

**NSW GOVERNMENT RESPONSE**

**SCHOOL BUS SAFETY COMMUNITY ADVISORY COMMITTEE**

**‘INDEPENDENT INQUIRY INTO SCHOOL BUS SAFETY IN RURAL AND REGIONAL NSW’**

| RECOMMENDATIONS   | RESPONSE  |
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| <b>Bus Design and Usage</b>   |   |
| <p>1. That TfNSW amends the Rural and Regional school Bus Contracts to require:</p> <p>1.1 All new and replacement buses that are to be used on Rural and Regional school bus routes on non-urban roads to fully comply, as a minimum, with ADR 68 (<i>Occupant Protection in Buses</i>); and</p> <p>1.2 All new buses that are to be used on regular route passenger services in urban areas to conform, as a minimum, with the compartmentalisation intent of</p> | <p><b>Supported</b></p> <p>The Government will vary dedicated school bus services contracts (Contract As) with bus operators to introduce seat belts on school buses over a 10 year period.</p> <p>This involves almost 1,700 dedicated school buses.</p> |

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| <p>ADR 66 (Seat Strength, Seat Anchorage Strength and Padding <i>in Omnibuses</i>); or, for replacement buses (ie. bought on the second hand market) to be used in the same urban areas, at minimum to comply with ADR 59 (<i>Standards for Omnibus Rollover Strength</i>).</p>  |   |
| <p>2 That TfNSW regularly monitors new and emerging vehicle safety technologies and, where safety benefits are clearly achievable, stipulates use of these technologies, or at least encourages their introduction, through amendments to Rural and Regional Bus Contracts.</p>  | <p><b>Supported</b></p> <p>The Centre for Road Safety will monitor new and emerging vehicle safety technologies and identify those that have the potential to provide significant road safety benefits.</p> <p>The task will be ongoing and will be included in the centre's core business.</p>   |
| <p>3 That all buses used to transport school students on Rural and Regional roads in NSW, including transport for curricular and extra-curricular activities, meet the same minimum design standards as those stipulated under TfNSW Bus Contracts, including minimum ADR requirements and fleet age restrictions.</p> <p>3.1 That this requirement be mandated through regulation; and</p> <p>3.2 That, in the interim, the</p> | <p><b>Recommendation 3.1 Not Supported</b></p> <p>The recommendation extends the scope of the task to an indeterminate number of buses. Some schools own their own buses and are not contracted by TfNSW. In addition, it would also cover all buses chartered by schools or even buses owned by local clubs used by schools for journeys such as excursions.</p> <p>This would require an amendment to the Passenger Transport Act 1990 and the Passenger Transport Regulation 2007 to extend the definition of a public passenger vehicle. The number of buses and organisations that may be affected by Regulatory change is unknown. The burden that this may place on operators may have an adverse affect causing services to be withdrawn from schools.</p> <p><b>Recommendation 3.2 Supported</b></p> |

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| <p>Department of Education and Communities, the Catholic Education Commission and the Association of Independent Schools of NSW examine mechanisms to encourage schools within their sectors to ensure such minimum standards are reflected in their bus hiring or procurement policies.</p>                         | <p>Recommendation 3.2 is the preferred approach. It is considered that if seatbelts are mandatory for contracted school services that this will encourage other bus service providers (non-contracted) to also provide seat belted services. The Department of Education and Communities already has procedures which encourage schools to hire vehicles with seatbelts wherever practicable.</p>   |
| <p>4 That TfNSW conducts trials of improved school bus warning lights, markings and school bus zone warning signage for the purpose of maximising bus visibility, given that in country areas the bus 'becomes' the bus stop.</p>  | <p><b>Supported in principle</b></p> <p>The Centre for Road Safety will conduct a communications campaign to highlight the purpose of wig-wag lights (existing flashing lights on rear of buses).</p> <p>The Centre will also review the research in this area to determine if NSW can make enhancements to warning lights based on recent research in other jurisdictions. A new trial would be conducted if evidence from other jurisdictions was not useful.</p> |
| <p>5 That, based on the outcomes of trials under Recommendation 4;</p> <p>5.1 The NSW Minister for Transport submits to the National Standing Council on Transport and Infrastructure recommendations for improving national standards for bus warning lights, markings and school bus zone warning signage; and</p> | <p><b>Noted</b></p> <p>This recommendation is subject to the outcomes from the trial in recommendation 4. There are currently no national standards for school bus warning signage.</p>   |

