



Rural and Regional Seatbelt Program Taskforce Report

November 2019

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Author: Author Name – Job Title

Reference: Reference

Date: Month Year

Division: Division

Version: 1

Review date: Month Year

1 Chair's Foreword

The Rural and Regional Seatbelt Program Taskforce first met on the 21st of August 2019 and over six meetings conducted a detailed analysis of the roll out of the Rural and Regional Seat Belt Program.

The Taskforce relied on Transport for NSW's knowledge and experience in contracts, legislative compliance and safety, and the operational skills of a number of individual bus operators and BusNSW to develop solutions to identified shortcomings and operational hurdles affecting the effective and efficient roll out of the program.

Discussions were robust and while the Terms of Reference dictated the final recommendations, additional valuable information has been obtained to enable the program to deliver the required safety outcomes within the allocated budget.

As Chair I would like to thank:

- The participating bus operators for giving up their time and their commitment to due process.
- BusNSW as the industry representative body, for engaging in a genuine and professional manner to represent the interests of bus operators across the state.
- Transport for NSW staff for their support and diligence, despite a large workload, in coordinating meetings and obtaining the requested information to enable us to meet a tight deadline.

I commend this report to the Minister.

Derek Schoen

2 Executive Summary

The Rural and Regional Seatbelt Program Taskforce was asked by the Minister for Regional Transport and Roads to examine issues relating to the installation of seatbelts on all buses operated under Rural and Regional Bus Service Contracts in regional New South Wales.

We have also been asked to recommend changes to the current program to improve its efficiency and effectiveness while continuing to ensure that the objectives and intention of the School Bus Safety Community Advisory Committee (SBSCAC) inquiry into school bus safety are met.

In that regard, the SBSCAC's clear intent was that all school buses operating outside lower speed urban environments in rural and regional New South Wales should have seatbelts fitted. It did not recommend fitting seatbelts to route service buses operating in regional areas.

We acknowledge and support the intention to improve safety by installing seatbelts on route service buses in regional New South Wales. However, the fitting of seatbelts on route service buses has had a negative impact on capacity, and an associated increased cost of service provision. It has also been detrimental to passenger amenity and comfort, which has become apparent since the rollout to the One Door Urban Bus (ODUB) fleet from mid-2018. As a result, we recommend that this component of the seatbelt program be discontinued. We also recommend that any savings from this recommendation be used to fund other recommendations in our report.

As a number of route service buses (ODUBs), have already been fitted with seatbelts, we recommend that Transport for NSW investigate engineering options to reconfigure the seating and dedicated wheelchair spaces for recently delivered ODUBs with seatbelts, including the possible retrofitting of flip down seats and installation of stabilising backrests ('ironing boards') for allocated wheelchair spaces.

Other impacts of the program that the Taskforce considered were the inconsistent interpretation of Australian Design Rules (ADRs) by bus body builders and suppliers on the capacity and fit out of buses, particularly with reference to whether passengers should be authorised to stand on buses fitted with seatbelts.

We recommend that Transport for NSW provide guidance to manufacturers and seatbelt retrofitters on the application of ADR 68/00 and the accommodation of standees and ask them to consider authorising standing passengers, including on those buses which they have previously assessed as unsuitable for standing passengers.

We also recommend that Transport for NSW develop specifications for dedicated school buses with ADR68 seats, including the minimum authorised adult seating and standing capacity, and issue these specifications to Prime Suppliers on the Transport for NSW Bus Procurement Panel.

Bus operator representatives on the Taskforce provided evidence which suggested that older dedicated school buses (Category 3 and Category 4 buses) are difficult to maintain, and that retrofitting seatbelts to the oldest of these buses may not represent good value for money, as they are more likely to be retired prior to their maximum age of 25 years.

After considering the evidence available, the Taskforce recommends that rather than retrofit seatbelts, Transport for NSW should replace Category 3 and 4 buses that will be older than 20 years as at 31 December 2019 i.e. buses manufactured prior to 2000. The additional safety features of these newer vehicles will also contribute to the overall safety of the school bus fleet.

Finally, it has become apparent through our meetings of the Taskforce that there has not been a clear articulation of the Government's policy to prohibit students from standing on bus services travelling on unsealed roads or high speed roads outside urban areas, since the program was expanded in 2017. The Taskforce recommends that this be rectified by Transport for NSW, issuing advice to bus operators to take a risk-based approach and acknowledge the strategies available to bus operators to minimise the exposure of students to safety risks.

We have only been asked to make recommendations in relation to changes to the current seatbelt program. However in considering the impact of the program, it became clear that the program has had broader implications for stakeholders and bus operators. Consequently, Transport for NSW may need to consider changes in other areas due to the flow on effects of the program and recent road safety technological developments.

We ask that Transport for NSW consider monitoring and investigating these matters, as appropriate, for example in relation to complex network changes and maintenance requirements arising out of the seatbelt program, and the impact of future regulatory and technological developments such as Autonomous Emergency Braking (AEB).

3 Recommendations

Rural and Regional Seatbelt Program Taskforce Recommendations

The Taskforce recommends that Transport for NSW:

1. Only require seatbelts on dedicated school buses, consistent with the SBSCAC Report. Any savings from implementing this recommendation should be used to implement other recommendations in this report.
2. Investigate engineering options to reconfigure the seating and dedicated wheelchair spaces for recently delivered One Door Urban Buses with seatbelts, including the possible retrofitting of flip down seats and installation of stabilising backrests ('ironing boards') for allocated spaces for wheelchairs.
3. Provide information to manufacturers and seatbelt retrofitters on the requirements of ADR 68/00 and the authorisation of standing passengers.
4. Develop specifications for Category 3 and 4 school buses with ADR68/00 seats, including the minimum authorised adult seating and standing capacity, and issue to Prime Suppliers on the Transport for NSW bus procurement panel.
5. Rather than retrofitting seatbelts, replace Category 3 and 4 school buses that will be older than 20 years as at 31 December 2019.

In order to maximise the number of buses able to be retired, and to ensure value for money, this recommendation should be subject to the replacement bus acquired under the Seat Belts in Buses Program being funded over 15 years (rather than 10 years). All remaining dedicated school buses are to continue in the retrofit program.

6. Transport for NSW should issue advice to bus operators on the Government's policy to prohibit students from standing on buses on unsealed roads and on high speed roads outside urban areas. This advice should take a risk-based approach and acknowledge the strategies available to bus operators to minimise the exposure of students to safety risks.
7. Transport for NSW and bus operators should continue to monitor the ongoing costs caused by damage to seatbelts and seats. In order to minimise operational impacts (and associated costs), Transport for NSW should ensure that prime suppliers have arrangements in place with seat manufacturers to ensure the smooth supply of replacement seatbelts and seatbelt components.

4 Introduction

The Rural and Regional Seatbelt Program Taskforce (the Taskforce) was asked to examine issues relating to the installation of seatbelts to all buses operated under Rural and Regional Bus Service Contracts in regional New South Wales.

The primary functions of this Taskforce were to:

- review the current seatbelt installation program including:
 - assessing the implementation and progress of the program; and
 - analysing the impact that the current program is having on bus capacity, bus configuration, customer comfort and operational circumstances;
- recommend changes to the current program structure to improve its efficiency and effectiveness while continuing to ensure that the objectives and intention of the School Bus Safety Community Advisory Committee inquiry into school bus safety are met;
- ensure any proposed changes can be delivered within the current allocated funding and are consistent with objectives of the seatbelt installation program. This may include consideration of variation to contract provisions; and
- oversee the implementation of identified relevant recommendations stemming from the Taskforce that enhance the program deliverables.

The Taskforce was specifically asked to take into consideration both the costs and benefits of proposals and make, where possible, evidence-based recommendations.

We have not been asked to revisit any of the work or evidence of the School Bus Safety Community Advisory Committee (SBSCAC). In being asked to undertake this work, we were specifically asked to ensure that the objectives and intention of the SBSCAC's report into school bus safety in rural and regional NSW are met.

The Taskforce accepts the SBSCAC's findings that the hazards associated with rare but potentially catastrophic high speed school bus crashes are generally more prevalent in rural and regional areas. The Taskforce also accepts that there are clear safety benefits in seatbelts being used by bus passengers.

5 School Bus Safety Community Advisory Committee

The School Bus Safety Community Advisory Committee (SBSCAC) was established by the New South Wales Government in April 2011 to examine school bus safety in rural and regional New South Wales.

The SBSCAC was comprised of representatives from parent organisations across Government, Catholic and Independent schools sectors; the Belt Up for Safety Action Group; an emergency doctor; BusNSW; the Country Mayors Association; the NRMA; Transport for NSW and Roads and Maritime Services. The independent chair of the SBSCAC was Ms Carolyn Walsh.

The SBSCAC released its report in October 2012 which provided 41 recommendations and sub-recommendations with the aim of identifying opportunities for improvement in school bus safety in rural and regional New South Wales.

The Taskforce has been asked to consider the implementation of the SBSCAC's recommendations relating to the installation of seatbelts and removal of standing students in the rural and regional bus fleet. These specific recommendations and the Government's response to each recommendation are outlined below.

Table 1: New South Wales Government Response to the SBSCAC

Recommendation	Government Response to the SBSCAC
<p>Recommendation 1:</p> <p>1. That Transport for NSW amends the Rural and Regional school Bus Contracts to require:</p> <ul style="list-style-type: none"> a. 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 b. 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 ADR 66 (Seat Strength, Seat Anchorage Strength and Padding in Omnibuses); or, for replacement buses (i.e. 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>Supported</p> <p>The Government will vary dedicated school bus services contracts (Contract As) with bus operators top introduce seatbelts on school buses over a 10 year period.</p> <p>This involves almost 1,700 dedicated school buses.</p>
<p>Recommendation 7:</p> <p>That Transport for NSW 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>Supported (in principle, with different start date)</p> <p>This recommendation provides recognised safety benefits and will be implemented in conjunction with Recommendation 1.</p> <p>This would not affect school buses travelling in urban regional areas or services provided under Transport for NSW Contract B's.</p>

<p>Recommendation 8:</p> <p>That Transport for NSW implements a phased program to provide ADR 68 compliant buses fitted with lap/sash seatbelts 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>Supported</p> <p>That Transport for NSW implements a phased program to provide ADR 68 compliant buses fitted with lap/sash seatbelts for all Rural and Regional school bus travel operating outside of the lower speed urban environments as soon as possible, and to be completed within 10 years.</p>
<p>Recommendation 9:</p> <ul style="list-style-type: none"> • That the implementation program for the installation of seatbelts be based on the following risk priorities: • Allocation of seatbelt-fitted buses to school bus routes using unsealed roads, and any routes zoned at speed limits that are 80km/h and above; and • Replacement of buses based on age, with older buses phased out first. 	<p>Supported</p> <p>See Recommendation 1.</p> <p>10 year Bus Replacement Criteria and Treatment Plan based on bus age.</p>
<p>Recommendation 10:</p> <p>That, for buses that are already compliant with ADR 68 seat anchorage standards, Transport for NSW determines, in consultation with bus operators, whether it is more cost-effective to retrofit seats and lap/sash seatbelts, than to replace an individual bus.</p>	<p>Supported</p> <p>Retrofitting of seatbelts 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>

6 Bus services and the bus fleet in regional New South Wales

Students travelling to and from school make up 90 per cent of all passenger trips in regional New South Wales

6.1 Bus services in regional New South Wales

Transport for NSW contracts with bus operators across New South Wales for the provision of bus services to the community. In regional areas¹, these services are provided under a contract known as the Rural and Regional Bus Service Contract (RRBSC), and it is these services that are the subject of the Taskforce's considerations. Under the RRBSC there are two distinct service types, dedicated school services and regular route services.

