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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON TRANSPORTATION AND

4

PUBLIC UTILITIES

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 12, 2007
1:00 p.m.

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PRESENT:

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COUNCILWOMAN CAROL ANN CAMPBELL, CHAIR

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COUNCILMAN FRANK DiCICCO

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COUNCILMAN W. WILSON GOODE, JR.

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COUNCILMAN WILLIAM GREENLEE

15

COUNCILMAN JACK KELLY

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RESOLUTION 070179 - Resolution authorizing
City Council's Committee on Transportation and
Public Utilities to hold public hearings to
investigate and determine the progress of the
Market Elevated Reconstruction Project...

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RESOLUTION 070212 - Resolution authorizing
City Council's Committee on Transportation and
Public Utilities to determine the safety of
our public school children who are transported
to and from school buses not equipped with
seat belt restraints...

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V A R A L L O Incorporated

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Litigation Support Services

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Eleven Penn Center

1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103

215.561.2220 215.567.2670

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COUNCILWOMAN CAMPBELL: Good

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afternoon. I am Carol Campbell, Chair of

4

the Transportation and Public Utilities

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Committee.

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The Committee on Transportation

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and Public Utilities is now in session.

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Let the record reflect that in attendance

9

are Committee members Councilman Bill

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Greenlee, Councilman Wilson Goode, Jr.

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Would the Clerk please read the

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title of the resolution.

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THE CLERK: Resolution 070179,

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resolution authorizing City Council's

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Committee on Transportation and Public

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Utilities to hold public hearings to

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investigate and determine the progress of

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the Market Elevated Reconstruction

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Project and to further investigate and

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determine whether SEPTA cannot do more to

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alleviate the displacement and financial

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desolation suffered by many of the small

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business owners and residents who are

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directly impacted by this project and the

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Philadelphia community at large; and to

1 6/12/07 - TRANSPORTATION - BILL 070212
2 investigate and determine what SEPTA has
3 done, as a neighbor for the neighborhoods
4 adjacent to this project and to determine
5 why SEPTA cannot be more responsive to
6 the complaints of the community and the
7 larger Philadelphia community during the
8 course of this reconstruction project.

9 COUNCILWOMAN CAMPBELL: That's
10 incorrect. That's not the first one.
11 That was inadvertently placed. That
12 wasn't supposed to be placed. It's the
13 other one.

14 THE CLERK: Resolution 070212,
15 authorizing City Council's Committee on
16 Transportation and Public Utilities to
17 determine the safety of our public school
18 children who are transported to and from
19 school in school buses not equipped with
20 seat belt restraints; and to determine
21 whether there are not immediate
22 alternatives available for the protection
23 of our children when riding school buses;
24 and to determine the means, methods and
25 criterion used by the Philadelphia School

1 6/12/07 - TRANSPORTATION - BILL 070212
2 Reform Commission to ensure the safety of
3 children transported to and from school
4 under their supervision.

5 COUNCILWOMAN CAMPBELL: Would
6 any of the Committee members wish to make
7 a statement?

8 (No response.)

9 COUNCILWOMAN CAMPBELL: Would
10 the Clerk please call the first witness.
11 I believe it's Mr. Lombardi; is it not?
12 Is there a Mr. Lombardi?

13 THE CLERK: Mr. John Lombardi.

14 COUNCILWOMAN CAMPBELL: Yes.

15 MR. LOMBARDI: Good afternoon.

16 COUNCILWOMAN CAMPBELL: Good
17 afternoon.

18 MR. LOMBARDI: Good afternoon,
19 Councilwoman Campbell and members of City
20 Council Committee on Transportation and
21 Public Utilities. My name is John
22 Lombardi and I am the Administrator for
23 Transportation Services for the School
24 District of Philadelphia. I am pleased
25 to offer testimony on Resolution No.

1 6/12/07 - TRANSPORTATION - BILL 070212
2 070212.

3 The School District of
4 Philadelphia is Pennsylvania's second
5 largest transportation operation and the
6 nation's sixth largest school bus
7 operation. The mission of the
8 Transportation Services Division is to
9 provide safe, effective and efficient
10 transportation to and from school for
11 those eligible Philadelphia resident
12 students in accordance with federal and
13 state mandates and District policy. To
14 realize this goal we utilize school
15 buses, taxicabs, tokens, free and
16 subsidized, and reimbursement to parents.
17 Transportation Services provides high
18 quality, low cost repairs to the School
19 District's bus fleet and automotive
20 fleet, as well as a preventive
21 maintenance program for all School
22 District vehicles. It is the further
23 responsibility of Transportation Services
24 to provide such services economically and
25 in accordance with sound management

1 6/12/07 - TRANSPORTATION - BILL 070212
2 policies and procedures under the
3 direction of the School Reform
4 Commission. Thus, the Transportation
5 Services Division is an integral part of
6 the total education system, contributing
7 significantly to the learning process by
8 providing safe and dependable
9 transportation.

