



October 11, 2022

Roberto Mussenden, Senior Attorney  
Policy and Licensing Division,  
Public Safety and Homeland Security Bureau,  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

**RE: [ET Docket 19-138, DA 22-617 FR ID 92522]  
Comments on Public Safety and Homeland Security Bureau Seeks Comment on Waiver  
Requests from Intelligent Transportation System Licensee to Use C-V2X Technology in  
the 5.895-5.925 GHz Band**

Dear Mr. Mussenden:

The National School Transportation Association (“NSTA”) respectfully submits these comments in response to the Public Notice seeking input on a request for a nationwide waiver of intelligent transportation system (“ITS”) rules to use Cellular Vehicle-to-Everything (“C-V2X”) technology in the 5.895-5.925 GHz band released by the Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau (“Bureaus”) in ET Docket No. 19-138, as captioned above.<sup>1</sup> In the Public Notice, the Bureaus request comment on a joint filing by certain automakers, state departments of transportation, and equipment manufacturers (collectively, the “Joint Waiver Parties”), requesting a waiver of the Federal Communications Commission’s (“FCC’s” or “Commission’s”) rules applicable to ITS operations in the upper 30 MHz of the 5.9 GHz Band to “permit them to collectively deploy and facilitate deployment of C-V2X technology immediately,” as published in Volume 87 Number 155, of the Federal Register on August 12, 2022.

### **About The National School Transportation Association**

NSTA has been the leading resource for school transportation solutions and the voice for private school bus operators for over 57 years. We are a membership organization for school bus contract-operators engaged primarily in transporting students to and from school and school-related activities. Members range from small family businesses to large multi-state operators. Daily, pupil transportation transports almost 26 million K-12 students – utilizing an estimated 480,000 yellow school buses in the process.

According to the National Highway Traffic Safety Administration (NHTSA):

“Students are significantly safer riding to and from school in a school bus than walking, riding bikes, or riding/driving in their family car. The number of fatalities of school age children traveling to and from school, per 100 million vehicle miles traveled (VMT), is 70 times higher in passenger vehicles than in school buses.”

**National School Transportation Association**

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### **NSTA Supports Efforts to Improve Safety**

NSTA believes that in order to support and promote continuous deployment of safety-critical communications systems, we need to lend our support to this Joint Waiver Request. NHTSA indicates that in the past year, traffic fatalities have risen over 10 percent and an estimated 42,915 people have died in motor vehicle crashes<sup>i</sup>. In order to combat this troubling trend, NSTA believes it is important to allow the use of C-V2X technologies in the upper 30-megahertz (5.895-5.925 GHz) portion of the 5.850-5.925 GHz (5.9 GHz) band, as we continue to deploy and evolve C-V2X technologies.

With respect to emphasizing the importance of this matter, you should know that illegal passing of school buses remains a problem that plagues student transportation, and it puts the lives of schoolchildren at risk. According to the last full-school year survey done by the National Association of State Directors of Pupil Transportation (NASDPTS), on a single day in 2019, there were over 95,000 reports of drivers illegally passing stopped school buses<sup>ii</sup>. In terms of deconstructing this dangerous trend, you should know that this dynamic puts schoolchildren at more risk outside of the school bus than they are inside the bus.

To address illegal passing - V2X technology has been utilized to send signals oncoming traffic that give visual and audible warnings to cars to alert them of the stopped school bus, where stop arms and stop arm cameras will then be deployed. These technologies continue to be important as the motoring public continues to be plagued by distracted drivers. Estimates indicate that the utilization of V2X technologies on school buses can help prevent approximately 25,000 injuries and 100 fatalities<sup>iii</sup>. As a response, NSTA believes that the grant of an immediate waiver ensures that C-V2X stakeholders can utilize the entirety of the 30 megahertz in the Upper 5.9 GHz band.

Technological advances on school buses, in many cases, now come as standard features on new school buses. Our embracement of these standard features keeps intact the reputation student transportation has cultivated over many years. Keep in mind there are scenarios that are often out of the control of the school bus driver, and these technologies allow vehicles to utilize a number of safety features, including collision avoidance, emergency response priority, pedestrian-in-crosswalk notification, red light warnings, roadway safety alerts, work zone warnings, reduced speed zone warnings, and weather-impact warnings. Undoubtedly, advances in C-V2X technologies has saved lives, and these advances need to be emphasized by allowing C-V2X technologies to be prioritized in the upper 30 MHz.

### **Conclusion and Summary**

In conclusion, NSTA believe the Commission should grant, immediately, the Waiver Request to permit the Waiver Parties use of the Upper 5.9 GHz band, so they can begin deploying C-V2X technology. Grant of the Waiver Request serves the public interest in two ways: 1. a waiver allows bus manufacturers, automakers, state departments of transportation, and C-V2X manufacturers to deploy ITS technology to address the existing crises - outlined previously. 2. Granting a waiver likely guarantees that these technologies continue to be designed, developed, and delivered to end users.

NSTA appreciates the Commission's willingness to pursue this matter and thanks you for the opportunity to offer comments. We would like to reiterate that student transportation represents the largest form of mass transit in the United States, as well as being the safest mode for transporting students to-and-from school. Above all, safety continues to be the top priority of the industry.

If you have any questions, or further clarification on our comments is required, please do not hesitate to contact me at 703-684-3200 ext. 700, or via email at [cmacysyn@yellowbuses.org](mailto:cmacysyn@yellowbuses.org).

Sincerely,



Curt Macysyn

Executive Director, National School Transportation Association

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<sup>i</sup> “Newly Released Estimates Show Traffic Fatalities Reached a 16-Year High in 2021”, National Highway Traffic Safety Administration, May 17, 2022, <https://www.nhtsa.gov/press-releases/early-estimate-2021-traffic-fatalities>

<sup>ii</sup> “Annual NASDPTS Survey Highlights Danger of Passing School Buses”, National Association of State Directors of Pupil Transportation Services, July 24, 2019.

<sup>iii</sup> “Why C-V2X technology is the safety solution pedestrians need”, Qualcomm Technologies, October 21, 2021, <https://www.qualcomm.com/news/onq/2021/10/why-c-v2x-technology-safety-solution-pedestrians-need>