6.1.1 Dedicated school services

Dedicated school services primarily transport school students to or from the school under the School Student Transport Scheme and carry few, if any, other fare paying passengers. These services represent the majority of bus services provided across regional New South Wales with school students representing 90% of passenger trips in regional New South Wales.

Under the RRBSC four categories of buses are used for dedicated school services. Category 1 and 2 buses are smaller vehicles that seat up to 28 passengers. These buses are not designed to carry standing passengers and are generally delivered fitted with seatbelts.

Category 3 and 4 buses are larger buses and can accommodate more than 29 passengers. Generally, standing passengers have been permitted on these larger buses. However, there has been a longstanding accreditation condition that when standing passengers are on board a bus (being used solely or principally for the conveyance of students to and or from school) and the posted speed limit is higher than 80km/h, operators providing these services must ensure that the bus travels no faster than 80km/h. Prior to SBSCAC recommendations being accepted by the New South Wales Government, these larger dedicated school buses did not have seatbelts.

As the SBSCAC found, dedicated school buses operate in a mixed environment. That is, they spend time in low speed urban environments, as well as on high speed (e.g. 80 km/h or above)² non-urban roads or unsealed roads. It was the greater exposure of these vehicles to potential safety risks that led the SBSCAC to recommend the installation of seatbelts and the prohibition of students standing on high speed non-urban roads and unsealed roads.³

¹ For the purposes of the Taskforce's considerations, regional NSW means anywhere in NSW outside the major regional centres of Sydney, the Lower Hunter and Central Coast, Illawarra and the Blue Mountains.

² The Taskforce has used terminology (for example, relating to 'high speed roads' and 'urban areas') consistent with the School Bus Safety Community Advisory Committee Report. Also see the Glossary for further definition.

³ School Bus Safety Community Advisory Committee Inquiry into Rural and Regional School Bus Safety in NSW Report, p. 51.

6.1.2 Regular route services

Regular route services have a published timetable and are available to the general public for a fare. They are used by the community to travel to and from work or education, for leisure activities or for personal appointments such as to travel to doctors' appointments, shopping centres etc. School children also use these services to travel to and from school.

Regular route services are generally provided in larger buses, which can accommodate standing passengers, and do not have seatbelts. The buses used under the RRBSC for regular route services are known as One Door Urban Buses (ODUBs).

As these services are open to the general public, they must meet the Disability Standards for Accessible Public Transport (the DSAPT) under the *Commonwealth Disability Discrimination Act 1992* (the DDA). All route services are required to meet the accessibility requirements of the DSAPT by the end of December 2022.

In terms of the fit-out of an ODUB, a key feature is that there must be accommodation in the bus for two passengers in wheelchairs. The DSAPT does not apply to dedicated school bus services.

Route service buses (including ODUBs) tend to spend more time operating in lower speed, urban environments, including in regional New South Wales. Data provided by bus operators to the Taskforce indicated that the average speed of both dedicated school buses and one door urban buses in urban areas was 26.5 kilometres per hour, comparable to average speeds in metropolitan areas, which are largely serviced by route service buses.⁴

There are 338 regular route services in regional New South Wales and 177 of these routes are primarily contained within a town boundary on low speed roads⁵. The remaining 161 routes spend some time on high speed roads outside urban areas, and school children regularly travel on 141 of these routes.⁶ Presumably, some of the students' journeys are partially on a high speed section of the route.

6.1.3 Contract mechanisms for service changes

Under RRBSCs bus operators may need to implement service variations from time to time. Service variations can be initiated by the operator or Transport for NSW. Service variations are often required due to changes in demand (increase in student numbers and/or general population growth) and/or supply (reduction in seating and/or standing capacity of a bus or buses).

Service variations initiated by the operator require Transport for NSW's approval. To assist with these requests, Transport for NSW has developed a Bus Service Alteration Request (BSAR) form, which is submitted in a PDF format, and sets out the information required for Transport for NSW to consider an operator's proposed service variation. As the form requires the estimated cost (or saving) of the service variation, a BSAR Estimator has also been developed to assist operators. The BSAR process commenced in May 2017, and over the course of 2018/2019 a total of 283 BSARs were received, with 229 (81%) of these approved.⁷

The BSAR form and estimator have been developed for simple service variations such as extending a dedicated school bus service to cater for new students or a change to a school bus route to address a safety issue.

⁴ Buslines and Nowra Coaches average speed data supplied to the Taskforce

⁵ BusNSW member survey using bus route data from transport.info.

⁶ BusNSW member survey using bus route data from transport.info.

⁷ Transport for NSW Rural and Regional Seatbelt Program Taskforce, Discussion Paper: Action 9, 21 August 2019, p. 1

When a decision is made to reject a BSAR, the reason for that decision is provided to the operator in writing. The following factors are considered during the assessment of a BSAR:

- safety attributes of proposed new bus stops and routes;
- effect on connecting services;
- improved patronage of services;
- impact on other Transport for NSW programs and schemes e.g. School Drive Subsidy;
- support for proposed service amendments by existing passengers; and
- comparative cost of the BSAR in delivering the outcomes (i.e. value for money).

Advice provided to the Taskforce suggests that the BSAR process does not readily accommodate a complex network change, which might involve multiple routes, services and buses.

For operators providing a network of regular passenger and school services, changes to one service can have a flow-on effect to other services. For example, an operator may need to change the time of a school bus service which is linked to other school and/or regular passenger services undertaken by the same bus. The impacts on connecting services that are provided by the same operator, or a different operator, also need to be considered.

In this scenario, the limitations of the current BSAR process means that an operator must submit multiple forms, one for each of the services affected, and to describe the links between the services on each form. This amounts to a complex and time-consuming process for what are often relatively simple network changes. Further, the assessment of BSARs by Transport for NSW is currently undertaken by contract management staff who have limited (if any) skills in the service planning and scheduling required to understand more complex service changes.

6.2 The bus fleet in regional New South Wales

Table 2: Rural and Regional Bus Fleet

Bus Category	Adult Seated Capacity	Standing Capacity	Total Quantity
Category 1	8 – 14	0 Due to ceiling height	125
Category 2	15 – 28	0 Due to ceiling height	567
Category 3	29 – 43	Defined by body builder	265
Category 4	44+	Defined by body builder	1,725
ODUB	44+	Defined by body builder	347
Total:			3,029

6.2.1 Contract mechanisms relating to bus fleet

Prior to the implementation of the RRBSC, bus contracts between Transport for NSW and bus operators fell into two categories: Contract As and Contract Bs. The delivery of services under these contract categories were fundamentally different, with Transport for NSW having greater visibility and control under Contract As.

Table 3: Features of previous bus contracts

	Contract A	Contract B
Services	Dedicated school services	Both regular passenger services and dedicated school services
Funding	Gross cost style contract (with limited farebox revenue) with payments based on hour, km and per bus rates	Net cost style contracts with payments based on half fare concession revenue and SSTS passes on issue. The Operator retains all revenue.
Fleet	Transport for NSW funded fleet replacements.	Bus operators were responsible for fleet management including replacement costs.
	Maximum age requirements: Category 1 or 2: 15 years Category 3 or 4: 25 years	Nil maximum age requirement.
	Average age requirements: Category 1 or 2: 8 years Category 3 or 4: 12 years	Average age requirements: 12 years

6.2.2 RRBSC Contract mechanisms relating to bus fleet

Prior to the RRBSC Transport for NSW paid Contract A holders a depreciation payment for the buses in their fleet. With the new contracts this was broadly maintained, and a similar approach was adopted for the former Contract Bs.

By operators purchasing buses, usually through financial lease arrangements, the immediate capital cost to Transport for NSW and any inherent risk associated with the bus are negated. By funding the operator for a new bus, Transport for NSW is provided with a right of call on the bus, in particular at the end of the contract, where Transport for NSW has the right to sell the bus to a successor operator thus ensuring continuity of service delivery for customers. These arrangements are also consistent with contract bus funding arrangements in metropolitan areas.

To account for operators’ outlay on the fleet, Transport for NSW makes an annual payment for each bus, comprising the capital cost of the bus, the associated stamp duty and a respective nominal interest amount. In most cases, for Category 3 and 4

buses and ODUBs, they are funded over 15 years, and for Category 1 and 2 buses, operators are paid over 13 years.

New buses procured and placed into service under the Seatbelt Program all have a reduced funded life of 10 years,⁸ resulting in higher annual fleet payments to operators. The exception to this is new buses acquired and placed in to service under a Very Small Rural and Regional Bus Service Contract. These buses are funded over 10 years regardless.

The funding life of a bus is generally shorter than the expected life of a bus under the contract.⁹ The maximum ages in the RRBSC are 15 years for Category 1 and 2 buses, and 25 years for Category 3 and 4 buses and ODUBs. This means that a bus must be replaced before it reaches its next anniversary (i.e. before the Category 1 or 2 bus reaches 16 years, and before other buses reach 26 years). The maximum ages specified in the RRBSC are consistent with the former Contract A requirements.

Operators of Contract Bs were responsible for managing their own fleet, including procurement. This resulted in instances where buses in operation in rural and regional were either older than 25 years or were buses incompatible with the operating environment.

In order to provide a consistent standard of bus manufacture to meet the demands of regional NSW, under the RRBSC, all Category 3 and 4 buses and ODUBs are required to be purchased from Transport for NSW's Bus Procurement Panel. The Bus Procurement Panel enables Transport for NSW to regularly review and update the specifications of its contracted fleet across NSW with a view to ensuring purchased buses can meet fleet age requirements and achieve value for money.

Under the RRBSC, there are three provisions under which buses may be replaced:

- when they reach maximum age,
- to allow the operator to comply with average age requirements (medium and large contracts), or
- when the bus is lost, stolen, destroyed or damaged beyond economic repair.