10 In order for a student to be
11 eligible for transportation services, the
12 School District policy requires that the
13 student be a resident of the City and be
14 designated by the Office of Specialized
15 Services as a participant in a special
16 education program pursuant to an
17 Individualized Education Plan, IEP, and
18 whose participation requires
19 transportation is needed to enable the
20 student to get to and from school; or

21 Live more than one mile from
22 his or her school and be participating in
23 the voluntary school desegregation
24 program of the School District of
25 Philadelphia; or

1 6/12/07 - TRANSPORTATION - BILL 070212

2 Be in grades one through six
3 and live one mile and a half or further
4 from the assigned school; or

5 Be in grades one through eight
6 and whose route to school is determined
7 to be hazardous by the Pennsylvania
8 Department of Transportation or be
9 designated by the District administration
10 to attend a school other than his or her
11 regularly assigned school for reasons of
12 overcrowded conditions and be in need of
13 transportation, as determined by the
14 Transportation Services; and

15 Lastly, have extenuating
16 circumstances that dictate an
17 extraordinary need for District-provided
18 transportation, as recommended by
19 District administration.

20 In addition, state law requires
21 that when provisions of free
22 transportation services are made to
23 public school students, the District must
24 also provide the same service to the
25 students who regularly attend non-public

1 6/12/07 - TRANSPORTATION - BILL 070212
2 and charter schools.

3 Currently, the School District
4 provides safe, timely and economical
5 service to approximately 38,000 students
6 who are eligible for free transportation
7 in accordance with federal and state
8 mandates, court orders and School
9 District policy. Fourteen hundred and
10 thirty-nine routes are utilized to
11 transport public, non-public or parochial
12 and charter school students to and from
13 school each day. Of the 1,439
14 transportation routes, 858 routes are for
15 public school students, 234 routes are
16 for charter school students and 347
17 routes are for non-public students.
18 Furthermore, the School District operates
19 488 routes in-house, private contractors
20 operate 768 routes, and 50 routes are
21 operated by schools that do their own
22 bussing; for example, charter or
23 parochial schools. The route development
24 and student assignment is supported from
25 the Office of Transportation Services.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 In addition, 133 routes are facilitated
3 by taxicabs.

4 These daily routes transport
5 students approximately 43,315 miles one
6 way on a daily basis and cover 1,290
7 square miles. In addition, 30,000
8 educational, cultural and athletic trips
9 are scheduled during off-peak hours.

10 Nationally, school buses are
11 considered the safest form of
12 transportation for students. Every year
13 approximately 450,000 public school buses
14 travel about 4.3 billion miles to
15 transport 23.5 million children to and
16 from school and school-related
17 activities. On average, six school-age
18 children throughout the United States die
19 in school bus crashes as passengers each
20 year.

21 During the mid 1970s in an
22 effort to address the issue of safety on
23 school buses, the National Highway
24 Traffic Safety Administration established
25 a Federal Motor Vehicle Safety Standards

1 6/12/07 - TRANSPORTATION - BILL 070212
2 group to increase the strength of school
3 buses and to improve occupant protection.
4 Under the existing regulations, the
5 primary means of occupant protection for
6 large school buses is the safety concept
7 known as compartmentalization.

8 Compartmentalization protects occupants
9 by using strong, closely spaced seats
10 equipped with high-absorbing seat backs.
11 Compartmentalization provides passive
12 protection, meaning that the protection
13 is there when needed without the need for
14 passengers to take any action such as
15 buckling the seat belt.

16 Currently, four states have
17 enacted laws requiring seat belts on
18 school buses. New York enacted a law in
19 1987, New Jersey in 1994, Florida in
20 2001. The requirements in these states
21 was to have lap belts on their school
22 buses. Lastly, in 2005, California
23 enacted legislation that requires lap and
24 shoulder belts on all newly purchased
25 school buses.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 Pennsylvania does not require
3 that school buses be equipped with seat
4 belts. Additionally, there is no federal
5 mandate for installing seat belts on
6 school buses. While there have been
7 numerous studies over the years to
8 analyze the effective seat belts for
9 school bus safety, there have been no
10 conclusive evidence that the use of seat
11 belts on school buses make the ride any
12 safer for passengers.

