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FÉDÉRATION DES TRANSPORTEURS PAR AUTOBUS

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Brief on bus transportation safety

Submitted by the Fédération des transporteurs par autobus to the House of Commons Standing Committee on Transport, Infrastructure and Communities for its study on *Bus Passenger Safety*

Preamble

School transportation is an integral part of our education system in Quebec and an important industry for the members of the Fédération des transporteurs par autobus (FTA). The safety of the students being bused is central to the values of our member companies, and quality of service is a top priority. Over the years, Quebec's school transportation system has developed a highly enviable reputation, even in Europe. Some French-speaking countries would like to have a school transportation system that is as customized, efficient and safe as we have.

Quebec's school transportation operators are open to exploring new avenues for enhancing the safety of the students they carry every day. In fact, the FTA, the association that represents them, has participated in the work of Transport Canada's nation-wide Task Force on School Bus Safety and continues to attend meetings of the student transportation safety committee chaired by the Ministère des Transports du Québec.

INDUSTRY PROFILE

A representative association

The Fédération des transporteurs par autobus (FTA) represents 615 private bus transportation companies of all types operating in various industries, including school, intercity, urban, sightseeing/charter, specialized, airport, medical and shuttle transportation. Its mission is to promote the efficient, safe movement of passengers and enhance the image, recognition and stability of multi-passenger transportation.

In the school transportation industry, FTA member companies make up 96% of the student transportation market. In Quebec, the school transportation industry

- has about 600 private companies;[1]
- has more than 10,900 school transportation vehicles;[2]
- employs 21,370 people;[3]
- transports 520,000 students morning and afternoon;[4]
- covers the entire province, travelling more than 900,000 kilometres a day.

On average, to meet its student transportation requirements, a school board in Quebec needs a fleet of 124 vehicles[5] and has contracts with 10 different carriers.

SCHOOL TRANSPORTATION SAFETY RECORD

Quebec's school transportation road safety record is an enviable one. It is worth noting that there have been no deaths among school bus passengers aged 5 to 17 since 1986. Société d'assurance automobile du Québec (SAAQ) statistics show that the greatest hazards are outside the bus.

It is often surrounding traffic or the school bus itself that is a threat to schoolchildren's safety. According to the SAAQ, the majority of school transportation accidents involve property damage only. Accidents with injuries usually involve two vehicles and occur in residential, business/shopping or rural areas, at intersections (less than 5 metres) or between intersections (100 metres or more).[6]

School transportation accidents involving pedestrians usually occur when students are crossing the street. Accidents also take place when students are getting on or off the bus, often because they stay too close to the bus after disembarking.

Over the last five years for which statistics are available[6] (2013–2017),

- the average annual number of accidents involving a school bus was 105 (1% of the total school bus fleet);

[1] FTA database, March 2019.

[2] Idem.

[3] FTA database, August 2016.

[4] Ministère de l'Éducation de l'Enseignement supérieur (MEES) management indicators, 2015-2016.

[5] For the purposes of this brief, the term "bus" also refers to a minibus as defined in the *Highway Safety Code* and the *Regulation respecting road vehicles used for the transportation of school children*.

[6] SAAQ road safety record, 2017.

- the average annual number of accidents with deaths involving a school bus was 3, and the victims were not bus occupants;
- the average annual number of serious injuries on a school bus was 2;
- the average annual number of minor injuries on a school bus was 80, 0.02% of the total number of students transported.

A number of features contribute to student safety on school buses. The vehicles are designed to protect the passengers in every way possible. They are equipped with yellow warning lights, flashing red lights and extending stop signs for the safety of children getting on or off. They are operated by qualified drivers, and they are equipped with a number of structural safety devices to protect the schoolchildren in the event of an accident. One of those unique passenger protection features is compartmentalized seats (closely packed, padded, high-backed seats).