Replacement under the third provision is a relatively rare occurrence. Operators may notify Transport for NSW that they consider their Existing Bus (a bus that has not been purchased or leased under the current contract, for example buses that were purchased by operators under the previous Contract Bs) is unable to attain its contractual maximum age due to mechanical or structural issues and should be deemed beyond economic repair.

Where a bus is replaced early on these grounds, the RRBSC assumes that the Existing Bus is subject to an insurance payout and the capital cost of the replacement bus should be reduced to reflect the insurance payout. The RRBSC does not consider the treatment of payments for buses deemed beyond economic repair where there is no associated insurance payout, other than allowing the Operator to dispose of the bus and retain all sale proceeds. As discussed at 7.1.1.3, replacing buses before their maximum age results in Transport for NSW incurring the write-off of the funded future bus life.

In some instances, alternative solutions have been sought to negate the cost to Government and any adverse impacts to operators' cash flow. For example,

⁸ RRBSC, Schedule 3, Payment Schedule, clause 4.1(b)x(A)(ii)

⁹ See 7.1.1 for further discussion on this issue.

Transport for NSW has offered operators the option of a “like for like” bus replacement. Like for like refers to a bus of the same category and approximate age being introduced to replace the Existing Bus. Under this scenario, Transport for NSW continues the payments relating to the Existing Bus to the operator for operation of the “like for like” bus, leaving the operator no worse off.

6.3 **Future Transport 2056 and implications for bus services in regional New South Wales**

In comparison to metropolitan Sydney, the route bus networks in regional NSW have less frequent services that end earlier in the day, with limited, if any, services on weekends. In some cases routes are more circuitous and do not provide good connections to growing areas or employment hubs. Further, customers in regional centres do not have access to the same high quality information and ancillary services such as real time tracking of buses and integrated ticketing across modes available in metropolitan areas.

The New South Wales Government’s blueprint for transport over the next forty years, *Future Transport 2056*, has projected that regional cities will continue to grow, with the regional population consolidating in these hubs as they are drawn in to employment, services and other opportunities.

Other key trends identified in *Future Transport 2056* are the ageing of the population, and the consequential potential for alternatives to private vehicles to meet mobility needs, as well as the increasing influence of information technology and data on flexible, personalised delivery of transport services to the community.¹⁰

Transport for NSW is implementing a number of initiatives to prepare for these changes. Under the *Transport Connected Bus* program, Transport for NSW is trialling vehicle tracking technology that will provide real time information for regional bus customers.

Future Transport 2056 also signals a ‘hub and spoke’ model for transport planning, to focus transport service delivery to major regional centres. A current initiative using this guiding philosophy is the trial of 13 new services connecting 44 isolated communities to their nearest major centre for shopping, appointments, visiting friends and family and to connect to the broader transport network.

To support the vision for more flexible, technology-enabled public transport for regional communities identified in the *Future Transport Technology Roadmap*, Transport for NSW is trialling 11 on demand public transport services across several communities.

A variety of service models are being trialled and some are using smartphone apps for bookings, payment and vehicle tracking. The objective of the on demand pilots is to test a diverse range of new service delivery models and identify the technology required to underpin these service delivery models, to see if customer outcomes and better value for money can be achieved.

The pilot program is informing Transport for NSW’s planning, procurement and delivery of future transport services and to mature the market in the development and delivery of innovative service delivery models. One of the pilots being conducted in

¹⁰ *Transport for NSW, Future Transport 2056: Regional NSW Services and Infrastructure Plan, p. 22, 34, 60.*

Moree, with more than 5,000 passenger journeys each month, has been so successful that Transport for NSW has decided to make it a permanent service.¹¹

Finally, in sixteen of the major regional centres (hub cities), Transport for NSW is implementing new customer-focused bus networks over the next four years. These regional centres are Tweed Heads, Wagga Wagga, Bathurst, Orange, Dubbo, Coffs Harbour, Port Macquarie, Tamworth, Armidale, Lismore, Grafton, Griffith, Albury, Nowra-Bomaderry, Queanbeyan and Parkes and account for about 40 per cent of regional New South Wales' population.

The new networks will improve services to employment hubs, hospitals, TAFEs, universities and provide better connections to train stations and long-distance bus services. They will also result in better travel times, frequencies and expanded service hours, including on nights and weekends.

Given the New South Wales Government's significant investment in public transport bus services for the broader community in regional areas, the Taskforce is mindful that the patronage mix on regular route services is likely to change over time, and our recommendations need to accommodate these developments.

¹¹ Transport for NSW media release 'Request for Proposals: On demand service staying in Moree' 17 October 2019.
<https://www.transport.nsw.gov.au/news-and-events/media-releases/request-for-proposals-on-demand-service-staying-moree>

7 Rural and Regional Seatbelt Program

7.1 Rollout of the Seatbelt Program and the move to the RRBSC

Following consideration of the SBSCAC report, on 30 July 2013, the Minister for Transport announced that seatbelts would progressively be installed and standing phased out on almost 1,700 Contract A buses over 10 years, starting in the 2013/2014 financial year (the 2013 Program).

The SBSCAC identified that the roll out of seatbelts to certain Contract B buses may result in excessive changeover costs for some operators¹². Accordingly, the NSW Government applied the SBSCAC recommendations only to Contract A buses, and Contract B buses, whether ODUBs or dedicated school buses, were excluded from the 2013 Program.

The rollout of seatbelts was estimated to cost around \$208 million over the ten year period. Five hundred and twenty three buses were replaced under the 2013 Program in the 4 years to June 2017. The phasing out of standing passengers on Contract A buses was accommodated through the completion of capacity assessments as buses were nearing replacement by buses fitted with seatbelts.¹³

The commencement of the RRBSC in 2016 saw removal of the distinction between Contracts A (school services) and B (regular route and school bus services) with the implementation of new style contracts. The new contracts are based on fleet size rather than the type of service being provided.

This had a number of implications for the seatbelt program. For example, it would not be possible to achieve the 2013 Program as the costs associated with the early replacement of buses had increased significantly under the RRBSC. Further, from a customer perspective it was unclear why only a portion of buses delivering dedicated school services in rural and regional New South Wales were being fitted with seatbelts and were subject to the ban on students standing.

On 26 June 2017 the Minister for Transport and Infrastructure announced a further \$29 million in funding to expand and accelerate the installation of seatbelts by December 2021 on all 2,800 buses providing services under RRBSCs. This would involve the replacement of over 400 buses and retrofitting of more than 1,900 existing buses (2017 Program).

The 2017 Program would see students on Transport for NSW contracted bus services throughout regional NSW receive the same level of safety, responding to customer concerns. The combination of replacing and retrofitting buses was forecast to result in optimal value for money for NSW taxpayers, though this did not consider impacts on customers and capacity and did not involve industry consultation.

Under the 2017 Program, all buses included in the 2013 Program were to have seatbelts installed by December 2019 and the remaining RRBSC fleet would be completed by December 2021.

¹² SBSCAC Report, p. 54.

¹³ Sample letter to Contract A bus operator relating to replacement of bus fleet, provided by Transport for NSW.

Buses included in the 2013 Program scheduled to achieve their maximum contract life by 31 December 2020 would not be retrofitted with seatbelts, but would instead be replaced by the end of 2019. Orders for these buses have been placed, with 271 already delivered, a further five to be delivered by the end of the year and the final bus due for delivery by 1 February 2020.

Buses not included in the 2013 Program (both dedicated school buses and ODUBs) which are due to reach their maximum contract life by 31 December 2022 are to be replaced with a new bus fitted with seatbelts by the end of 2021. Table 4 provides the status of bus replacements under the 2017 Program as at 24 October 2019.

Table 4: Overview of 2017 Program Bus Replacements

	Category 2	Category 3	Category 4	One Door Urban	Total Buses
Buses due June 2020					
Replaced/Already Fitted	263	116	385	8	772
Planned	13	13	16	0	42
Total	276	129	401	8	814
Buses due December 2021					
Replaced/Already Fitted	10	16	198	58	282
Planned	4	0	85	6	95
Total	14	16	283	64	377
Total Replacements	290	145	684	72	1,191

1,054 buses have either been replaced with buses fitted with seatbelts, or already had seatbelts fitted when acquired (50 of which were low-floor accessible buses used for timetabled route services in the contracted rural and regional fleet). A further 137 buses are required to be replaced by December 2021.

7.1.1 Introduction of Retrofitting

The 2017 Program involves predominantly retrofitting Australian Design Rule (ADR) 68/00¹⁴ compliant lap-sash seatbelts to existing buses rather than replacing buses early. This had economic benefits for the New South Wales Government, since retrofitting is a one off cost with no consequential capital cost imposts, while still achieving the desired safety outcome.

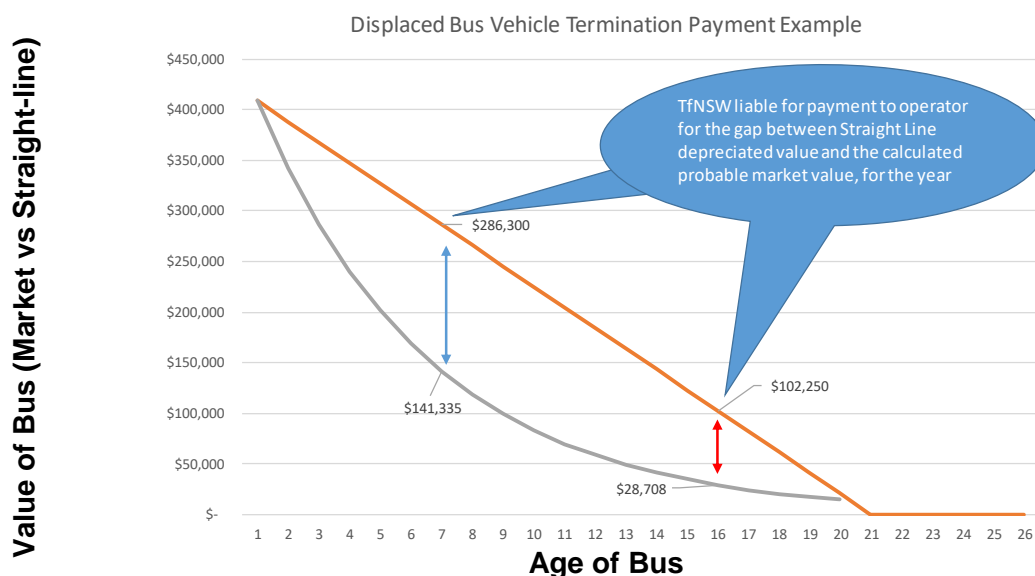
¹⁴ Further discussion of the Australian Design Rules for Buses can be found at 7.1.3.1

There are five key impacts that come into play with any strategy that relies on the early replacement of buses (i.e. before the normal end of their operational life):

7.1.1.1 Payment of a Displaced Bus Vehicle Termination Payment (DBTP)

DBTPs were not a feature of the previous contract regime. They were introduced with the commencement of the RRBS and are a compensatory payment to operators when required by Transport for NSW to replace a bus (including under the seatbelt program) before the end of its funded life.