13 Recently, Michael Martin,
14 Executive Director of the National
15 Association of Pupil Transportation,
16 stated that the results of a recent study
17 conducted by the National Highway Safety
18 Administration did not conclude that seat
19 belts provided any safer ride for
20 students. As a result, there will be
21 public hearings in Washington, DC on July
22 the 11th, 2007 facilitated by NHTSA.
23 This hearing will focus on passenger
24 crash protection on school buses and the
25 safety benefits of seat belts. We await

1 6/12/07 - TRANSPORTATION - BILL 070212
2 the results of the July hearings and
3 guidance from NHTSA on this matter.
4 Absent clear guidance from NHTSA on the
5 safety benefits of requiring seat belts
6 for students, the School District has not
7 undertaken the expense of retrofitting
8 their school buses with these safety
9 restraints. In addition, the
10 installation of seat belts on school
11 buses results in a loss of seating
12 capacity on the bus, which will
13 consequently increase transportation
14 costs through the addition of new routes
15 to meet capacity.

16 Thank you for the opportunity
17 to present before you today. I'm happy
18 to answer any questions you may have.

19 COUNCILWOMAN CAMPBELL: Thank
20 you, Mr. Lombardi, for your comments.

21 Can't sound management policy
22 and procedures under the direction of the
23 School Reform Commission create a
24 conflict of interest for your department?

25 MR. LOMBARDI: No, ma'am. Not

1 6/12/07 - TRANSPORTATION - BILL 070212

2 in this case for seat belts.

3 COUNCILWOMAN CAMPBELL: What I
4 mean is that on one hand, the safety of
5 our children should be paramount, but
6 your testimony rests on a fiscal analysis
7 cost first, right?

8 MR. LOMBARDI: The reason that
9 the seat belts are not mandated is
10 because there's no conclusive proof or
11 evidence to support that they would
12 provide a safer ride. The cost for seat
13 belts on school buses might be about
14 three to four thousand dollars per
15 vehicle. So that's not really driving
16 the issue. It's whether it's going to
17 provide a safer ride for the kids.

18 COUNCILWOMAN CAMPBELL: Well,
19 that's not exactly so. It's under the
20 School Reform Commission's direction that
21 you provide transportation services
22 economically, correct?

23 MR. LOMBARDI: Correct.

24 COUNCILWOMAN CAMPBELL: You
25 have talked about the national averages

1 6/12/07 - TRANSPORTATION - BILL 070212
2 for bus safety with six school-age
3 children dying in school bus crashes each
4 year, but what is the number of children
5 nationally who suffer from serious injury
6 from school bus accidents?

7 MR. LOMBARDI: That information
8 I don't have with me, ma'am. I will
9 say --

10 COUNCILWOMAN CAMPBELL: But
11 that's what this has called for.

12 MR. LOMBARDI: I will say that
13 in the six fatalities a year, there's no
14 evidence to support that seat belts would
15 have resulted differently in the
16 consequences for those students.

17 COUNCILWOMAN CAMPBELL: That's
18 not what I asked you. Let me reiterate
19 what I said to you. I said you have
20 talked about the national averages for
21 bus safety with six school-age children
22 dying in school bus crashes each year,
23 but what is the number of children
24 nationally who suffer from serious injury
25 from school bus accidents?

1 6/12/07 - TRANSPORTATION - BILL 070212

2 MR. LOMBARDI: That I don't
3 have with me, ma'am.

4 COUNCILWOMAN CAMPBELL: What is
5 the number of school-age children in
6 Philadelphia who suffer injury from
7 school bus accidents yearly?

8 MR. LOMBARDI: Serious injuries
9 or just injuries? I mean, there's --

10 COUNCILWOMAN CAMPBELL: Who
11 suffer injuries.

12 MR. LOMBARDI: There's injuries
13 that range from a bruise on their leg to
14 a bruise on their arm.

15 COUNCILWOMAN CAMPBELL: Sir,
16 I'm talking about statistics. I said
17 what is the number.

18 MR. LOMBARDI: Probably several
19 thousand.

20 COUNCILWOMAN CAMPBELL:
21 Probably?

22 MR. LOMBARDI: Yes.

23 COUNCILWOMAN CAMPBELL: You
24 knew the purpose of this meeting and you
25 didn't bring the information that we need

1 6/12/07 - TRANSPORTATION - BILL 070212

2 for this?