INSTALLING SEAT BELTS IN SCHOOL BUSES

The FTA's mission is to promote safe transportation of passengers. Like Transport Canada, the FTA recognizes that seat belts on school buses may be an additional safety feature in the event of a side impact or a rollover, if they are correctly installed and used at all times. However, no recent Transport Canada studies have been brought to our or the public's attention that specifically show, for various impact scenarios, that seat belts reduce the risk of injury when some passengers are wearing belts and others are not. In addition, no changes in Transport Canada's DT-250 standard[7] have been announced. That standard has been only partly incorporated into our provincial regulations.[8]

We also note that responsibility for school bus safety is shared between the federal and provincial/territorial governments. Transport Canada is responsible for establishing regulations – including regulations on seat-belt installation – and setting safety equipment requirements through the Canadian Motor Vehicle Safety Standards (CMVSS).

School bus manufacturers have to certify that their vehicles are designed and built in accordance with federal safety requirements, which may include verification of the optional seat-belt installation in accordance with Transport Canada's technical standard.

The provinces and territories are responsible for enforcing safety rules on Canada's roads and highways. They are ultimately responsible for establishing school bus safety requirements and protocols, including the proper use of seat belts, where applicable.

[7] Canadian Standards Association (CSA) standard, entitled *School Buses*, which specifies mandatory school bus safety equipment.

[8] On July 11, 2018, Transport Canada published a regulation containing a technical requirement that is mandatory if a school bus operator installs seat belts on its buses. This regulatory requirement ensures that lap belts alone cannot be installed, and it contains a standard for the proper installation of three-point safety belts to avoid compromising the safety provided by current bus designs (*Regulations Amending the Motor Vehicle Safety Regulations (Bus Seat Belts and Other Amendments*): DORS/2018-143-2).

CONCERNS OF THE SCHOOL TRANSPORTATION INDUSTRY

The purpose of this brief is to present the concerns that school transportation operators have about installing seat belts on school buses. The concerns have to do with such matters as responsibility, operational safety, labour and costs. It is worth noting that no feasibility studies have been published by any level of government.

In the FTA's judgement, these concerns are extremely important and need to be evaluated and considered in the discussions regarding seat-belt use in school transportation.

CONCERN 1: RESPONSIBILITY

QUESTIONS	CONCERNS	OBSERVATIONS
1. Who will be responsible for fastening, unfastening and adjusting the seat belts? **(Bearing in mind that buses alternate between elementary and secondary school routes, twice a day every day for each grade)**	Many preschoolers and children up to the age of about 7 will need help with this. In Quebec, forthcoming increase in the number of 4-year-old kindergarten students (which means some students will be 3 at the beginning of the school year). - Many are unable to seat themselves. - Do not understand safety rules and discipline.	Under current regulations, the driver is not permitted to do this. The *Regulation respecting road vehicles used for the transportation of school children*, CQLR, c. T-12, r. 17, contains the following section: **45.** The driver of a school bus shall not leave the vehicle when there are school children on board, except in an emergency or to assist a handicapped school child who requires his assistance in getting into or out of the vehicle. In such instances, the driver shall turn off the engine, remove the switch key and apply the hand brake, except where the school bus has a safety locking device which prevents any person other than the driver from setting the vehicle in motion. Even if this were not the case, the driver's seat and the front exit would be left unguarded and within students' reach if the driver had to leave his/her seat to fasten the seat belts of students sitting at the back of the bus.