Figure 1: Displaced Bus Vehicle Termination Payment Example



DBTPs have the effect of significantly increasing the cost of early bus replacements and, by extension, the replacement program’s costs. As a result, retrofitting presented a viable alternative – achieving the same safety outcome while preserving the inherent bus value.

7.1.1.2 Recurrent funding uplift associated with funding the new bus, compared with funding the old bus that is being replaced

For existing buses brought into the RRBS, the amount that each bus is funded by Transport for NSW reduces over time. By the time an existing bus is 15 years old the amount of capital funding an operator receives from Transport for NSW is relatively small and reduces further over time.

However, when replaced by a new bus, Transport for NSW is liable for the capital funding of the new bus, and that capital funding will invariably be greater than the capital funding (if any) being paid for the older bus that is replaced.

That increased capital funding (for the new bus) commences from the replacement date and continues forward for a further ten years, i.e. during the seatbelt roll out period and post project completion.

7.1.1.3 Lost economic life as a result of ‘replacing’ a bus early

Under the RRBS, the funding life for buses differs from the period of economic use of that bus, as described in Table 5.

Table 5: Contract life and funding life of buses under the RRBS

	Contract Life	Funding Life	
		Existing Bus	New Bus
Category 1 and 2	15 years	13 years	13 years
Category 3 and 4	25 years	20 years	15 years
Very Small Contracts	As above	8 years	10 years

Under each of these scenarios, the funding life is lower than the contract life. This means Transport for NSW is essentially paying a portion of the contract life of the bus in advance. Accordingly, when a bus is replaced early this “advance payment” is included in the lost economic life.

The result is that when a bus is replaced ahead of its normal replacement date/age then there is, in essence, a write-off (naturally or through a DBTP) of funded future bus life by Transport for NSW.

An example of this loss of economic value resulting from early bus replacement is where a Category 4 bus has reached the end of its funding life of 20 years. In its 21st year of useful life, the bus should have 5 years of remaining use with no associated funding (having been paid for in advance by TfNSW for the first 20 years of the life of the bus).

However, where this bus is replaced early under the Seatbelt Program, the payment for the replacement bus will be funded over a shorter term (except for Very Small Contracts) of 10 years. The cost of replacing this bus is approximately \$288,000 over 5 years. Alternatively the same bus could have seatbelts retrofitted for a quarter of that cost.

7.1.1.4 Bus manufacture supply peaks and troughs and

Replacing a significant number of buses earlier than their contract life will bring forward purchase orders. The bus manufacturing/supply industry will be markedly busier than usual during the seatbelt roll out period. After that there will be a significant reduction in bus orders – buses that would have been built in those later years will have already been built and delivered in the earlier years.

7.1.1.5 Modernity improvement benefits vs the cost of those benefits

Clearly a strategy that replaces buses ahead of their contract ‘use-by’ date will result in a newer, more modern fleet. This more modern fleet is likely to result in (depending on bus specifications):

- Lower emissions from new engine technology;
- Additional braking safety features (e.g. ABS);
- Improved passenger comfort (e.g. air conditioning);
- Lower bus maintenance costs for operators in the initial years – a benefit unlikely to be captured by Transport for NSW.

However, the substantial cost of renewing/replacing the fleet over a short period is beyond the financial scope of the Program.

7.1.2 Progress of Retrofitting under the 2017 Program

Retrofitting has progressed well despite some unforeseen seat supply issues that took a number of months to resolve. Due to these issues, the timeframe to retrofit all 2013 Program buses by December 2019 will not be met, however it is expected that these buses will be retrofitted by June 2020. Table 6 provides the status of retrofitting under the 2017 Program as at 24 October 2019.

Table 6: Overview of 2017 Program Bus Retrofitting

	Category 2	Category 3	Category 4	One Door Urban	Total Buses
Buses due June 2020					
Retrofit Complete	99	8	30	0	137
Retrofit Planned	47	54	284	0	391
Total	146	62	314	6	528
Buses due December 2021					
Retrofit Complete	0	0	8	0	8
Retrofit Planned	10	21	618	268	917
Total	10	21	626	268	965
Total Retrofits	156	83	940	274	1,493

A key principle of the 2017 Program is that buses will be retrofitted with seatbelts unless better value for money is obtained by replacing the bus. Value for money considerations include factors such as:

- assessment of whether the passenger capacity of the existing bus will be sufficiently adversely affected to prevent the delivery of the contracted services;
- cost of retrofitting, including any unforeseen structural or other issues requiring additional work (e.g. bus frame inadequate to secure seats); and
- early replacement costs.

As outlined at 6.2.3, under previous rural and regional contracts, Transport for NSW did not specify which buses operators were to purchase, so there is a wide variety of buses operated by rural and regional operators. Given the variety in the fleet, and that a significant proportion of the fleet is yet to be retrofitted, it is likely that several other buses will be replaced rather than retrofitted with seatbelts taking these factors into consideration.

7.2 The implications of the Australian Design Rules for the Seatbelt Program

The Taskforce was asked to examine the impact of the current program on bus capacity, configuration, customer comfort and operational circumstances. Throughout our review of the program, it has become clear that requiring Australian Design Rule (ADR) 68/00 occupant protection has had different impacts on route service buses than on dedicated school buses. In order to understand these impacts, it is first necessary to describe the Australian Design Rules relevant to the buses we have been asked to examine.

7.2.1 Relevant ADRs relating to buses – ADR 58/00 and ADR 68/00

Vehicles supplied to the Australian market must comply with the applicable vehicle safety, security and environment standards known as the Australian Design Rules (ADRs). There are two ADRs that apply to the general design and construction of buses, ADR 58/00 *Requirements for Omnibuses Designed for Hire and Reward*, and ADR 68/00 *Occupant Protection in Buses*.

There are a number of other ADRs that apply to systems and components incorporated into buses. A detailed assessment of the requirements of ADR 58/00 and ADR 68/00 is included as Appendix B. A brief description of the two ADRs is set out below.

ADR 58/00 establishes the design requirements for all types of buses typically used to provide regular route services, including the One Door Urban Buses used under the RRBSs. ADR 58/00 allows for (and assumes there will be) standing passengers. It requires the manufacturer to nominate the capacity of the bus based on a combination of seated and standing passengers, with a mass of 65kg each.

To accommodate standing passengers, it specifies requirements for the floor (gradient, surface and dimensions) and aisle height, and that there must be a suitable number of straps, handrails and grips commensurate with the number of passengers. ADR 58/00 also specifies the requirements for doors and exits, and for stop signals to be within easy reach of every passenger.

ADR 68/00 is primarily concerned with establishing the requirements for seatbelts, the strength of seats, seat-anchorage, and provisions for protecting occupants from impact with seat backs and accessories on seats and armrests. This indirectly determines the strength of a bus's structure as it must support the seats and associated components that are subjected to forces in mandatory dynamic tests.

It establishes the requirements for coaches and similar buses, including dedicated school buses under the RRBSs. It does not apply to route service buses, buses with fewer than 17 seats (including the driver and crew) or buses where all seats are less than one metre in height.

The capacity of an ADR 68/00 compliant bus is established by the dimensions of the seats. It allows front-facing and rear-facing seats, but explicitly does not allow side-facing seats. Fold-down seats are allowed provided the restraining device is capable of withstanding the dynamic tests. Seat backs and other fittings in head strike zone must meet specified requirements for protecting passengers.

7.3 Impact of the program on route service buses ODUBs

Similar to the SBSCAC review in New South Wales, other jurisdictions such as Western Australia, have considered requirements for ADR 68/00 seatbelts on school buses. However, the Taskforce is unaware of seatbelts being installed on route service buses anywhere outside New South Wales. In New South Wales this only commenced since mid-2018, and it is fair to say that given the novelty of this approach, there is a lack of clarity among manufacturers and retrofitters about how to apply the ADRs in this unique situation.

7.3.1 Impact on capacity of ODUBs

Correspondence from operators to Transport for NSW that was provided to the Taskforce indicates that manufacturers and retrofitters are inconsistently interpreting the impact of ADR68/00 on standing passengers on ODUBs that have been fit out to comply with ADR68/00.

As described at 7.2.1, manufacturers must indicate the number of authorised adult standing passengers that are authorised to stand on each bus. Some manufacturers, apparently concerned about their potential liability in the event of an accident, have not been authorising any standing passengers on ODUBs fitted with ADR 68/00 compliant seats and seatbelts.

Correspondence to Transport for NSW suggests that ‘manufacturers have also advised that they will not licence standing capacities until such time that regulating parties provide confirmation in writing.’¹⁵

Further, the engineering solution to fit ADR 68/00 compliant seats with seatbelts on these low-floor wheelchair accessible buses has resulted in seating for 8 adults being removed, which has further reduced capacity.

Assuming all ODUBs to be retrofitted are operating at or near peak capacity:

- An additional 70 ODUBs would need to be introduced to counter the seating capacity loss.
- An additional 260 ODUBs would need to be introduced to counter the total (seating & standing) capacity loss.

Table 7: One Door Urban Buses in Retrofit Program and potential capacity loss

Buses	Cost	Capacity Loss		
		Seating	Standing	Total
279	\$20.1m	-2,790	-7,595	-10,385

Retrofitting these 279 ODUBs as per the current program will result in additional ongoing RRBSC bus costs, conservatively estimated at \$25.0 million per annum. This is based on a cost of \$96,000 per bus multiplied by the 260 new buses needed to deal with lost capacity. Unit Rates for driver hours, bus kilometres and fuel for these new buses will further increase the ongoing RRBSC costs.

It should be noted that these additional bus numbers are mathematical derivations only. There has been no assessment of the current patronage of the ODUBs at peak times, or operators’ ability to absorb any capacity reduction. The worst case scenario

¹⁵ Email from Shaun Williams, Depot Manager, Busabout Wagga Wagga, 8 February 2019.

would see an additional replacement bus for each retrofitted ODUB. The Taskforce understands that the capacity impact of seatbelts on ODUBs was not considered in the financial modelling used to support the 2017 program.

However, the Department of Infrastructure, Transport, Cities and Regional Development (DITCRD) has advised Transport for NSW that “the Department’s view is that the Australian Design Rules do not include operational requirements for in-service use and ADR 68/00 does not inhibit the carriage of standing passengers.”

Transport for NSW’s current specifications for ODUBs, which are ADR 58/00 buses and are therefore specifically designed to accommodate standing passengers, comply with ADR 68/00. It is consistent to have standing passengers on these buses because they comply with the relevant parts of ADR 58/00, even though the buses have seatbelts, meaning that standing capacity should not be totally lost. However, given the changes in the configuration of these buses and the increase in weight, it is likely that the standing capacity would still be reduced, in addition to the reduction in seating capacity.