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| <p>5.2 TfNSW implements appropriate improvements to bus warning lights, markings and school bus zone warning signage at a local level pending the reform of the national standards.</p>  |  |
| <p>6 That TfNSW includes in Rural and Regional Bus Contracts a requirement to fit and maintain CCTV in all new and replacement buses.</p>  | <p><b>Not supported</b><br/>It is estimated that the cost to install CCTV would be approximately \$15.4 million with a recurrent cost of \$1.6 million per annum for negligible benefit to the safety of school students.</p>  |
| <p>7 That TfNSW amends the Rural and Regional Bus Contracts to prohibit standing or sitting in the aisle of a bus where buses are required to travel on unsealed roads or on roads with a speed limit of 80km/h or more that are outside urban areas, to be implemented no later than day 1 of term 3 of the 2013 school year.</p> | <p><b>Supported (in principle, with different start date)</b><br/><br/>This recommendation provides recognised safety benefits and will be implemented in conjunction with Recommendation 1.<br/><br/>This would not affect school buses travelling in urban regional areas or services provided under TfNSW Contract B's.</p> |
| <p>8 That TfNSW implements a phased program to provide ADR 68 compliant buses fitted with lap/sash seat belts for all Rural and Regional school student bus travel operating outside lower speed urban environments as soon as possible, and to be completed within 10 years.</p>  | <p><b>Supported</b><br/><br/>See Recommendation 1.</p>   |
| <p>9 That the implementation program for the</p>   | <p><b>Supported</b></p>  |

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| <p>installation of seat belts be based on the following risk priorities:</p> <p>9.1 Allocation of seat belt-fitted buses to school bus routes using unsealed roads, and any routes zoned at speed limits that are 80km/h and above; and</p> <p>9.2 Replacement of buses based on age, with older buses phased out first.</p> | <p>See Recommendation 1.</p>   |
| <p>10 That, for buses that are already compliant with ADR 68 seat anchorage standards, TfNSW determines, in consultation with bus operators, whether it is more cost-effective to retrofit seats and lap/sash seat belts, than to replace an individual bus.</p>   | <p><b>Supported</b></p> <p>Retrofitting of seat belts will be considered on a case by case basis having regard for matters such as the route risks and the current age of the bus and its remaining operational life.</p> <p>The National Code of Practice for Retrofitting Passenger Restraints to buses has been published by the National Transport Commission.</p> |
| <p>11 That TfNSW develops guidelines under the Rural and Regional Bus Contracts for bus operators providing pragmatic approaches to the maintenance and repair of damaged seat belts on a school bus.</p>  | <p><b>Supported</b></p>  |
| <p>12 That TfNSW develops guidelines with BusNSW under the Rural and Regional Bus Contracts setting out bus operator responsibilities to encourage students to wear seat belts, for instance by providing appropriate signage and audio announcements. Such guidelines should make it clear that drivers must not be</p>     | <p><b>Supported</b></p>  |

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| <p>distracted from their key task of driving safely, and so are not, nor should be, responsible for enforcing compliance.</p>   |   |
| <p>13 That TfNSW revises the NSW School Student Code of Conduct in consultation with parent and carer groups and BusNSW in light of the recommendations of this report, including clarifying the rights and obligations of school bus travel stakeholders.</p>  | <p><b>Supported</b></p> <p>The NSW School Student Code of Conduct is close to 11 years old and requires updating. While updating the Code of Conduct, the Bus Operator’s Manual and the Schools Manual will also need to be updated, which will also complete recommendation 28.</p>  |
| <p>14 That TfNSW, in conjunction with parent and carer groups and BusNSW, develops appropriate protocols setting out responsibilities and processes for booster seat use, storage, loss/damage etc.</p>   | <p><b>Supported</b></p>   |
| <p>15 That all bus operators providing services for school student travel be required to meet the same minimum standards for the prohibition of standing on bus routes, and the use of buses fitted with lap/sash seat belts as those recommended by this Committee for TfNSW School Bus Contracts.</p> <p>15.1 That this requirement be mandated through regulation; and</p> <p>15.2 That, in the interim, the Department of Education and Communities, the Catholic</p> | <p><b>Recommendation 15.1 Not Supported</b></p> <p>The recommendation extends the scope of the task to an indeterminate number of buses. Some schools own their own buses and are not contracted by TfNSW. In addition, it would also cover all buses chartered by schools or even buses owned by local clubs used by schools for journeys such as excursions.</p> <p>This would require an amendment to the Passenger Transport Act 1990 and the Passenger Transport Regulation 2007 to extend the definition of a public passenger vehicle. The number of buses and organisations that may be affected by Regulatory change is unknown. The burden that this may place on operators may have an adverse affect causing services to be withdrawn from schools.</p> <p><b>Recommendation 15.2 Supported</b></p> |

