adequate bus space for them," he says.

FOOTNOTE

¹ S489, 1985 General Assembly, incorporated a proposal by Rep. Bertha Holt (D-Alamance) to require seat belts on school buses. S 489 provided for a pilot project experiment to test seat belt use on buses.