7.3.2 Impact on, configuration and passenger comfort in ODUBs

Since February 2015, any new bus procured for regular route services must comply with the Transport for NSW’s ODUB Specification, which includes as a minimum, seating for 48 adults, standing for 16 adults and two wheelchair spaces.

As indicated at 6.1.2, ODUBs are required under the *Disability Standards for Accessible Public Transport* to meet specific requirements relating to disability access, including two allocated spaces for wheelchairs. These buses are used by the broader community, including passengers carrying parcels or using wheeled shopping carts, prams, and mobility aids such as walking sticks and frames.

Image 1: One Door Urban Bus with drop down seats, two allocated wheelchair spaces (shaded blue) and stabilising back rest (‘ironing board’) and wheelchair lap belt at seat height in the allocated wheelchair spaces.



Depending on the particular make and model of the ODUB, the seatbelt program has resulted in narrower aisles, a loss of turning space for wheelchairs, the loss of side-facing (flip down) seats for passengers travelling with prams or shopping trolleys and a loss of space between modesty panels and seats.

Image 2: One Door Urban Bus with seatbelts installed under the Program with the drop down seats removed. Note the lack of the stabilising back rest ('ironing board') and the wheelchair tethers located on the bus floor.



This situation has led to customer complaints, particularly from passengers with prams and shopping trolleys. The Taskforce has been provided with complaints data from customers, which confirm that customers are concerned about the impact of the ADR 68/00 compliant seats on their comfort and safety:

“Unfortunately the new Port Macquarie seatbelted buses do not fit the needs of many locals. (..) For example - elderly with walkers, elderly with shoppers on wheels, those like me with knee injuries (not enough knee room in front seat while trying to hold on to my shopper), women with babes in prams and the need to sit next to baby....amongst other problems. I think modifying some of the front disabled area would solve some of these issues.”

“(...) I use your bus service almost every other day in Port Macquarie to transport to university, doctors, grocery shopping and other activities. (...) There is zero room to move and it is very awkward for those who are elderly or have a disability and have walkers to assist. There is no room up front to cater for these when at times not everyone can fit if they have a stroller or a walker or even a grocery cart. I don't think having these buses in operation for public transport is a great idea. I've spoken to other passengers and they've said the same thing (...) Manoeuvring with groceries I've personally struggled and bumped people by accident because there is no room (...). I've seen countless people also struggle especially elderly trying to get to even the second seat from the front because they can't manoeuvre (...)

An examination of safety data reported to Transport for NSW by bus operators shows at least one passenger has fallen while attempting to alight from a route service bus with seatbelts. The safety report attributes the fall to the layout of the new buses, meaning there are fewer handholds.

The changes to the bus configuration have also led to changes in how passengers in wheelchairs are accommodated. In previous configurations, the customer in a wheelchair faced the rear of the bus, with the rear of their wheelchair up against the 'ironing board'. Though not necessarily required with a rear facing seating position, if the bus is fitted with a lap belt for the passenger in the wheelchair, they could reach it and brace their own wheelchair in place as it was generally fitted at a readily accessible height.

In some models of the newly configured buses with seatbelts, the 'ironing board' has been removed, and the passenger can only be accommodated facing forward, with the wheelchair secured by tethers attaching from the floor. The forward seating position means that the tethers become necessary to ensure that the wheelchair is not propelled forward if the bus stops suddenly.

The location of the tether makes it more difficult for the customer to secure themselves unless they have a travelling companion who can assist them. Further, while the wheelchair may be secured in place (and can include a lap belt), this does not necessarily mean that the passenger is safely secured in the wheelchair.

While no safety incidents involving customers in wheelchairs have been reported to the Taskforce, this is clearly a poor outcome for customers in wheelchairs. Furthermore, the time required to tether the wheelchair to the floor using four tether straps means that the bus needs to remain stationary for some time, having a negative impact on a timetabled service.

Given the negative impact of the installation of ADR 68/00 compliant seats and seatbelts on capacity, comfort and safety in ODUBs used for regular route services the Taskforce recommends that this aspect of the program be discontinued. This is consistent with the recommendations of the SBSCAC report.

Further, engineering options for those ODUBs that have already been delivered with seatbelts, should be considered to improve capacity and customer comfort and amenity, and the accommodation of customers in wheelchairs, such as installing side facing seats and 'ironing boards'. This may mean that seatbelts are removed from these buses.

We acknowledge that this means that school students travelling in ODUBs will not have access to seatbelts, which is consistent with metropolitan and outer metropolitan Sydney and other jurisdictions. We note however, that ADR 58/00 requires features on these buses that mitigate against risks associated with their typical use. We also note that there are other mechanisms available, such as network reviews and service variations (see 6.2.3 and 7.4.2.1 for further discussion on this issue) that can be used to ensure that the ODUB fleet is most appropriately and safely used.

Recommendations

Transport for NSW should:

Only require seatbelts on dedicated school buses, consistent with the SBSCAC Report. Any savings from implementing this recommendation should be used to implement other recommendations in this report.

Investigate engineering options to reconfigure the seating and dedicated wheelchair spaces for recently delivered One Door Urban Buses with seatbelts, including the possible retrofitting of flip down seats and installation of stabilising backrests ('ironing boards') for allocated spaces for wheelchairs.

7.4 Impact of the program on the capacity of dedicated school buses

As described at 6.1.1, Category 1 and 2 dedicated school buses have routinely been installed with seatbelts, and the focus of the Government's program has been on ensuring seatbelts are supplied on Category 3 and Category 4 dedicated school buses, which have also traditionally been authorised to carry standing passengers.

As the seatbelt program (both retrofitting and replacement) has progressed, there has been inconsistent interpretation as to whether standees are permitted (and if so how many) on ADR 68/00 compliant dedicated school buses. For example, correspondence from an operator to Transport for NSW indicates that a supplier "is telling me you can only stand in emergencies (...) If (...) correct we lose a capacity of 10 high schoolers 73 back to 63. This does have ramifications when this bus is retrofitted."¹⁶

Incorporated in the retrofitting program is a process whereby Transport for NSW seeks to confirm, in collaboration with bus operators, the impact on service delivery resulting from any anticipated reduction to the capacity of buses.

This process includes the assigned retrofitter:

- inspecting the bus – typically on site at the operator's depot;
- receiving from the operator their preferred seat make and model;
- advising the operator of the revised capacity of the retrofitted bus;
- confirming whether the operator requires a rental bus while the bus is being retrofitted;
- obtaining the operator's acceptance of the seatbelt retrofit order.

Where the operator advises that the revised adult seating capacity of the retrofitted bus is likely to adversely impact the delivery of their bus services, a further process is undertaken with the operator's contract management team to assess any operational measures that can be employed to mitigate the adverse impact. These include:

- run back assessment (provide more than one trip during the AM and PM to eliminate standees. This option is suitable when last students to be picked up are relatively close to the school they attend);
- bus interchange option (transfer of students from the bus to another bus in the operator's fleet that has the capacity);
- neighbouring Operator capacity (spare bus capacity of a contracted bus operated by a neighbouring operator);

¹⁶ Email to Transport for NSW from James Cross, Depot Manager, Edwards Coaches Armidale, 24 June 2019.

- student reallocation between runs (transfer of students between services operated by the same or neighbouring operator);
- reallocation of bus types between routes (rearrange the buses on the operator's contracted services); and
- replacement of the bus with a higher capacity bus (a smaller capacity bus is replaced by a larger capacity bus).

These processes have been largely accepted by operators and deemed successful in appropriately managing bus capacity loss.

Advice provided to the taskforce suggests that some manufacturers hold the view that the intent of ADR 68/00 is for the provision of equivalent occupant protection for ALL passengers, and not just seated passengers¹⁷. They have consequently been unwilling to authorise standing passengers on buses fitted with ADR 68/00 compliant seats and seatbelts.

As described at 7.31, advice provided to the Taskforce by Transport for NSW from the DITCRD indicates that “the Department’s view is that the Australian Design Rules do not include operational requirements for in-service use and ADR 68/00 does not inhibit the carriage of standing passengers.”

The DITCRD is the custodian of the ADRs, and their clarification that the ADRs only pertain to the design features, rather than the operational use of the vehicle, provides appropriate guidance to manufacturers and retrofitters.

This means that the design features of ADR 58/00 relevant to standing passengers need to be accommodated in the bus, including:

- there is sufficient space (aisle width and headroom) for standing passengers;
- straps, rails, grips are fitted as required;
- the floor is slip-resistant;
- stop signal devices are fitted;
- emergency exits are suitable; and
- high-back seats do not obstruct access to emergency exits.

Under ADR 58/00, as described at 7.2.1, the nomination of the capacity of the bus for standing and seated passengers is guided by assumptions on the weight of each passenger and the weight of the bus, and the distribution of straps, rails grips etc. in the bus. The fact that ADR 68/00 seats are present does not change this.

Operators have advised the Taskforce that manufacturers and retrofitters who have been authorising standing passengers on these buses, have still nominated a lower capacity because of the change in weight of the bus and the spacing of hand grips and other safety features for standing passengers. For example, where a 57-seat school bus would previously have been routinely authorised to carry at least nineteen standing passengers, this has been reduced to no more than thirteen. This may have implications for the cost of the program over time, and should be monitored.

The operational use of the vehicle, including guidance on whether passengers are authorised to stand in a bus fitted with seatbelts, is regulated by the NSW Road Rules, rather than the ADRs. The relevant rule relating to standing passengers and seatbelts, is Road Rule 267 (6-1).

¹⁷ Advice provided by Transport for NSW that this view was expressed at a meeting attended by bus manufacturers in February 2019.

(6–1) A person who is a passenger in a bus (within the meaning of the *Passenger Transport Act 2014*) is exempt from wearing a seatbelt (and from any requirement to use a seating position that is fitted with a seatbelt) if:

(a) the bus is being used to provide a public passenger service (within the meaning of that Act, and

(b) the bus is specifically designed for use by standing passengers, and

(c) in the case where the bus has one or more seating positions that are fitted with seatbelts—all of those seating positions are occupied by other passengers.

Example for sub-rule (6–1).

A passenger may stand in a bus that is fitted with seatbelts, but only if all of the seats with seatbelts are occupied by other passengers.

Category 3 and 4 buses procured through Transport for NSW's portal comply with the ADR 58/00 requirements relating to standing passengers, and information provided by Transport for NSW indicates that most Category 3 and 4 buses that were previously acquired by operators would meet the requirements relating to standing passengers. They therefore comply with RR 267 (6-1) (b) in that they are designed for use by standing passengers.