2. Who will be responsible for ensuring that students keep their seat belts fastened for the entire trip?	The school bus driver is already responsible for safely driving a vehicle full of young students while keeping order on the bus and adhering to a strict schedule. In Quebec, forthcoming increase in the number of 4-year-old kindergarten students (which means some students will be 3 at the beginning of the school year) who do not fully understand safety rules and discipline Managing "delinquent" older students Managing seat-belt use with a large number of students aboard a large vehicle and with visibility reduced by the height of the seats	Although having an attendant on the bus is a possibility, the *Highway Safety Code*, CQLR c. C-24.2, says the following: **455.** The driver of a bus or minibus used for the transportation of school children shall ascertain that every person is seated before setting his vehicle in motion and remains seated while it is in motion. In a school bus, unlike an aircraft, an attendant cannot get up during the trip and fasten seat belts or make sure they are fastened. Would one attendant for 70 students be efficient? Examples of ratios in the education system: • Daycare workers: 1 to 20 • Kindergarten teacher (4- and 5-year-olds): 1 to 17 • Elementary school teacher: 1 to 18 What will the driver do if one or more children refuse to fasten their seat belts?
3. Who will be responsible if the bus is stopped by peace officers or highway controllers and some students are not wearing seat belts or are wearing them improperly?	Undue pressure on the school bus driver	Currently, the *Highway Safety Code*, CQLR c. C-24.2, reads as follows: **401.** No person may drive a road vehicle carrying a passenger under 16 years of age who does not fulfil the obligations prescribed under this division.

		The first paragraph does not apply to taxi, bus or minibus drivers in the performance of their duties. However, an adult passenger accompanying a passenger under 16 years of age in a taxi must ensure that the latter is transported in compliance with the conditions set out in this division. We recommend that this remain unchanged, i.e., that the driver cannot be held responsible if the seat belt is not fastened or is used improperly. However, the *Highway Safety Code,* CQLR c. C-24.2, also says the following: **396.** Every person, except a child referred to in section 397, must, while in a moving road vehicle, wear, properly fastened, the seat belt with which his seat is equipped. […] Violation of this section means an automatic assessment of three demerit points on the Heavy Vehicle Owner and Operator (PEVL) record[9] and the Heavy Vehicle Driver record. What will happen if seat belts are installed in school buses?

[9] Known as the Commercial Vehicle Operator's Registration (CVOR) in Ontario.

4. Is it safe to ask parents, supervisors or other adults to board school buses and make sure students are wearing their seat belts properly?	Movements and distractions on the bus from third parties not monitored or screened by the school board	Note that the *Education Act*, CQLR c. I-13.3, states the following: **261.0.1.** Before hiring persons who would be required to work with minor students or be regularly in contact with them, the school board must ensure that they have no judicial record relevant to the functions that could be assigned to them within that school board. To that end, those persons must send a declaration concerning their judicial record to the school board. The school board must verify the declaration or have it verified. **261.0.2.** At the request of the school board, persons who work with minor students and persons who are regularly in contact with minor students in the school board must send it a declaration concerning their judicial record so that the school board may ensure that they have no judicial record relevant to their functions within that school board. What about all those third parties who check on the seat belts of minor students?
5. What are the risks associated with physical contact between the driver or any other adult and a student who needs help fastening, unfastening or adjusting the seat belt?	Adding more physical contact increases the risk of sexual touching, potential legal action, discomfort and other problems	According to the FTA survey, 44% of school bus drivers are women, and 56% are men. The average age in both cases is 55.

CONCERN 2: SAFETY

QUESTIONS	CONCERNS	OBSERVATIONS
1. What about safety concerns associated with the increased waiting times during passenger loading/unloading?	Safety around buses during longer, more frequent stops, particularly in the regions, on numbered roads where vehicles (including other heavy vehicles) travel at speeds of up to 90 km/hour Safety around buses during longer, more frequent stops, particularly in urban areas, as all students must be seated before the bus is allowed to move. With the stop sign deployed, waiting times for car drivers are longer, leading to a higher risk of confusion and impatient behaviour.	These concerns are already problems for school bus drivers and operators on a daily basis. What will happen when seat belts are added to the mix?
2. How will students' physical safety and the effectiveness of compartmentalization be affected when students fail to fasten their belts or do so improperly?	If the bus is hit head-on or rear-ended, a student who is not wearing a seat belt or not wearing it properly may have a much higher risk of injury.	The FTA has received information from SAAQ health professionals indicating that the benefits of compartmentalization are nullified when the students are wearing seat belts. If the bus is hit head-on or rear-ended, the effect on a student sitting in the seat behind and not wearing a seat belt will be like running into a wall, because the seat will no longer have the flexibility to absorb the impact. The SAAQ health professionals also confirmed that the same things applies to students who fail to fasten their seat belts properly (for example, at two points instead of three). The risk of physical injury (abdomen and neck) is apparently higher.