3 MR. LOMBARDI: I wasn't sure
4 specifically.

5 COUNCILWOMAN CAMPBELL: Then
6 you should have called and asked.

7 MR. LOMBARDI: Sorry.

8 COUNCILWOMAN CAMPBELL: How
9 many Philadelphia children transferred on
10 school buses have been injured this year?

11 MR. LOMBARDI: Probably three,
12 four hundred.

13 COUNCILWOMAN CAMPBELL:
14 Probably?

15 MR. LOMBARDI: Yes. Three,
16 four hundred.

17 COUNCILWOMAN CAMPBELL: We're
18 just speaking --

19 MR. LOMBARDI: I don't have
20 specific numbers, ma'am, for that.

21 COUNCILWOMAN CAMPBELL: Beg
22 your pardon?

23 MR. LOMBARDI: I do not have a
24 specific number for that. I can provide
25 that to you.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 COUNCILWOMAN CAMPBELL: Then
3 what about last year?

4 MR. LOMBARDI: I don't have
5 that information either. I can speak on
6 how many accidents we had, but I don't
7 have specific numbers of injuries.

8 COUNCILWOMAN CAMPBELL: Well,
9 you should.

10 Has Philadelphia had any fatal
11 injuries of children on school buses?

12 MR. LOMBARDI: No, ma'am.

13 COUNCILWOMAN CAMPBELL: The
14 information you have provided us today
15 comes from reports and position papers by
16 the National Association for Pupil
17 Transportation, the National Association
18 of State Public Directors of Public
19 Transportation and the National School
20 Transportation Association; isn't that
21 correct?

22 MR. LOMBARDI: Yes, ma'am.

23 COUNCILWOMAN CAMPBELL: These
24 organizations represent the three largest
25 lobbying groups on behalf of private

1 6/12/07 - TRANSPORTATION - BILL 070212
2 companies that contract with local school
3 districts to provide school
4 transportation; isn't that correct?

5 MR. LOMBARDI: That I'm not
6 aware of, ma'am.

7 COUNCILWOMAN CAMPBELL: Okay.

8 MR. LOMBARDI: The National
9 Highway Traffic Safety Administration?

10 COUNCILWOMAN CAMPBELL: You
11 even quote Michael Martin, Executive
12 Director for the National Association for
13 Pupil Transportation, in your testimony
14 to suggest to us that there is
15 credibility in his position, right?

16 MR. LOMBARDI: Yes, ma'am. He
17 believes that there needs to be further
18 studies on the matter.

19 COUNCILWOMAN CAMPBELL: You
20 have not provided this body with a view
21 of the National Highway Transportation
22 and Safety Administration. Why is that?

23 MR. LOMBARDI: They have
24 conducted tests that have been
25 inconclusive regarding the effectiveness

1 6/12/07 - TRANSPORTATION - BILL 070212
2 of seat belts on school buses.

3 COUNCILWOMAN CAMPBELL: The
4 National Highway Transportation and
5 Safety Administration has already
6 concluded that there is benefit in the
7 three-point seatbelt on school buses;
8 isn't that right?

9 MR. LOMBARDI: Yes, they have.

10 COUNCILWOMAN CAMPBELL: The
11 most recent study of school bus safety by
12 the National Highway Transportation and
13 Safety Administration was conducted in
14 April of 2002, and one of the conclusions
15 of this study was that seat belts, lap
16 shoulder belts, when properly worn, could
17 provide additional protection for school
18 bus passengers, right?

19 MR. LOMBARDI: That's right.

20 COUNCILWOMAN CAMPBELL: This is
21 from the School Bus Crashworthiness
22 research report.

23 MR. LOMBARDI: Right.

24 COUNCILWOMAN CAMPBELL: The
25 public hearing that you refer to in your

1 6/12/07 - TRANSPORTATION - BILL 070212
2 testimony to be conducted by NHTSA on
3 July 1, 2007 are rule-making hearings to
4 formulate and implement their view that
5 the three-point seat belt offers more
6 protection to students on certain school
7 buses.

8 MR. LOMBARDI: Correct.

9 COUNCILWOMAN CAMPBELL: You
10 also do not include in your testimony the
11 fact that federal law requires seat belts
12 on small school buses weighing less than
13 10,000 pounds. Why is that?

14 MR. LOMBARDI: I mention large
15 buses, but, yes, we do comply with that,
16 ma'am. There are seat belts on those
17 school buses that are less than 10,000
18 pounds.