Further, the dedicated school services provided in these buses meet all other relevant requirements of this rule in that the service is a public passenger service, as defined by the *Passenger Transport Act*. This Road Rule means that passengers may stand on a dedicated school bus that is fitted with seatbelts only if there are no seats with seatbelts available.

To ensure that standing passengers are appropriately authorised to stand on Category 3 and 4 dedicated school buses the Taskforce makes the following recommendations.

Recommendations

Transport for NSW should:

Provide information to manufacturers and seatbelt retrofitters on the application of ADR 68/00 and the authorisation of standing passengers.

Develop specifications for dedicated school buses with ADR68/00 seats, including the minimum authorised adult seating and standing capacity, and issue to Prime Suppliers on the Transport for NSW bus procurement panel.

7.4.1 Older dedicated school buses and retrofitting seatbelts

As described at 7.1, in order to achieve an accelerated timeframe and to increase the reach of the program to the whole rural and regional bus fleet, retrofitting of seatbelts to dedicated school buses commenced in 2017. The initial criteria in defining the replacement versus retrofit decision was that all buses due for replacement in the 12 months following the announced program completion times would be replaced without need for inspection i.e.:

- all 2013 Program buses due for contractual replacement by 31 December 2020 would be replaced by 31 December 2019; and

- all remaining rural and regional buses due for contractual replacement by 31 December 2022, would be replaced by 31 December 2021.

The age of buses nominated for retrofitting under the 2017 Program has been a point of contention raised throughout the Taskforce. One operator indicated that since the current RRSBSC commenced in 2016 they have had to retire nine Category 3 and 4 buses early due to the unavailability of parts. They also provided data which showed that they still had 76 similar buses in their fleet, which are all due to be retrofitted with seatbelts. The operator also suggested that it was likely that many of these buses will be retired early.¹⁸

Bus operators have requested that Transport for NSW replace (rather than retrofit) 2013 Program buses which have contractual replacement dates beyond 2020, focusing on the benefits of a more modern fleet, including safety and technological advances. While Transport for NSW recognises the benefits associated with newer buses, there is limited scope to replace additional buses under the seatbelt program given the comparatively higher cost of replacement.

Hence, an operator's desire for a new bus on these grounds is given a lower priority than those buses deemed either unsuitable or unable to be retrofitted. Accordingly, most of these requests have been unsuccessful. Instead, in many cases Transport for NSW has offered the operator the option to replace a contract bus with a "like for like" bus (described at 6.2.3).

Transport for NSW considers the assessment of the ongoing economic viability of individual buses to be a matter dealt with under the relevant terms of the RRBSC. While the program provides for retrofit suppliers to inspect buses, these inspections are focused on the structural suitability of the bus for retrofitting, not the mechanical condition of buses. Accordingly, thirty two of the first 334 buses originally identified for retrofitting have been approved for replacement following inspections deeming them unsuitable for retrofitting.

The relevant criteria for these replacements have been where retrofitting would result in insufficient passenger capacity to deliver the contracted bus services, or structural issues that require significant and costly additional work (e.g. bus frame inadequate to secure seats, significant visible rust).

BusNSW questions the appropriateness of a costly retrofit of older buses, arguing that a longer-term cost/benefit analysis favours replacement, while a short term cash-flow analysis favours retrofitting. While this may be the case, noting that no longer term cost/benefit analysis has been conducted, a significant uplift in program funding would be required in the short term. This is contrary to the primary objective of the Taskforce to *ensure any proposed changes can be delivered within the current allocated funding*.

BusNSW representatives on the Taskforce requested consideration of a change in policy whereby older buses are moved from the retrofit program to the replacement program. The Taskforce identified the following buses aged 19 years and older included in the retrofit program.

¹⁸ *Busways submission to the Taskforce 13 September 2019*

Table 8: Category 3 and 4 Buses in Retrofit Program aged 19 years or older

Age as at December 2019	Buses	Retrofit Cost
19 years	67	\$5.5m
20 years	109	\$7.8m
21 years	53	\$3.8m
22 years	4	\$0.3m
23 years	2	\$0.1m
Total	235	\$17.68

As discussed at 7.3.2, the Taskforce has recommended that One Door Urban Buses be removed from the seatbelt program. Should this recommendation be adopted, Table 9 shows \$20.1 million of retrofitting costs could be redirected.

The Taskforce considered reducing the replacement age to 19 years. However, this increased the number of buses for replacement to 244, costing \$44.1 million – significantly exceeding the projected saved retrofitting costs of \$37.7 million.

Following review of comparative modelling and extensive discussions, the Taskforce determined that the reduction of the seatbelt program replacement age of all buses to 20 years would see a further 168 buses replaced at an estimated cost of \$27.1 million, funded through the following “saved” retrofitting costs of \$32.2m (including ODUBs):

Table 9: Saved retrofitting costs to fund additional replacements

Age as at December 2019	Retrofit		Replace	
	Buses	Cost	Buses	Cost
One Door Urban Buses	279	\$20.1m	Nil	Nil
Category 3 and 4 Buses aged:				
20 years	109	\$7.8m	109	\$19.5m
21 years	53	\$3.8m	53	\$7.1m
22 years	4	\$0.3m	4	\$0.4m
23 years	2	\$0.1m	2	\$0.1m
Total	447	\$32.2m	168	\$27.1m

The remaining balance of \$5.1 million is proposed to be retained within the program to address other recommendations in our report.

BusNSW has advised the Taskforce that bus operators would generally be amenable to varying the term applying to the financing of new vehicles (from 10 years to 15 years) where an older bus is approved for replacement, rather than a retrofit. The modelling in Table 9 has been conducted based on this assumption.

It should be noted that the funding arrangements of 10 years for buses replaced under Very Small RRBS remains unchanged.

Recommendation

Rather than retrofitting seatbelts, replace Category 3 and 4 school buses that will be older than 20 years as at 31 December 2019.

In order to maximise the number of buses able to be retired, and to ensure value for money, this should be subject to the replacement bus acquired under the Seat Belts in Buses Program being funded over 15 years (rather than 10 years).

All remaining buses are to continue in the retrofit program.

7.5 Impact of the seatbelt program on operational circumstances

7.5.1 Impact on standing passengers

As described at 7.1, under the 2013 Program, standing passengers were only removed from the dedicated school buses of former Contract A operators. This meant that standing passengers were still permitted on Contract B dedicated school buses using high speed or unsealed roads.

With the implementation of the RRBSC in 2016, and the 2017 Program, the Taskforce has not been able to identify a clear mechanism by which Transport for NSW is reinforcing the Government's decision to prohibit standing on buses 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,

We therefore consider that Transport for NSW should issue advice to bus operators that makes this decision of the Government clear. This advice should acknowledge the various risk mitigations available to operators, such as ensuring that the bus travels at a speed of no more than 80 km/h, in the rare event that it is impossible to prevent standing passengers on unsealed roads or on roads with a speed limit of 80km/h or more that are outside urban areas, for example if a student were otherwise to be left alone on the side of the road in a potentially vulnerable situation.

Recommendation

Transport for NSW should issue advice to bus operators on the Government's policy to prohibit standing on buses 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.

The advice should take a risk based approach and acknowledge the strategies available to bus operators to minimise the exposure of children to road safety risks.

7.5.2 Impacts of the program on operational circumstances – service alterations

Due to the focus to date on buses delivering dedicated school services, there have been limited BSARs submitted resulting from a service network review. However, the Taskforce has heard of an instance where one large regional operator waited

approximately a year for a complex service variation involving multiple routes and services, arising from the delivery of a bus fitted with seatbelts with no authorised standing capacity, to be approved¹⁹.

The operator and Transport for NSW had continued engagement during the process with numerous requests for information and clarification between the parties during that period. During this process, Transport for NSW sought advice from DITCRD regarding the ability for ADR68/00 compliant buses to carry standing passengers.

Where bus capacity is altered, operators need to review their network to ensure they can provide services in a manner that meets contract service levels with existing contract buses. The operator may need to change the service levels and possibly introduce a new (additional) bus or buses. Where a new (additional) bus or buses are required, this may take 6 to 12 months for procurement and manufacturing. Adequate lead time is required for the operator to implement the service variation on the day that the bus enters service.

Should other recommendations of the Taskforce be implemented in full, it is likely to reduce the need for BSARs to deal with complex service changes arising out of the program. However, if significant network reviews continue to be required arising out of the seatbelt program then Transport for NSW should dedicate sufficient resources to appropriately assist operators with BSARs that involve multiple routes and services.

We note that if adopted, some of the potential savings from other recommendations could be used to support this. Where an assessment of risk identifies the need, these service reviews should also seek to minimise the number of school children on ODUBs travelling on high speed roads outside urban environments.

The Taskforce has heard of only a single instance where an Operator has submitted a BSAR incorporating a network review. In that instance, the surrounding uncertainty regarding standing passengers and the resulting impact on capacity appears to have contributed significantly to the delay. Together with the recommended advice allowing standing passengers and the proposed exclusion of ODUBs from the seatbelt program, the Taskforce considers it appropriate that Transport for NSW continue to monitor incoming BSARs and seek to triage any future complex service variations to the appropriate Transport for NSW service planning personnel.

7.5.3 Impact of the program on operational circumstances - repairs and maintenance

Seatbelts have long been a feature of smaller school buses, and the Taskforce is unaware of evidence that suggests that there is widespread damage to seatbelts in these buses that renders them unroadworthy, or that seatbelt maintenance costs are disproportionately high.

However, operator representatives to the Taskforce suggested that given the significant increase in seatbelts arising out of the program, there is a high chance of vandalism and other damage to the belts caused by students and other passengers.

To provide estimated costings for seatbelt and seat repairs which may occur as a result of the seatbelt program, some operator representatives on the Taskforce reviewed their current costs. These operators reported that the most common types of damage were:

- Seatbelts being cut;
- Seatbelts being pulled beyond the limits of the retracting mechanism;

¹⁹ TfNSW Rural and Regional Seatbelt Program Taskforce, Discussion Paper, p.2

- Buckles being jammed with chewing gum or glue;
- The seat wire buckle being twisted until it snaps off;
- Split seat covers from the forced movement of buckles.

Operator Case Study

The costs related to the repair and maintenance of seatbelts for a 9-month period commencing on 1 January 2019, for 11 contract buses fitted with seatbelts were as follows:

•	Parts	\$964.80
•	Labour	\$4526.45
•	Total	\$5491.25
	Total per bus	\$55.47 per month

The seatbelt parts ranged in price from \$96.80 to \$211.15 (excl. GST). Freight costs have not been included in the above costs - each delivery is between \$40 and \$60.