According to Transport Canada,

“Seat belts have a proven safety record. Transport Canada mandates them on a variety of vehicles, including passenger cars. When they are used and installed properly, seat belts on school buses can offer another layer of safety to complement the existing, highly effective protection provided by compartmentalization. Compartmentalization allows children to be protected by high back seats, made from energy absorbing material that cushion the impact in a collision. These seats have strong anchorages and are spaced closely together to create compartments.

If seat belts are not used or installed the right way on school buses, they could have a negative impact on safety. Making sure all children are properly secured in seat belts is a lot more challenging in a 70-passenger school bus than in a 5-passenger car or 7-passenger minivan.

This is one of the reasons we allow provinces, territories and school bus operators to decide whether to install seat belts. They are ultimately responsible for school bus operations.”

Source:
https://tc.gc.ca/en/services/road/school-bus-safety/seat-belts-school-buses.html

3. What are the risks associated with the difficulty of undoing a seat belt in the event of an emergency evacuation (for example, fire on the bus or a rollover)?	It does not make sense for the driver to be responsible for unfastening the seat belts of some 70 students in the event of an emergency evacuation, specifically a fire. If the accident causes a rollover and the bus ends up lying on its roof, how will the students be evacuated when they are hanging upside down by their belts?	
4. Will defective belts be considered minor or major defects?	If it is determined that they are major defects, a seat-belt malfunction during a trip will mean that the bus has to stop until the defective belt is replaced. Another possibility is that if the operator has sufficient inventory, it can send a replacement vehicle and transfer the students so that the trip can continue.	The *Highway Safety Code,* CQLR c. C-24.2, has the following to say on the subject: **519.17.** An owner must correct any defect which is reported to the owner. In the case of a minor defect, the owner must make the necessary repairs or have them made within 48 hours to preserve the right to maintain the vehicle in operation. An owner or operator may not allow a heavy vehicle that has a major defect to be operated or allow a heavy vehicle that has a minor defect to be operated after 48 hours. […] In the case of school transportation, it is important to note that the discovery of a defective belt while en route would have safety implications and a logistical effect on student transportation and school timetables. As things stand today, violation of this section means an automatic assessment of three demerit points on the Heavy Vehicle Owner and Operator (PEVL) record and the Heavy Vehicle Driver record, and it takes the vehicle out of service immediately. What will happen if seat belts are installed in school buses?

5. Who will be responsible for certifying the retrofit work?	The long-term durability of the floor and the passenger compartment after the retrofit The availability of seats and seat belts The availability of manufacturers to carry out the retrofit	According to the FTA's information, school bus manufacturers would be reluctant to certify the retrofit work because of uncertainty about the long-terms effects of the modifications required to install the belts.

CONCERN 3: TRANSPORTATION OPERATIONS

QUESTIONS	CONCERNS	OBSERVATIONS
1. The need for 70 students to fasten their seat belts after boarding and unfasten them before getting off will clearly increase the length of the trip to or from school. What will the impacts of this be?	– The addition of double routes twice a day, because elementary and secondary timetables are not always coordinated. – A double trip also means longer waiting times for buses and drivers. - Longer trips mean later starts for the second route, which in turn means more heavy vehicles in rush-hour traffic. - Later starts necessarily mean that students will get home later after school. - Undue pressure on drivers to adhere to school board timetables	