19 COUNCILWOMAN CAMPBELL: Do you
20 not think it is important for this body
21 to have this information?

22 MR. LOMBARDI: No, ma'am.
23 That's an important fact, yes.

24 COUNCILWOMAN CAMPBELL: Your
25 testimony further does not provide us

1 6/12/07 - TRANSPORTATION - BILL 070212
2 with the perspective of the National
3 Coalition for School Bus Safety, which is
4 one of the largest national pro-school
5 bus restraints organizations. Why is
6 that?

7 MR. LOMBARDI: There are many
8 organizations that have overseen tests on
9 school buses and that's one as well.

10 COUNCILWOMAN CAMPBELL: But
11 that is one of the largest.

12 MR. LOMBARDI: That is a large
13 organization, yes.

14 COUNCILWOMAN CAMPBELL: But you
15 haven't provided us with that. Why?

16 MR. LOMBARDI: I was asked to
17 provide information regarding studies
18 that have been conducted with regard to
19 seat belts, and the conclusion that most
20 transportation experts in the field have
21 made is that the seat belts are not
22 providing any safer ride for students,
23 and we're looking for the federal
24 government to provide clear direction so
25 that we proceed, if that's the case, to

1 6/12/07 - TRANSPORTATION - BILL 070212

2 purchase school buses with seat belts.

3 COUNCILWOMAN CAMPBELL: But the
4 American Academy of Pediatrics and the
5 American Medical Association support
6 three-point seat belts. Are you aware of
7 this?

8 MR. LOMBARDI: Yes, I am.
9 There are many organizations on both
10 sides of the fence that feel strongly
11 about their positions.

12 COUNCILWOMAN CAMPBELL: You
13 would agree that these pro-seat belt
14 organizations would not appear to
15 represent the interest of the private
16 companies that contract with local school
17 districts to provide school
18 transportation?

19 MR. LOMBARDI: Right. Yes,
20 ma'am.

21 COUNCILWOMAN CAMPBELL: Sir?

22 MR. LOMBARDI: Yes, ma'am. I
23 understand that.

24 COUNCILWOMAN CAMPBELL: You
25 testified that four states have enacted

1 6/12/07 - TRANSPORTATION - BILL 070212
2 laws requiring seat belts on school
3 buses: New York, New Jersey, Florida and
4 California. But Virginia enacted such
5 legislation in 2006 and Texas just
6 recently signed such legislation. Are
7 you aware of these states?

8 MR. LOMBARDI: Yes, ma'am.
9 There have been others as well that have
10 done pilots on the effectiveness of seat
11 belts on school buses.

12 COUNCILWOMAN CAMPBELL: Are you
13 aware that in addition to these states
14 that has enacted such legislation, that
15 Missouri, Kansas, Tennessee, Minnesota
16 and Louisiana all within the last 18
17 months introduced legislation for
18 mandatory seat belts on school buses?

19 MR. LOMBARDI: Yes, ma'am.
20 Many states have.

21 COUNCILWOMAN CAMPBELL:
22 Finally, you conclude by stating that we
23 await the results of the July hearings
24 and guidance from NHTSA on the issue of
25 seat belts. However, Dr. Roger Saul,

1 6/12/07 - TRANSPORTATION - BILL 070212
2 Director, Office of Crashworthiness
3 Standards for NHTSA, has indicated that
4 the earliest new performance standard
5 could be enacted 2010 or 2011. Do you
6 know that?

7 MR. LOMBARDI: Yes, ma'am.

8 COUNCILWOMAN CAMPBELL: Okay.
9 He has further stated that with the
10 industry making the transition required
11 of the new performance standards, actual
12 implementation of the new standard would
13 not take effect until 2013 or 2014. Did
14 you know that?

15 MR. LOMBARDI: Not that far
16 down, no.

17 COUNCILWOMAN CAMPBELL: You
18 certainly can't be suggesting that we
19 wait until 2010 or 2014 to consider this
20 matter.

21 MR. LOMBARDI: No, ma'am.

22 COUNCILWOMAN CAMPBELL: No?

23 MR. LOMBARDI: I'm not
24 suggesting that, no, I'm not.

25 COUNCILWOMAN CAMPBELL: Sir,

1 6/12/07 - TRANSPORTATION - BILL 070212

2 you sit there, I think, to have the
3 audacity to place the lives of our
4 children over the cost to make them safe.
5 This is what this really comes down to,
6 and this is wrong.