A large proportion of the repair costs relates to labour. The costs above are conservative and are based on a designated employee testing that the seatbelts in each vehicle are functioning correctly on average every two weeks. A test includes pulling each seatbelt out and assessing how it retracts, and clipping the tongue to the buckle to check that it can be fastened and unfastened. This is a similar process to that undertaken by heavy vehicle inspectors during a registration inspection. Each vehicle takes approximately 10-15 minutes to inspect, unless a defect is found.

Where a defect is found, it takes approximately 15 minutes to replace a seatbelt buckle. Replacing the entire mechanism (seatbelt, tongue and buckle) can take a further 30-45 minutes. This needs to be done by a qualified tradesperson.

Another issue raised by operators as problematic was the limitations of clause 16 of the Passenger Transport (General) Regulation 2017 that requires repairs and maintenance to seatbelts to be conducted by a licensed mechanic. Operators suggested that auditors conducting audits as part of the Bus Operator Accreditation Scheme (BOAS) under passenger transport legislation issue a non-compliance notice, if the audit uncovers that seatbelt maintenance has been conducted by someone other than a licensed mechanic, even if that person is competent, and the seatbelts are safe.

Advice from the Centre for Road Safety indicates that for the purposes of heavy vehicle legislation, replacing a seatbelt (or a component of a seatbelt) with the same or an equivalent identical part that complies with the relevant standards, in accordance with the manufacturer's specifications, does not have to be by a licensed mechanic, provided the person installing the seatbelt is competent.

The competency of the person installing the seatbelt is the same as that used in work health and safety legislation, namely, "a person who has acquired through training, qualification or experience the knowledge and skills to carry out the task."²⁰

This conflict between passenger transport and heavy vehicle regulation is unfortunate, and the Taskforce agrees with the approach described by the Centre for

²⁰ *Work Health and Safety Regulation 2017, clause 5.*
<https://www.legislation.nsw.gov.au/#/view/regulation/2017/404/chap1/part1.1/sec5> accessed 12 November 2019.

Road Safety. While it is outside the Taskforce's scope to make recommendations about possible regulatory changes, Transport for NSW may consider removing the inconsistency in the Passenger Transport Regulation when it is next reviewed.

Related to this concern is the desire of operators to use aftermarket replacement parts, especially given the long life of the contracted bus fleet, and the need to ensure that spare parts are readily available. The Taskforce considers that Transport for NSW should take all reasonable steps to ensure that prime suppliers have adequate spare parts available.

The Centre for Road Safety has advised the Taskforce that it has published guidance designed for use in assessing the compliance of modifications in light vehicles using aftermarket parts. The Centre for Road Safety has also advised that should operators replace seatbelts in buses with the relevant compliant aftermarket parts, the principles outlined in the guidance would still be applicable. BusNSW may wish to bring this guidance to the notice of its members.²¹

Given that the proportion of the fleet with seatbelts will increase, the Taskforce makes the following recommendations in relation to maintenance and repairs of seatbelts.

Recommendation

Transport for NSW and bus operators should continue to monitor the ongoing costs caused by damage to seatbelts and seats.

In order to minimise operational impacts (and associated costs), it is recommended that Transport for NSW ensure that prime suppliers have arrangements in place with seat manufacturers to ensure the smooth supply of replacement seatbelts and seatbelt components.

7.5.4 Impact of the program on operational circumstances - seatbelts and heavy vehicle inspections

Operator representatives to the Taskforce raised concerns about heavy vehicle inspectors issuing defect notices for faulty seatbelts on a bus, and giving them little time to repair the defect – effectively grounding the vehicle - rather than defecting the seatbelt, and allowing them to continue to use the rest of the bus, provided that the seat with the faulty seatbelt is not in use.

The critical safety importance of seatbelts to the safety of vehicle occupants is recognised in the *National Heavy Vehicle Inspection Manual*. Section 7.2 of the manual identifies a number of reasons for a heavy vehicle to fail an inspection:

²¹ <https://www.rms.nsw.gov.au/documents/roads/registration/get-nsw-registration/using-manufacturers-approved-aftermarket-components-for-modified-light-vehicles.pdf>

- a) **Seatbelt assemblies are not securely attached to the respective anchorage point or show signs of distortion, cracks, fractures, or other damage likely to cause failure**
- b) **Any retractor, locking mechanism, buckle, tongue or adjustment device is inoperative**
- c) **Seatbelt webbing that is:**
 - **damaged**
 - **frayed**
 - **stretched**
 - **tied in a knot**
 - **twisted**
 - **split**
 - **torn**
 - **altered or modified**
 - **severely deteriorated**
 - **burnt**
 - **not correctly and firmly secured to each end fitting**
 - **not the appropriate seatbelt for the type of seat mechanism fitted; and**
- d) **Seatbelts are not fitted in accordance with Table 7.1.**

Advice provided by Roads and Maritime Services (RMS), whose inspectors are authorised under the Heavy Vehicle National Law to carry out vehicle inspections and issue defect notices, indicates that in the first nine months of 2019, inspectors conducted 5744 bus inspections, with 5643 of these (98%) conducted via scheduled 6-monthly heavy vehicle inspections, which are booked, usually months in advance, by operators.

In these inspections, 32 major defect notices have been issued for seatbelts, 13 of which were for seatbelts alone. The remaining 19 major defects included other faults detected, (that is, the seatbelt alone may not have been the determinant for the major defect category). Further, 543 minor defects have been issued for seatbelts. All except one of these defect notices were issued during the six monthly safety checks.²² The advice from RMS has suggested that a proactive maintenance regime would detect these faults prior to the buses being submitted for their registration inspection.

The National Heavy Vehicle Inspection Manual (NHVIM) provides guidance to inspectors as to when and how a major or minor defect should be issued for seatbelts, as follows:

²² *RMS inspection data covers all buses, not just those contracted to Transport for NSW to provide school bus and regular route services.*

- **Major Grounded Defect** – fault represents a serious and imminent risk to road safety – vehicle is grounded at the inspection location and must either be repaired in situ or towed/transported to a suitable repair station
- **Major Defect** – fault represents a serious risk to road safety – vehicle is not able to be operated but is directed to travel to a suitable repair station – defect must be rectified and cleared before the vehicle can be used
- **Minor Defect** – 28 days to repair and clear.

The procedural instructions for bus defects are as follows:

“3.3. Bus seatbelt defects

1. Where a bus fitted with seatbelts is found to have defective seatbelts:

a. issue a major category defect where:

- i. the driver’s seatbelt is inoperative or missing or unable to be used; or
- ii. an unprotected seat has a seatbelt which is inoperative or missing or unable to be used; or
- iii. more than 5% of the seatbelts fitted to the bus are inoperative or missing or unable to be used.

b. issue a minor category defect where:

- i. a protected seat has a seatbelt which is inoperative or missing or unable to be used; or
- ii. a seatbelt in any seating position which is cut, frayed or deteriorated, but is still functional; and
- iii. impose a condition on the defect notice that the seat with the faulty seatbelt cannot be used until the seatbelt fault has been rectified.”

It appears that instructions to inspectors are clear and consistent. RMS has advised that, until now, it has been unaware of complaints about inconsistency in application of this guidance. While the Taskforce considered asking RMS to alter its guidance to inspectors to accommodate continued use of buses with faulty seatbelts, provided the seat is isolated from use, such a recommendation would be beyond our scope.

We also note that the risk-based approach that RMS provides its authorised officers is most likely providing bus operators with greater leeway than may otherwise be provided under the NHVIM. We consider that BusNSW may be better placed to provide advice to its members on a risk-based approach to identifying and isolating faulty seatbelts while a bus is in service.

7.6 Impact of possible future regulatory/technological developments on the capacity for standing passengers on dedicated school buses

During the taskforce’s deliberations, the Centre for Road Safety highlighted that a significant development in road safety technology, known as Autonomous Emergency Braking (AEB) could potentially have implications for school services in New South Wales.

AEB systems use forward looking sensors such as radar, camera, or fusions of data from more than one sensor, to identify the risk of an imminent collision. AEB typically

warns the driver first and if the driver does not act, applies braking automatically to avoid the collision.

According to the National Road Safety Strategy, AEB can reduce death and injury through a demonstrated reduction in rear-end crashes of close to 40% for early systems and has the potential to reduce road deaths by between 1% and 10%, as systems become more sophisticated.

The implementation of AEB on Australia's heavy vehicle fleet is a priority action under Australia's National Road Safety Action Plan, given the higher incidence of heavy vehicle involvement in trauma crashes.

Accordingly, the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development has recently released a Regulatory Impact Statement (RIS) on fitting AEB on all types of medium and heavy vehicles. The RIS envisages AEB from November 2020 for new bus models, and from 2022 for new vehicles of existing models.

The relevant standard for AEB on heavy vehicles is United Nations Regulation 131. The RIS outlines options for adopting Regulation 131 in Australia, including applying the exemptions outlined in the Regulation, to Australia.

Under the Regulation, low floor route buses are exempt from AEB, as are Class II vehicles "constructed principally for the carriage of seated passengers, and designed for the carriage of standing passengers in the gangway and/or in an area which does not exceed the space for two double seats." This is probably due to the amount of times the AEB would engage in a route service bus travelling close to vehicles in heavy traffic, and the risk harsh braking would pose to standing passengers.

Provided school buses meet the requirements of ADR 58/00 relating to accommodating standing passengers, then they would be considered to be Class II vehicles. However, if they do not meet the relevant requirements of ADR 58/00, then the implementation of AEB in New South Wales may create capacity issues.

The Taskforce acknowledges that Transport for NSW is monitoring these developments closely and will provide appropriate guidance to suppliers in its bus specifications should there be implications for standing passengers on school buses.

8 Appendix A

8.1 Rural and Regional Seatbelt Program Taskforce Terms of Reference

8.1.1 Background

On 30 July 2013 the Minister for Transport announced the government would adopt the majority of the recommendations made by the Independent School Bus Safety Community Advisory Committee inquiry into school bus safety in rural and regional New South Wales.

Recommendation 1 states:

That Transport for NSW amends the Rural and Regional School Bus Contracts to require:

- 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 (*Occupant Protection in Buses*).

The Government supported this recommendation in that it would vary dedicated school bus service contracts (Contract As) with Operators to introduce seatbelts on school buses that operated generally outside lower speed environments where speed limits are above 80km/h over a ten year period based on age. This involved almost 1,700 dedicated school buses with the program commencing in 2013 and targeted for completion in 2023.

Associated Recommendations 7, 8 and 9 were also supported by Government.

In 2017 a further Government announcement expanded and accelerated the installation of seatbelts to all buses operated under Rural and Regional Bus Service Contracts and required all dedicated school buses (previous Contract As) to be fitted by December 2019 and the remaining fleet (previous Contract Bs) by December 2021.

The accelerated and expanded program has progressed well despite some unforeseen issues that took a number of months to resolve.