2. How are operators supposed to manage the presence of an attendant on buses?	- With the current serious labour shortage, operators are already having trouble recruiting and retaining employees. Most operators have to provide training themselves. - Managing the presence of the attendant in the vehicle after all the students have been dropped off. - Many buses are already at full capacity.	The FTA is concerned about who will be responsible for hiring and training the attendants or monitors and also about the obligations surrounding criminal record checks.
3. What about the stowage of backpacks and other personal effects?	In addition to the challenge of fastening their seat belts, students will also have to manage their backpacks, lunch boxes and other personal effects. Many students sit with their backpacks on.	Under the *Highway Safety Code,* CQLR c. C-24.2, **519.8.** A driver of a bus or minibus must distribute and secure freight, express and baggage, other than carry-on baggage, so as to ensure 519.6. (1) unrestricted freedom of movement for the driver and proper operation of the bus or minibus by the driver; (2) unobstructed access by passengers to all exits; (3) protection of passengers against injury caused by falling or shifting articles transported in the bus or minibus. There are additional obligations in the *Regulation respecting road vehicles used for the transportation of school children*, CQLR, c. T-12, r. 17: **47.** In addition to section 46, the driver of a school bus shall ensure that school children being transported are seated safely and that the aisle is free of obstructions.

		48. The driver of a school bus shall ensure that the access to the emergency door is unhampered and free of obstructions. In addition, for about six months of the year in Quebec, school transportation takes place under winter conditions. Bus floors are wet and sometimes muddy. What arrangements will be made for stowing backpacks, which cannot always be placed on the floor under the seats?
4. In addition to the problem of stowing personal effects in the winter, what will be done about snowsuits?	Having three belts per seat seems feasible in the summer. In the winter, it seems unlikely to work. Students may have more difficulty fastening their seat belts when they are wearing snowsuits.	
5. What about the requirement to have booster seats for children under 145 cm tall or under nine years of age? (April 18, 2019)	The number of booster seats required following the switch to full-day four-year-old kindergarten What will be done with the booster seats for the second trip (in cases where secondary students are bused after elementary students)?	Currently, the Société de l'assurance automobile du Québec (SAAQ) recommends that children weighing less than 18 kg (40 lb) **or** under 4½ years of age be placed in a booster seat attached to the school bus's anchorage points. For students to benefit fully from the protection provided by the bus, they must be able to sit properly on the seat, which means having their back straight and supported by the seat back and their knees bent over the edge of the seat.

		Transport Canada's advice is much the same: "Canadian and U.S. research suggests that appropriately installed infant or child restraints would improve occupant protection for small children. The research concluded that a child who weighs less than 18 kilograms (up to approximately age 4½) travelling in a school bus would be better protected if properly restrained in an appropriate child restraint. Based on this study, Transport Canada recommends that children, under the age of about 4½ and weighing less than 18 kilograms, be transported in an appropriate child restraint system while on a school bus. The restraint system should be correctly attached, using a set of new lower anchorage attachments, with a properly installed tether strap."
6. Will the circle check be altered for school buses?	It would be an additional task for the school bus driver to ensure that all seat belts are operating properly before starting the route at the beginning of the day.	Under the *Highway Safety Code,* CQLR c. C-24.2, **519.2.** A driver of a heavy vehicle must, in accordance with the standards prescribed by regulation, conduct a circle check of the heavy vehicle to be driven and enter all observations of the mechanical condition of the vehicle in the vehicle's circle-check report.

		The operator may, however, designate another person to conduct the circle check. The person designated must comply with the obligations provided for in the first paragraph and must complete and sign the report prescribed in section 519.3 and note and report any mechanical defect in accordance with section 519.5. **519.2.1.** No person may drive a heavy vehicle unless a circle check of the vehicle has been conducted within the time prescribed by regulation. Currently, violation of this section means an automatic assessment of three demerit points on the Heavy Vehicle Owner and Operator (PEVL) record and the Heavy Vehicle Driver record. What will happen if seat belts are installed in school buses?

