



November 29, 2023

Docket Operations
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Floor, Room W12-140
Washington, DC 20590-0001

**RE: [Docket No. FMCSA–2022–0003] RIN 2126–AC52
Safety Fitness Determinations**

Dear Sir or Madam:

National School Transportation Association (NSTA) is pleased to offer comments to the Federal Motor Carrier Safety Administration (FMCSA) on its Safety Fitness Determinations, as published in Volume 88 Number 166, of the Federal Register on August 29, 2023.

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. Private school bus contractors account for 38 percent of the nation's pupil transportation services and employ more than 250,000 individuals as bus drivers, mechanics, maintenance workers, dispatch, and office workers. School transportation represents the largest form of mass transportation in the United States, and daily, approximately 25 million K-12 students are transported by an estimated 480,000 yellow school buses.

NSTA Supports the FMCSA Streamline Safety Fitness Determinations

NSTA supports FMCSA efforts to streamline the Safety Fitness Determination System (SFD), NSTA would like to take this opportunity to answer several of the questions that FMCSA is asking:

4. Should motor carriers of passengers be subject to higher standards than other motor carrier in terms of safety fitness rating methodology? If yes, what should these higher safety standards or thresholds be, and why are they appropriate? If no, why not?

NSTA does not believe that school buses should be subject to higher standards. Currently, school buses are the safest form of home-to-school transportation according to the National Highway Traffic Safety Administration, it is 70 times safer than all other forms of home-to-school transportation. The school bus industry, specifically, is one of the most regulated industries in the country. As you know, the industry continues to face driver shortages, a survey conducted by NSTA in March 2022, showed that market forces did not improve measurably, and that 94 percent of survey participants responded they were not at expected bus driver staffing levels.

National School Transportation Association

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Additionally, the survey showed that in many cases, the driver shortage was categorized as “severe” by respondents. Overall, 57 percent of poll participants experienced a 10 percent shortage of drivers, while 11 percent of respondents were down over 20 percent. Further regulations on the industry would result in more drivers being disqualified. As previously mentioned, the school bus industry has a longstanding history and culture of safety, which NSTA members are proud to continue in their day-today operations.

5. Is there a specific aspect of safety management, such as driver training, driver fatigue management and mitigation, vehicular maintenance and repair, etc., that is so fundamentally different in passenger transportation, relative to CMVs transporting property, that FMCSA’s safety fitness rating methodology should take this aspect into special consideration? If yes, what is this specific aspect of safety management, and how do you recommend FMCSA handle the matter within its safety fitness rating methodology? If no, why are the safety management aspects the same?

School bus operators tend to experience less driver fatigue from their drivers due to the bus routes being short consistent routes. School bus routes typically do not cover great distances, and in most cases are usually in a 30-mile radius of the bus depot. If there ever is a mechanical or maintenance problem with a bus, the driver will pull the bus over and call the depot for a replacement bus. A vast majority of the routes school buses run will be within the 30-mile radius of the bus depot. NSTA does not believe there should be special considerations for school bus operators as it relates to SFD.

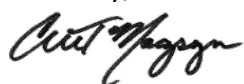
Summary and Conclusion

In conclusion, NSTA appreciates the FMCSA effort to increase highway safety. However, NSTA believes that further regulation of the school bus industry, is redundant and will lead to further exacerbation of the nationwide school bus driver shortage. Furthermore, NSTA believes that maintenance and driver fatigue issues impact the industry less than other CMV sectors.

NSTA appreciates the opportunity to offer comments on FMCSA–2022–0003, RIN 2126–AC52, and we look forward to a continued dialogue with the Agency in monitoring the results of this initiative.

If you have any questions about our position, or need further clarification on our comments is required, please do not hesitate to contact me via email at cmacysyn@yellowbuses.org, or via telephone at 703-684-3200, ext. 700

Sincerely,



Curt Macysyn
Executive Director
National School Transportation Association