However, there remain a number of concerns about the program raised by the industry peak body, BusNSW, and individual contract holders that require review and resolution.

8.1.2 The Role of the Taskforce

The role of the Rural and Regional Seatbelt Program Taskforce is to examine issues relating to the installation of seatbelts to all buses operated under Rural and Regional Bus Service Contracts in regional New South Wales.

8.1.3 Scope

The primary functions of this Taskforce will be to:

- review the current seatbelt installation program including:
- assessing the implementation and progress of the program; and
- analysing the impact that the current program is having on bus capacity, bus configuration, customer comfort and operational circumstances;

- recommend changes to the current program structure to improve its efficiency and effectiveness while continuing to ensure that the objectives and intention of the School Bus Safety Community Advisory Committee inquiry in to school bus safety are met;
- ensure any proposed changes can be delivered within the current allocated funding and are consistent with objectives of the seatbelt installation program. This may include consideration of variation to contract provisions; and
- oversee the implementation of identified relevant recommendations stemming from the Taskforce that enhance the program deliverables.

In its' deliberations, the Taskforce should take into consideration both the costs and benefits of proposals and make, where possible, evidence based recommendations.

8.1.4 Taskforce Membership

The Taskforce will comprise of an Independent Chair Derek Schoen in addition to the following:

- Barbara Wise, Executive Director, Services Delivery Review, ROM
- Ross Elson, Director, Rural and Regional Service Delivery and Performance, RRSDP, ROM
- Jacob Loadsman, Principal Manager, Service Contracts and Finance, RRSDP, ROM
- Steve Shaw, Fleet Management Officer, RRSDP, ROM
- Dan Leavy, Manager Safer Vehicles, Research & Development Centre for Road Safety
- Matt Threlkeld, Executive Director, BusNSW
- Philip Whipp, Industry Development Manager, BusNSW
- John King, Nowra Coaches
- Peter Ferris, Buslines Group
- Tony Howard – Howards Bus and Charter (Murrurundi)
- Dennis Kane – Kanes Buses (Henty)
- Byron Rowe – Busways Group
- Other experts if and when required such as representatives from seat suppliers, bus manufacturers and independent engineers.

8.1.5 Duties of Members

It is important that members of the Rural and Regional Seatbelt Program Taskforce provide advice within the general parameters of accepted corporate governance principles. Members are required at all times to exercise their judgment with reasonable care and due diligence, and in the best interest of bus passengers of regional New South Wales and the bus industry.

Alternate representatives for nominated members are not permitted.

8.1.6 Meetings

Meetings will be scheduled fortnightly or as otherwise required by the Chair. Extraordinary meetings may be held to address specific issues if and when required.

Agenda and Meeting Papers

The Chair will set the meeting agenda, however members may also seek consideration of issues. The Agenda and papers will be circulated at least 2 business days prior to all scheduled meetings. Draft Minutes and papers will be circulated within 5 business days following scheduled meetings.

Quorum

A quorum will consist of 50% or more of members.

Secretariat

Transport for NSW will provide secretariat support to the Taskforce and shall coordinate the services required for the Committee to carry out its functions.

The Secretary's details are:

Kim Yardley, Change & Stakeholder Relationship Manager
Rural and Regional Service Delivery and Performance
0428 997 839, kim.yardley@transport.nsw.gov.au

8.1.7 Reporting

The Taskforce shall report through the Chair to the Deputy Secretary, Regional and Outer Metropolitan. The Deputy Secretary, Regional and Outer Metropolitan will in turn report to the Minister Regional Roads and Transport.

Following the initial Taskforce meeting it is proposed that a report and recommendations will be presented to the Minister Regional Roads and Transport by the end of October 2019.

9 Appendix B

9.1 Detailed summary of ADR 58/00 and ADR 68/00

ADR No 58/00 Requirements for Omnibuses Designed for Hire and Reward

Clause	Title	Summary
2	Purpose & scope	The function of this Australian Design Rule is to specify requirements for the construction of omnibuses designed for, and intended for licensing for, hire and reward. NOTE: This is a flawed title. An ADR should specify technical requirement for a vehicle independent on how it is used.
3	Applicability & implementation	ADR 44/-- is an alternative to emergency exits requirements.
58.2	Requirements	Applies to all buses
58.3.1	Occupant capacity	Manufacturers nominate seating and standing positions. 65kg per person.
58.4.1	Aisle requirements	Allows for seating and standing passengers
58.4.1.2		Only provides for seated passengers in small omnibuses.
58.4.3		Gradient
58.5	Access	
58.5.1		Doors
58.5.3		Aisle
58.6	Headroom	
58.6.1		Aisle height – 1.8m for large buses and 1.35m for small
58.10	Hand straps/rails/grips	Must have a suitable number for the convenience and safety of passengers. No specifications for type or strength.
5.11	Floors	Floors must be slip resistant
58.13	Passenger seats	NOTE: May not be compatible with ADR 68/--

58.13.4		Space designated for seated passengers not deemed to be space for standing passengers or to be part of the aisle.
58.16	Passenger stop signal	Must be within convenient reach of each passenger
58.17	Interior fittings/materials	Material mustn't be flammable.
58.18	Interior lighting	

9.2 ADR No 68/00 Occupant Protection in Buses

Clause	Title	Summary
1	Scope	<p>The function of this ADR is to specify, for certain omnibuses, requirements for seatbelts, the strength of 'Seats', seat-anchorage, seatbelt 'Anchorages' and 'Child Restraint Anchorages', and provisions for protecting occupants from impact with 'Seat' backs and accessories on 'Seats' and armrests.</p> <p>NOTE: The rule includes requirements both for 'Seats' and for vehicles fitted with 'Seats'</p>
2	Applicability and implementation	<p>Subject to the following clause, this ADR applies to the design and construction of vehicles as set out in the table below</p> <p>Does not apply to 'Route Service Omnibuses', or omnibuses with less than 17 'Seats' including the driver and crew, or vehicles in which all passenger 'Seats' have a 'Reference Height' of less than 1.0 metre.</p> <p>NOTE: Standing passengers not mentioned anywhere in the ADR.</p> <p>Silent on floor strength, but implicit in overall requirements</p>
5.2	Seat strength	Requirements for seats
5.2.3.2		Sets the pass criterion
5.3	Seat-anchorage strength	
5.4	Seatbelt assemblies	
5.4.1		Applies to every seat
5.4.2		<p>Front facing</p> <p>Refers to ADR 4/--</p> <p>Must be lap-sash</p>
5.4.3		<p>Rear facing</p> <p>Refers to ADR 4/--</p> <p>Can be lap-only</p>
5.5	Seatbelt anchorages	

5.6	Child restraint anchorages	
5.7	Other requirements	
5.7.1		Protection when no seat back in front.
5.7.2		Side facing seats are not allowed
5.7.7		Seatbelt assemblies must be readily replaceable
6	Accessories on seat	Accessories include hand grips and arm rests
7	Dynamic tests	
7.7.1		Seats must be designed to withstand from occupants in the seat behind
10	Seatback & restraining device strength	Restraining device keeps seatback in upright position.
11	Anchorage & sash guides	Anchorage are seatbelt anchorages.
12	Determination of number of seating positions	Based on seat width
App1	Dynamic tests	
App 2	Seat back requirements	Seat back and other items' requirements for head protection
2.3	Other fittings	Other fittings not mentioned within head strike zone must meet criteria.

10 Glossary

<p>AEB</p>	<p>Auto Emergency Braking (AEB) is a feature that alerts a driver to an imminent crash and helps them use the maximum braking capacity of the vehicle.</p> <p>Low speed system – works on city streets to detect other vehicles in front of a vehicle to prevent crashes and non-life threatening injuries such as whiplash.</p>
<p>ADR 58/00</p>	<p>Vehicle Standard (Australian Design Rule 58/00 – Requirements for Omnibuses Designed for Hire and Reward) 2006.</p> <p>The function of this Australian Design Rule is to specify requirements for the construction of omnibuses designed for, and intended for licensing for, hire and reward.</p>
<p>ADR 68/00</p>	<p>Vehicle Standard (Australian Design Rule 68/00 – Occupant Protection in Buses) 2006.</p> <p>The function of this ADR is to specify, for certain omnibuses, requirements for seatbelts, the strength of “<i>Seats</i>”, seat-anchorage seatbelt “<i>Anchorage</i>” and “<i>Child Restraint Anchorage</i>”, and provisions for protecting occupants from impact with “<i>Seat</i>” backs and accessories on “<i>Seats</i>” and armrests.</p>
<p>Contract A</p>	<p>Rural and Regional Bus Service Contract A refers to the bus service contract that existed prior to 2016 which predominately provided for the operation of school bus services.</p>
<p>Contract B</p>	<p>Rural and Regional Bus Service Contract B refers to the bus service contract that existed prior to 2016 which predominately provided for the operation of timetabled regular passenger and school bus services.</p>
<p>Dedicated School Services</p>	<p>Bus services carried out primarily to cater for transport of primary or secondary school students to or from school and that carry few, if any, fare paying passengers who are not school students,</p>
<p>Disability Discrimination Act 1992 (DDA)</p>	<p>Legislation that makes it unlawful to discriminate against a person, in many areas of public life, including access to public transport standards (the DSAPT) for accessibility of public transport services are set under this legislation.</p>
<p>Disability Standards for Accessible Public Transport (DSAPT)</p>	<p>Standards made under the DDA that are aimed at ensuring the accessibility of public transport services. All public transport bus services are required to be accessible by December 2022. Dedicated school bus services are exempted from these requirements.</p>

Displaced Bus Termination Payments (DBTP)	Contractual payment to the operator due to a variation to the contracted bus services, including replacing a bus under the Seatbelts in Buses Program.
Existing Bus	Any bus not purchased/leased during the term of the RRBSA.
High speed road	Roads with a posted speed limit of 80 km/h or more. This is consistent with terminology in the SBSCAC Report.
Like for Like Bus	Substituting a contract bus with another bus that is of the same or similar condition, age, seating and standing capacity and of same or similar value.
One Door Urban Bus (ODUB)	A kind of Route Service Bus used in regional New South Wales.
Regular Route Services	Bus services carried out primarily to cater for passengers other than school students in accordance to public timetables and set routes. May also carry school students during AM and PM peak periods.
Route Service Bus	A bus used to provide regular route services. These buses are compliant with the DSAPT.
Rural and Regional Bus Service Contract (RRBSA)	Contracts for regular route services and dedicated school services in regional New South Wales outside of Wollongong, Newcastle, the Lower Hunter, the Central Coast and the Blue Mountains. The Seatbelt program applies to buses used to provide services under these contracts.
Urban area	Non-metropolitan urban cities and towns in rural and regional areas. Includes residential and/or commercial/industrial 'built-up' areas. This definition is consistent with what was used in the SBSCAC Report.