CONCERN 4: LABOUR

QUESTIONS	CONCERNS	OBSERVATIONS
1. **Will any new legislation requiring the installation of seat belts on school buses in Quebec affect labour availability or employee retention?**	Drivers may have to take on additional responsibilities; their duties already include exercising great care in - driving a heavy vehicle in accordance with laws and regulations; - transporting children safely; - assuming a form of parental authority; - managing discipline on the bus.	Like many other industries, the bus transportation industry in Quebec is currently experiencing a serious labour shortage. Qualified mechanics and drivers are becoming hard to find, and transportation companies are having to be very creative in their efforts to attract new prospects and keep existing employees.

	Additional responsibilities might discourage some employees and cause others to lose interest in the job or look for another line of work.	Most school bus drivers are retired or of retirement age. The FTA is concerned about losing the small pool of labour that is currently available. A number of operators have been told by drivers that they would resign if they were given additional responsibilities due to installation of seat belts on school buses.
2. Will school bus driver training and the criteria for obtaining a certificate of competence change?		In Quebec, the *Regulation respecting the training of drivers of buses and minibuses used for the transportation of school-children and of vehicles used for the transportation of school-children,* CQLR, c. T-12, r. 8, states the following: **2.** To obtain a certificate of competence to drive a bus or minibus used for the transportation of school-children, a person shall have successfully completed a 15-hour training course and have paid the costs therefor. […]

CONCERN 5: COSTS

QUESTIONS	CONCERNS	OBSERVATIONS
1. What costs will be generated by the installation of seat belts? **2. Who will be responsible for paying the additional costs to buy more expensive new vehicles or the installation (retrofit) costs?**	That the operators will be forced to pay all the costs. That the funds allocated to school transportation will not be revised to reflect actual needs and school transportation operators' costs.	New school buses equipped with seat belts are more expensive (between $8,000 and $18,000 more per vehicle, according to Transport Canada). According to Transport Canada, retrofitting school buses would cost between $15,000 and $36,000 per vehicle.

3. Who will be responsible for the costs of replacing seat belts if they break or are vandalized? **4. Will MEES budgets be adjusted accordingly? (Funds allocated to school boards for school transportation contracts)**		Longer route times, the addition of double trips, longer waiting times, and more time required to perform the daily circle check necessarily mean longer work hours for drivers. Longer hours mean increased payroll costs. In addition, in areas with large numbers of schoolchildren, trips may become too long to comply with school timetables and teachers' collective agreements. As a result, school boards may decide to bring in more vehicles on contract to transport the same number of students in the time required. The government will have to provide additional funding through the MEES to cover the additional costs.
5. Will installing seat belts on school buses have an impact on the performance indicators established by the MEES in response to the 2011 recommendations by Quebec's auditor general (Vérificateur général du Québec)?	A large percentage of school buses are already being used at full capacity (three elementary students per seat). Already, some routes served by buses have been divided up by school boards and turned into routes served by vehicles used for student transportation (sedans).	Performance indicators were introduced following publication of the Vérificateur général's (VG's) September 2011 report, chapter 4 of which deals with school transportation. On page 4-5 of his report, the VG described the roles and responsibilities of the Ministère de l'Éducation, du Loisir et du Sport (MELS) as follows: **4.6** "The MELS develops the budget rules for school transportation. It also calculates and approves the annual allocations and transfers them to the boards. Each year, it publishes management indicators for school transportation." [Translation]

The VG then described the oversight carried out by the Ministère (p. 4-10):

> **4.25** "The MELS is required to perform the following actions: […]
>
> "• hold and publish the management information needed to analyze the boards' school transportation costs, and support the boards in managing those costs." [Translation]

[…] (p. 4-13)

> **4.46** "The MELS compiles financial data based on the information provided by the boards. The MELS uses that data to produce school transportation management information, which is published annually in the report entitled *Indicateurs de gestion – Transport scolaire*." [Translation]

The VG then laments the absence of certain data (p. 4-14):

> **4.50** "Moreover, some figures are missing, including the following:
>
> • The cost per kilometre for each vehicle type: this indicator would show how much money is spent per kilometre travelled for the various types of vehicles.
>
> • The number of students transported by vehicle type: this information would help assess the optimum utilization of vehicle capacity." [Translation]

The performance indicators were introduced in part for the purpose of ensuring optimum use of vehicle capacity.