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| <p>Education Commission and the Association of Independent Schools of NSW examine mechanisms to encourage schools within their sectors to ensure such minimum standards are reflected in their bus hiring or procurement policies.</p>  | <p>Recommendation 15.2 is the preferred approach. It is considered that as the contracted fleet transitions to seatbelts and no standing that this will encourage other bus service providers to provide services to the same standard. The Department of Education and Communities already has procedures which encourage schools to hire vehicles with seatbelts wherever practicable.</p>  |
| <p><b>Road Infrastructure</b></p>   |   |
| <p>16 That TfNSW works in collaboration with contractors, bus operators and Local Councils to expand the existing NSW school bus route classification process to include non-RMS routes and to facilitate risk-based allocation of resources to improve bus safety on those routes.</p>   | <p><b>Supported</b></p> <p>TfNSW has undertaken a speed survey of all Rural and Regional School bus contracts.</p>  |
| <p>17 That TfNSW and RMS review relevant regulations and guidelines with a view to recommending to Government amendments that mandate that school bus safety become a standing item on Local Traffic Committee agendas, and that local bus operators be invited and actively encouraged to participate in these Committees.</p> | <p><b>Supported in principle</b></p> <p>It is important to note Roads and Maritime Services (RMS) guidelines already recommend local bus operators be part of any considerations which effect their operations. No regulation change is required for RMS to amend its guidelines and recommend school bus safety issues on the road network become a standing agenda item.</p> <p>RMS will write to each local Council in NSW to advise them of the recommendation and to encourage them to list School Bus Safety as a standing item for local council traffic committee consideration and encourage councils to invite local bus operators to be part of those discussions.</p> |

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| <p>18 That TfNSW and RMS develop a standard Methodology for fixed Rural Bus Stop Location/Design, with reference to existing 'best practice' examples, for use by Local Councils.</p>  | <p><b>Supported</b></p>  |
| <p>19 That TfNSW reviews the Regulations that set speed limits around school buses when school bus warning lights are flashing, to more appropriately define the distance behind and in front of the bus to which the speed limit applies, and to make the speed limit applicable in both directions when used on single lane roads.</p> | <p><b>Supported</b></p> <p>Centre for Road Safety will clarify these requirements in the communications campaign to be prepared for recommendation 4.</p>  |
| <p>20 That Local Traffic Committees, with assistance from RMS and NSW Police ensure that NSW Speed Zoning Guidelines have been correctly applied to school bus routes.</p>   | <p><b>Not Supported</b></p> <p>This is outside the powers and skill base of the Local Traffic Committee. RMS staff are required to undertake speed zone reviews of all school bus routes. It would be preferable to discuss this, and work with the Traffic Committees where requested. Alternatively, if bus operators or parent / school groups have serious concerns about speed limits on rural or regional school bus routes, they should contact their regional RMS office to seek a speed zone review be conducted on that particular bus route.</p> <p>The Centre for Road Safety publishes NSW Speed Zoning Guidelines and provides advice to the RMS as required to assist with their appropriate application.</p> |
| <p>21 That bus operators, Local Councils, local police and other stakeholders (e.g. trucking companies) develop and implement risk prevention strategies to</p>  | <p><b>Supported</b></p> <p>This recommendation will be considered as part of the development of the guidelines suggested in other recommendations such as 12 and 14.</p>   |

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| <p>minimise the impact of heavy vehicle traffic on Rural and Regional school bus routes during school commuting times.</p>  |  |
| <p>22 That TfNSW and RMS explore options in consultation with stakeholders to improve student safety around School Bus Exchange points and multiple bus loading areas.</p>                          | <p><b>Supported</b></p>  |
| <p>23 That TfNSW, RMS and the Department of Education and Communities develop guidelines for Local Councils to use when considering the design of new school developments.</p>                      | <p><b>Supported</b></p> <p>The Department of Education and Communities is preparing a schools planning guideline. TfNSW and RMS have had input into the document. These guidelines will target urban planning matters on a range of issues (including school bus safety). The guidelines are intended to assist school planners and consent authorities involved in approving school projects about the urban planning matters that need to be considered.</p>   |
| <p>24 That TfNSW examines the feasibility of extending the NSW Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) funding to support upgrading of rural school bus stops in NSW.</p> | <p><b>Not Supported</b></p> <p>The NSW Country Passenger Transport Infrastructure Grants Scheme (CPTIGS) provides basic infrastructure for public transport passengers, e.g. improved security and lighting, seating and shelters for bus, taxi or train passengers, passenger transport interchanges, passenger transport information boards and access to public transport. The CPTIGS does not provide funds for 'projects that are exclusively or predominantly for the use of school students'.</p> |
| <p><b>Service Delivery</b></p>  |  |
| <p>25 That TfNSW provides resources for a joint TfNSW/BusNSW Bus Operator</p>   | <p><b>Supported</b></p>  |