7 MR. LOMBARDI: No, ma'am. The
8 safety of our students is primary. We
9 take the matter very seriously.

10 COUNCILWOMAN CAMPBELL: School
11 buses are safe, but they're not safe
12 enough. Accordingly, the National
13 Highway Transportation and Safety
14 Administration has demonstrated that in
15 their reports. Can you enlighten me
16 anymore? I mean, I don't understand you.
17 You know you come to this hearing, but
18 you don't have any precise statistics,
19 yet you have not given us a clear picture
20 of really what the situation is. I mean,
21 I find it -- seat belts are mandatory for
22 adults. An adult can control their body
23 much better than a child can in a crisis
24 of accident.

25 MR. LOMBARDI: The seat belts

1 6/12/07 - TRANSPORTATION - BILL 070212
2 are mandated on passenger vehicles,
3 ma'am. It's a different vehicle than a
4 school bus, with different safety
5 features. They're higher off the ground
6 than a car. They have not concluded that
7 the seat belts provide a safer ride at
8 this time.

9 COUNCILWOMAN CAMPBELL: Sir,
10 what this looks like, it looks like
11 there's still more concern about economic
12 than they are the lives of these
13 children, and that's intolerable, because
14 nothing --

15 MR. LOMBARDI: Well, I'm sorry
16 to give you that impression, but that's
17 not --

18 COUNCILWOMAN CAMPBELL: I'm not
19 finished, sir. Nothing comes before
20 protecting these children.

21 Do they have any other plans
22 that they're working on to deal with this
23 problem?

24 MR. LOMBARDI: No, ma'am.

25 COUNCILWOMAN CAMPBELL: Okay.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 No further questions.

3 I want to say that Councilman
4 Kelly has arrived. I want the record to
5 note that he's here.

6 Councilman Greenlee.

7 COUNCILMAN GREENLEE: Thank
8 you, Madam Chair.

9 Mr. Lombardi, good afternoon.
10 Just a question you answered a little
11 earlier, you said about accidents that I
12 think you said were not -- or injuries
13 that were not preventable by seat belts.

14 MR. LOMBARDI: Right.

15 COUNCILMAN GREENLEE: How do
16 they determine that? Maybe you don't
17 know. I'm just trying to --

18 MR. LOMBARDI: I don't, sir.

19 COUNCILMAN GREENLEE: Because
20 it would seem like any accident, if a kid
21 is in a seat and is not restrained, it
22 increases the chance, no matter how the
23 accident occurs.

24 MR. LOMBARDI: Most of the
25 accidents occur in the loading and

1 6/12/07 - TRANSPORTATION - BILL 070212

2 unloading zone.

3 COUNCILMAN GREENLEE: In the
4 what? I'm sorry.

5 MR. LOMBARDI: In the loading
6 and unloading zone, kids getting off the
7 bus.

8 COUNCILMAN GREENLEE: So the
9 vehicle is not moving.

10 MR. LOMBARDI: Yes. And where
11 there have been fatalities with a bus,
12 it's usually a case with a significantly
13 large vehicle that they've concluded in
14 many of those tests that it would not
15 have been any different conclusion in the
16 result of that accident.

17 COUNCILMAN GREENLEE: I mean, I
18 can see if the bus isn't moving. That
19 makes sense. I mean, obviously the kid
20 wouldn't be restrained. But it would
21 seem like any accident that involves a
22 moving -- or the bus moving at the time,
23 it would seem to me hard that the child
24 being restrained doesn't factor in
25 somehow.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 MR. LOMBARDI: Doesn't what,
3 sir?

4 COUNCILMAN GREENLEE: Doesn't
5 factor in to the injury. You know what
6 I'm saying? I mean, it just seems
7 like -- I'm not arguing. I'm just trying
8 to -- just common sense. Again, if the
9 vehicle is moving, it would seem like the
10 child not being restrained has to be a
11 factor.

12 MR. LOMBARDI: Yes, sir.

13 COUNCILMAN GREENLEE: I don't
14 know. That's why I said I don't know
15 if you --

16 MR. LOMBARDI: Well, we're
17 looking for the experts, the engineers,
18 to give us guidance on how we should
19 proceed. They've given us information
20 about stop arms on school buses and cross
21 arms and forward-facing wheelchairs and
22 additional mirrors on school buses, and
23 we're looking for guidance on that matter
24 as well. There's a reason most of the
25 states don't have seat belts on their

1 6/12/07 - TRANSPORTATION - BILL 070212
2 school buses. They're not convinced that
3 they would provide a safer ride for kids.