What will happen if seat belts are installed?

ADDITIONAL SAFETY CONCERNS

➢ DISTRACTIONS CAUSED BY NEW TECHNOLOGIES

Although technologies can be a great help to drivers, some of them are significant sources of distraction.

Some technologies available in vehicles are intended to improve safety, such as anticollision systems, lane warning systems and other warning mechanisms.

However, those same vehicles usually have equipment that distracts drivers, such as wireless communications devices (smart phones).[10]

In Quebec, road vehicle drivers are prohibited from using a cellular telephone or any other portable device designed to transmit or receive information or to be used for entertainment purposes, or from using a display screen. Drivers who consult the information displayed on a display screen, including that of a portable device, or use a screen command must comply with a number of conditions.

According to a survey by the SAAQ, in 2015, the most common source of driver distraction was cell phones (phone calls and text messages) (17%). The survey also showed that nearly one driver in 10 was distracted while driving (in 2015, 9.66%).[11]

Needless to say, using an electronic device while driving substantially increases the risk of accidents and is a great concern for bus operators and bus drivers.

➢ SHORTCOMINGS IN DRIVER EDUCATION AND IN MONITORING AND CONTROL

According to the SAAQ's 2016 statistics for taxis, buses, heavy trucks and road tractors, there were only two offences for failing to obey a school bus stop signal in 2016.

The actual situation is quite different. School bus drivers see other vehicles ignore their buses' flashing lights on a daily basis.[12]

[10] https://saaq.gouv.qc.ca/securite-routiere/comportements/distractions/saviez-vous/

[11] Results for 2007–2015 from the survey on distracted driving and seat-belt use, Service de la recherche en sécurité routière, Direction de la recherche et du développement en sécurité routière, SAAQ, 2016.

[12] Table 3.4: Number of offences involving demerit points, by type and year of offence, committed by Class 2 or 4B driver's permit holders, 2012–2016.

In addition, on February 23, 2018, the Quebec government launched a pilot project in partnership with Bus Patrouille inc. (Buspatrouille).[13] The purpose of the project was to document the number of times oncoming and trailing road vehicles illegally passed school buses when their flashing red lights were operating or their stop sign was deployed, and to assess the value of installing cameras on school buses.[14]

The Ministère des Transports established a task force following this pilot project to study the data and discuss the issues associated with using automated video systems on school buses to monitor road vehicle traffic near school buses when their flashing light are on or their stop sign is extended.

The FTA participated in the task force's work. According to the final Buspatrouille report, 1,771 potential offences were identified on 13 school buses in just 35.6 days of filming. This is far more that the two offences shown in the SAAQ's statistics for 2016.

The task force found that the main reason for illegally passing school buses lies between **distraction** and **confusion** about the rules that apply, for example, on divided highways, at intersections or on four-lane undivided highways.

Consequently, in the FTA's opinion, if we want to improve the safety of students using school transportation and limit the number of times school buses are passed illegally, the following actions are needed:

- Maintain and enhance prevention campaigns for road vehicle drivers;[15]
- Emphasize other ways of educating road vehicle drivers on the rules that apply on different types of public highways and on how to drive in the vicinity of heavy vehicles;
- Increase police surveillance around school buses to catch and punish non-compliant road vehicle drivers;
- Clarify the applicable laws and regulations.

To date, the FTA has not been informed of any provincial action plan to implement these measures.

[13] The idea put forward by Buspatrouille consists primarily in installing video cameras on the outside of school buses to film all road vehicles that break the rules concerning school buses. The images are initially analyzed by Buspatrouille employees in the company's information technology department. In collaboration with the police, offence notices based on the video evidence are then sent to offenders. However, the idea can be adjusted to meet the needs of the governance system established by authorities.