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| <p>Accreditation Scheme (BOAS) and Safety Management System (SMS) training and education program (including web-based training) aimed at improving operators' risk management practices. This should include funding to assist smaller bus operators provide 'on-road' training for bus drivers.</p>   |   |
| <p>26 That TfNSW recognises Rural and Regional risk in its auditing of bus operators under the BOAS scheme.</p>  | <p><b>Supported</b></p> <p>The Public Passenger Unit in RMS will upgrade their independent Bus Operator Accreditation Scheme audits and undertake additional training of auditors to identify rural and regional bus operators to better ensure risk assessments take into account regional issues.</p>   |
| <p>27 That all bus operators providing services to schools be required to meet the same minimum standards for operator and driver requirements as those required under TfNSW Rural and Regional Bus Contracts, such as the Bus Operator Accreditation Scheme (BOAS) requirements, and Driver Authorities. This would apply to 'commercial' bus services procured by schools, but not (for example) where single buses are purchased and used by schools for student transport purposes.</p> <p>27.1 That this requirement be</p> | <p><b>27.1 Not Supported</b></p> <p>Recommendation 27.1 is already in place in NSW regulation. Under the Passenger Transport Act all bus operators providing services to schools are required to meet the same minimum standards for operator and driver requirements as those required under TfNSW Rural and Regional Bus Contracts, such as Bus Operator Accreditation Scheme requirements and Driver Authorities.</p> <p><b>27.2 Supported</b></p> <p>A market based approach is considered appropriate. TfNSW supports the Department of Education and Communities, the Catholic Education Commission and the Association of Independent Schools of NSW to encourage schools to amend their procurement policies to reflect these minimum standards.</p> <p>It is noted that the discussion for this recommendation states all drivers including parents,</p> |

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| <p>mandated through regulation; and<br/> 27.2 That, in the interim, the Department of Education and Communities, the Catholic Education Commission and the Association of Independent Schools of NSW examine mechanisms to encourage schools within their sectors to ensure such minimum standards are reflected in their bus hiring or procurement policies.</p> | <p>carers and teachers should be required to hold a drivers authority. This could also be reflected in school procurement policies.</p> |
| <p><b>28</b> That TfNSW consults with BusNSW and other key stakeholders to develop and provide guidance material for bus drivers in key risk aspects including around-bus protocols, management of students and handling of emergency situations in rural areas.</p>  | <p><b>Supported</b></p>   |
| <p><b>29</b> That RMS works in consultation with key stakeholders to improve bus incident information capture mechanisms to enable effective root cause analysis and evaluation of risk control strategies.</p>   | <p><b>Supported</b></p>   |
| <p><b>Stakeholder Education and Awareness</b></p>   |   |
| <p><b>30</b> That TfNSW develops standard</p>   | <p><b>Supported</b></p>   |

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| <p>Guidelines for School Bus Safety Stakeholder Liaison at the local level defining roles and responsibilities of key parties in regard to creating and maintaining a safe school bus travel environment.</p>   | <p>.</p>                |
| <p><b>31</b> That TfNSW, in collaboration with RMS and other key stakeholders, develops and implements a Stakeholder Education and Awareness Program in relation to the upgrading of bus warning lights and signage, focusing on 'other driver' behaviour in school bus zones. This should include a targeted media campaign in relation to speeding around school buses and rural bus stops.</p> | <p><b>Supported</b></p> |
| <p><b>32</b> That TfNSW and RMS develop and implement, in conjunction with the Department of Education and Communities, the Catholic Education Commission of NSW and Association of Independent Schools of NSW, a targeted education program for students, parents and carers, focusing on the need to wear seat belts on Rural and Regional routes.</p>  | <p><b>Supported</b></p> |
| <p><b>33</b> That TfNSW designs and implements a communication strategy to identify,</p>  | <p><b>Supported</b></p> |

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| share and promote good school bus safety practice.   |                  |
| <b>Implementation</b>  |                  |
| <b>34</b> That all recommendations, if accepted by Government, be implemented in close consultation with the bus industry, parent and carer associations, Local Government, education bodies, and other key stakeholders where applicable.                           | <b>Supported</b> |
| <b>35</b> That TfNSW monitors progress towards implementation of the Committee's Recommendations and reports on a regular basis via the Department's website, and through a publicly available annual report to the Ministers for Transport and for Roads and Ports. | <b>Supported</b> |