4 COUNCILMAN GREENLEE: Again,
5 when you said that about the --

6 MR. LOMBARDI: But it's a
7 different vehicle, sir. It is a much
8 different vehicle.

9 COUNCILMAN GREENLEE: It is
10 different, but --

11 MR. LOMBARDI: I'm not arguing
12 the point either, sir.

13 COUNCILMAN GREENLEE: I'm just
14 trying to, I guess -- and you may not
15 know the answer. I'm just trying to
16 think out loud here, how if a bus is
17 moving and a child is hurt, how they
18 could determine that the seat belt didn't
19 matter there. Do you know? Again, using
20 your example about getting out of a bus,
21 yeah, getting out of a bus, that makes
22 sense. A kid wouldn't be restrained no
23 matter what. But if the vehicle is
24 moving, it just seems like that -- it's
25 got to be a factor in there.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 MR. LOMBARDI: Some of the
3 conclusions that were reached regarding
4 accidents that occurred, a bus might have
5 turned over. Let's say the student was
6 unable to unhook themselves in a seat
7 belt. They're saying that that could
8 have caused more significant injury than
9 just falling out of the seat.

10 There was an accident many
11 years ago in Kentucky where a truck ran
12 into a school bus and it was engulfed in
13 flames and many of the students died in
14 the fire trying to get out, and there was
15 discussion even back then, some 15 years
16 ago, about seat belts, that if there were
17 seat bets on those buses, that some of
18 those kids who got out safely may not
19 have gotten out.

20 Please understand that our
21 position is not opposed to seat belts on
22 school buses.

23 COUNCILMAN GREENLEE: I
24 understand.

25 MR. LOMBARDI: If it's

1 6/12/07 - TRANSPORTATION - BILL 070212
2 mandated, we will comply, as we have
3 every other law that's come down. It's
4 just at this time there isn't
5 conclusive -- and Mr. Martin's position
6 from the National Association was exactly
7 that. We were looking for further
8 guidance on this. We were looking for a
9 stronger direction on how to proceed with
10 the purchase of our school buses. We do
11 not -- school bus operators are very much
12 concerned with the safety and welfare of
13 our kids, and we are as well.

14 COUNCILMAN GREENLEE: I
15 understand.

16 MR. LOMBARDI: Thank you.

17 COUNCILMAN GREENLEE: Thank
18 you, Mr. Lombardi.

19 COUNCILWOMAN CAMPBELL:
20 Councilman Goode.

21 COUNCILMAN GOODE: Thank you,
22 Madam Chair.

23 Good afternoon, Mr. Lombardi.

24 MR. LOMBARDI: Good afternoon,
25 Councilman.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 COUNCILMAN GOODE: The Chair
3 and chief sponsor of the resolution did
4 such an excellent job, I was going to let
5 you go, but you made a statement that the
6 reason why most states do not have seat
7 belts on buses is because the
8 inconclusive evidence. Is that your
9 statement?

10 MR. LOMBARDI: Yes, sir.

11 COUNCILMAN GOODE: So do you
12 believe that those states removed the
13 seat belts or the seat belts were never
14 on the buses?

15 MR. LOMBARDI: They were never
16 on the buses, sir. They never purchased
17 them with seat belts.

18 COUNCILMAN GOODE: So there
19 were never seat belts?

20 MR. LOMBARDI: Yes.

21 COUNCILMAN GOODE: So they
22 didn't remove the seat belts because of
23 inconclusive evidence?

24 MR. LOMBARDI: No, sir, they
25 did not remove them.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 COUNCILMAN GOODE: So they were
3 never purchased?

4 MR. LOMBARDI: Correct.

5 COUNCILMAN GOODE: Is there a
6 reason why you believe you're the only
7 witness today?

8 MR. LOMBARDI: I'm sorry, sir?

9 COUNCILMAN GOODE: Is there a
10 reason why you believe that you are the
11 only witness today?

12 MR. LOMBARDI: Why I was the
13 only witness? No, sir. I'm not sure who
14 else would be testifying.

15 COUNCILMAN GOODE: That's
16 exactly my point. No one is sure who
17 else will be testifying. You are in fact
18 the school bus guy.

19 MR. LOMBARDI: Yes, sir.

20 COUNCILMAN GOODE: Most states
21 never purchase seat belts, whether they
22 should have or shouldn't, because the
23 evidence is inconclusive.

24 MR. LOMBARDI: Correct.

25 COUNCILMAN GOODE: You are in

1 6/12/07 - TRANSPORTATION - BILL 070212

2 fact the school bus guy for Philadelphia.

