



June 22, 2015

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

Attention: Written Comments for the Notice for Public Comment on the Beyond Compliance Program (FMCSA-2015-0124)

Dear Sir or Madam:

The National School Transportation Association (NSTA) is pleased to offer written comments for the Federal Motor Carrier Safety Administration's (FMCSA) Notice for Public Comment on the Beyond Compliance Program as published in Volume 80 of the *Federal Register* on April 23, 2015.

NSTA is the membership organization for school bus companies engaged primarily in transporting students to and from school and school-related activities under contract to public school districts. Our members offer an array of services to our school district partners, from full turn-key service to management operations and specialized transportation. NSTA members range from small family businesses serving one district to large corporations operating thousands of buses across many states, all committed to the safe, efficient, and economical transportation of America's children.

NSTA appreciates that FMCSA is considering a Beyond Compliance Program and commends the Agency for taking this step. Recognizing or rewarding companies for choosing to provide safety programs in which go beyond the minimum requirements is a worthy endeavor.

The safety record of the iconic yellow school bus exists today because of the importance this industry has placed on safety. Travel by school bus is the safest form of transportation available and the school transportation industry works hard each and every day to ensure that we are not only operating in a safe environment, but that we are promoting a culture of safety in everything we do. We are one of the most heavily regulated industries and we know those regulations exist for the safety of the students we transport. It is because of our commitment to safety that NSTA would be supportive of the Agency's efforts to recognize and reward the best practices of compliant and safe companies.

If the Agency moves forward with implementing a Beyond Compliance Program, NSTA offers the following in response to your questions and for your consideration:

1. What voluntary technologies or safety program best practices would be appropriate for a Beyond Compliance program?

In order to be successful, we believe that any Beyond Compliance Program would have to be flexible. Companies choose to implement safety programs beyond compliance for a variety of reasons and those companies should be rewarded for these efforts.

Programs that we would consider worthy of consideration would include both behavioral and technological. Examples of behavioral beyond compliance components could include: exceptional training programs that exceed the minimum requirements; and a complete corporate culture of safety. Examples of technological beyond compliance components could include: student tracking systems that track the actual students on the bus; systems that a driver utilizes to ensure students are not mistakenly left on a school bus after the end of a route; systems providing on board driver monitoring and telematics; systems that provide pre-trip inspection verification and cameras on the school bus. To be effective, it is important to recognize that many of these technologies must be backed up with behavioral support on a timely basis as technology alone does not provide this. A complete program will address all aspects including monitoring, coaching and follow-up.

2. What safety performance metrics should be used to evaluate the success of voluntarily implemented technologies or safety programs best practices?

We strongly encourage FMCSA to utilize the following specific performance metrics: preventable accidents; non-preventable accidents; and Department of Transportation reportable crashes. All three metrics should be normalized by mileage in order to accurately depict performance. In addition, the geographic operating environment should be a consideration as location and in particular winter weather are significant factors in crash rates. Operating in a rural area is also very different than operating in an urban area relative to the challenges of the traffic environment. Our suggestion would be to develop zones to account for weather and population density when factoring crash rates.

3. What incentives would encourage motor carriers to invest in technologies and best practices programs: credit on appropriate SMS scores; credit on ISS scores; reduction in roadside inspection frequency; or other options?

A safety rating scalable by company size would be attractive to safer companies as it would allow them to receive some market benefit from their investment and resourcing in safety. In addition, credit on appropriate SMS scores; credit on ISS scores; and a reduction in roadside inspection frequency would also be viable incentives for those companies that exceed the requirements.

4. What events should cause the incentives to be removed: if safety goals for a carrier are not consistently achieved, what is the benefit to the motoring public?

As we have previously stated, we strongly encourage FMCSA to utilize the following specific performance metrics: preventable accidents; non-preventable accidents; and Department of Transportation reportable crashes. If FMCSA supports this concept, then any carrier falling below a median average could be flagged for review. In addition, Beyond Compliance Programs should be reviewed either randomly or for cause. When reviewed for cause, if a carrier is found to not have lived up to the commitment they made to qualify for the beyond compliance program, then their

incentives should be immediately removed by FMCSA. When reviewed randomly, FMCSA should have the flexibility to utilize its best judgment on how to proceed.

5. Should this program be developed by the private sector like PrePass, ISO 900 or Canada's Partners in Compliance (PIC)?

The decision on how to develop the program should be left up to FMCSA, but we believe the program would be best managed by FMCSA. Should FMCSA find it useful, NSTA is pleased to offer assistance with the design of the program or to participate in the testing phase of the program before its implementation.

6. How would FMCSA verify that the voluntary technologies or safety programs were being implemented?

The verification of voluntary technologies or safety programs is a very important component of the program as companies should only be rewarded for safety programs they are actually implementing. We believe FMCSA should be able to set fair and reasonable standards to achieve this goal.

In closing, we appreciate the opportunity to offer our comments on this Notice for Public Comment and look forward to continuing to work with the Federal Motor Carrier Safety Administration on this issue. We take safety very seriously and are very proud of the work we do each and every day to transport children to school safely as well as the charter work we operate.

Thank you for the opportunity to provide these written comments. If you require further clarification, please do not hesitate to contact me at (703) 684-3200.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Sable Weber", is placed on a light gray rectangular background.

Ronna Sable Weber
Executive Director