

FACT SHEET

Passenger Vans Do Not Meet Safety Standards

As a result of the passage of the National Traffic and Motor Vehicle Safety Act of 1966 and the School Bus Safety Amendments of 1974, the [National Highway Traffic Safety Administration \(NHTSA\)](#), an agency of the U. S. Department of Transportation, issued 34 Federal motor vehicle safety standards which apply to school buses. With respect to school buses, Congress has directed NHTSA to require school bus manufacturers to meet more stringent safety standards than apply to passenger vans and other buses. The following are facts related to non-conforming vans (vehicles designed by the manufacturer to transport more than ten persons including the driver that do not meet Federal Motor Vehicle Safety Standards [FMVSSs]):

11-15 passenger vans do not meet:

- Bus rollover protection which specifies the minimum structural strength of buses in rollover-type accidents;
- Bus body joint strength which specifies the minimum strength of the joints between panels that comprise the bus body and the body structure;
- Bus passenger seating and crash protection which establishes requirements for school bus seating systems for all sizes of school buses;
- Bus pedestrian safety devices which requires school buses to be equipped with an automatic stop signal arm on the left side of the bus to help alert motorists that they should stop their vehicles because children are boarding or leaving a stopped school bus and school bus safety crossing arms which require students to walk at least eight feet in front of the school bus to cross a roadway;
- Bus amber and red flashing lights that precede and accompany the use of the stop arm;
- Bus mirror systems which provide school bus drivers with a full view of the front and sides of the school bus danger zone;
- Bus emergency exits;
- Bus fuel system integrity.

ADDITIONAL FACTS

- It is illegal for a dealer or leaser to sell or lease a new bus for school use if the bus does not meet the school bus safety standards;
- A dealer or leaser is prohibited from selling or leasing a new bus (defined as any vehicle, including a van, that has a capacity of 11 persons or more including the driver) that is likely to be used significantly to transport students to and from school and school-related events if the bus does not meet all of [NHTSA's](#) school bus safety standards, even if it has been certified by its manufacturer as meeting the less stringent standards applicable to other types of vehicles;

- The school bus industry is continually being pressured to make school buses safer (i.e. seat belts or lap/shoulder belt combinations, school bus safety crossing arms);
- A school's purchase or use of 10-15 passenger vans or non-school buses could result in school children being transported in vehicles that do not provide an appropriate level of safety; and
- School districts could be held liable in a lawsuit for knowingly using a vehicle that did not conform to the FMVSS for vehicles of the second division used by or for a district when used to transport students to and from school and school-related events.

While school districts may see a cost savings in purchasing and using non-conforming vans for school-related activities, [National Highway Traffic Safety Administration \(NHTSA\)](#), [National Association for Pupil Transportation \(NAPT\)](#) and the [National Association of State Directors of Pupil Transportation Services \(NASDPTS\)](#) believe that, while comparably-sized school buses may be more expensive than conventional buses, the increased level of safety justifies a higher cost.