3 MR. LOMBARDI: Yes, sir.

4 COUNCILMAN GOODE: You're the
5 foremost expert.

6 MR. LOMBARDI: Yes.

7 COUNCILMAN GOODE: So what is
8 your opinion?

9 MR. LOMBARDI: I believe within
10 the next three to five years there will
11 be legislation mandating seat belts on
12 school buses.

13 COUNCILMAN GOODE: And why do
14 you believe that there will be
15 legislation mandating seat belts?

16 MR. LOMBARDI: Because --

17 COUNCILMAN GOODE: Because it's
18 safer?

19 MR. LOMBARDI: It certainly
20 appears that seat belts -- a three-point,
21 not a lap belt, but a three-point system
22 on a school bus would provide a safer
23 ride. It certainly would appear that
24 way.

25 COUNCILMAN GOODE: That's why

1 6/12/07 - TRANSPORTATION - BILL 070212

2 you're the school bus guy. Thank you.

3 MR. LOMBARDI: Yes, sir.

4 COUNCILMAN KELLY:

5 Mr. Lombardi, you mention in your

6 testimony that it would cost

7 approximately about two to three thousand

8 dollars per van or school bus?

9 MR. LOMBARDI: Yes, sir.

10 COUNCILMAN KELLY: Do you know

11 what the total cost would be for the

12 City?

13 MR. LOMBARDI: For the school

14 bus, sir?

15 COUNCILMAN KELLY: For all the

16 school buses, yes.

17 MR. LOMBARDI: The school buses

18 vary in price, depending on size,

19 depending on whether you buy a

20 conventional school bus, which are the

21 old-fashioned looking, or the transit

22 styles. Approximately \$80,000, \$85,000

23 we would pay for a 66-passenger transit

24 style school bus. So it would add about

25 \$3,000 to the cost of that. The flooring

1 6/12/07 - TRANSPORTATION - BILL 070212

2 would have to be --

3 COUNCILMAN KELLY: Well, how
4 about the present school buses that we
5 have for installing seat belts?

6 MR. LOMBARDI: The last couple
7 years the buses were coming in with
8 reinforced flooring in the event there
9 was some law change regarding that.

10 COUNCILMAN KELLY: So it's only
11 the newer models then that would be
12 capable of putting in seat belts?

13 MR. LOMBARDI: Yes, sir.

14 COUNCILMAN KELLY: And how many
15 would you say -- what percentage would
16 you say that are --

17 MR. LOMBARDI: The average age
18 of our buses is about five years old.
19 This year we're taking out of service
20 buses that are over ten years old. We're
21 buying 44 buses this year. So with that,
22 our fleet will be about five years old on
23 the average.

24 COUNCILMAN KELLY: So what's
25 the percentage of buses that could be

1 6/12/07 - TRANSPORTATION - BILL 070212
2 capable of having the seat belts
3 installed?

4 MR. LOMBARDI: Probably half.

5 COUNCILMAN KELLY: About 50
6 percent now?

7 MR. LOMBARDI: Yeah, about 50
8 percent.

9 COUNCILMAN KELLY: And then it
10 would be slowly as you buy or purchase
11 the school buses?

12 MR. LOMBARDI: Yes, sir.

13 COUNCILMAN KELLY: Is that
14 right?

15 MR. LOMBARDI: Yes, sir.

16 COUNCILMAN KELLY: All right.

17 Thank you, Madam Chair.

18 COUNCILWOMAN CAMPBELL: I want
19 to note that Councilman DiCicco is here
20 in attendance.

21 Are there any other questions
22 of this witness?

23 (No response.)

24 COUNCILWOMAN CAMPBELL: Thank
25 you.

1 6/12/07 - TRANSPORTATION - BILL 070212

2 MR. LOMBARDI: Thank you,
3 ma'am.

4 COUNCILWOMAN CAMPBELL: Are
5 there any other witnesses here to testify
6 on this resolution?

7 (No response.)

8 COUNCILWOMAN CAMPBELL: At this
9 time, I want to recess this resolution to
10 the call of the Chair. We have not
11 gotten the answers that we really need to
12 get here. This is too serious a problem,
13 as I see it, that just we cannot take it
14 lightly. So we're going to recess this
15 to the call of the Chair and we'll
16 proceed with the next bill.

17 The next is Bill 070211 -- this
18 will conclude the hearing on
19 Transportation. We're waiting for the
20 members to come down for the other
21 Committee.

22 Thank you.

23 (Committee on Transportation
24 and Public Utilities adjourned at 1:30
25 p.m.)

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