[14] Through an analysis committee established by the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET).

[15] Every year, the FTA mounts a school transportation safety campaign aimed specifically at road vehicle drivers.

➢ FATIGUE AND DRIVING TIME

Fatigue is one of the main causes of death on Quebec's roads. Every year, it is involved in more than one in five accidents causing injury or death.

According to SAAQ statistics, every year, an average of 78 people are killed and 8,532 people are injured in accidents associated with fatigue behind the wheel. Between 2013 and 2017, fatigue was a factor in 21% of fatal accidents and 23% of all accidents resulting in injury or death.[16]

In the Saskatchewan highways ministry report on the April 2018 Humboldt tragedy, it was noted that the driver of the semitrailer should not have been behind the wheel, because he was in violation of the regulation regarding driving time and rest time. At the time of the accident, he had been on the job for more than 14 hours. The Coroner's report recommended that Transport Canada tighten the rules regarding training and the daily logs of heavy vehicle drivers.[17]

ADDITIONAL QUESTIONS FROM A MEMBER OF PARLIAMENT

1. **Do you think consumers will demand seat belts in your buses as soon as a law is passed, or will they be comfortable waiting years for the fleet to be replaced?**

We cannot answer for users, but in our view, letting it be known that school buses are safer if they are equipped with seat belts (simply having seat belts in new vehicles) will probably have an impact on public opinion.

One of the potential risks is that parents of students transported in vehicles that do not have seat belts will put pressure on their school board and speak out in the media. To address the demands and avoid being singled out in public forums, the school boards will force the school transportation operators, under the terms of their contracts, to use school buses equipped with seat belts in delivering the transportation service. The operators will have no choice but to buy new vehicles to keep their contracts.

2. **What are costs of upgrading school buses and motor coaches to include seat belts? is this still possible?**

Please see page 17 of this brief.

We would also like to add that, according to our information, school bus manufacturers would be reluctant to certify retrofit work because of the uncertainties regarding the long-term effects of the modifications needed to install seat belts.[18]

[16] https://saaq.gouv.qc.ca/securite-routiere/comportements/fatigue/mort-de-fatigue/

[17] News release issued by the Government of Saskatchewan, *Saskatchewan Coroners Service Completes Investigation Into Humboldt Collision*.

[18] Information from school bus manufacturers submitted to Transport Canada's nation-wide Task Force on School Bus Safety.

3. **What is the timeline for replacing your fleets?**

In Quebec, school transportation is partly governed by the *Regulation respecting student transportation*, CQLR c. I-13.3, r. 12, which states that the operator, in carrying out the school transportation contract, may not use buses or minibuses more than 12 years old based on the year of the vehicle.[19]

According to the data collected by Transport Canada's Task Force on School Bus Safety, the average age of the fleet in Quebec is as follows:

0-5 years	5,497 (52%)
6-10 years	3,900 (37%)
Over 10 years	1,253 (12%)

Thus, more than 50% of Quebec's school bus fleet currently has a useful life of more than seven years.

4. **Are you having any problems operating in the USA with motor coaches that do not have seat belts?**

None of our operators have reported any problems of this kind.

5. **Do you think it is safe to operate school buses at high speed on our highways?**

In Quebec, under the *Education Act*, CQLR c. I-13.3,

> **291.** A school board may, with the authorization of the Minister, provide transportation for all or part of its students.
>
> It may provide the transportation itself if authorized by the Minister, or enter into a contract with a carrier for that purpose.

Hence, it is the school board's responsibility to arrange student transportation, which includes establishing school bus routes.

Furthermore, in the province of Quebec as it is now, some schools are in urban areas, and others are in rural areas. Unavoidably, some school bus routes involve travel on highways or numbered provincial roads to serve all the students attending school. What other choice is there?

[19] Section 31.