15 PASSENGER VAN SAFETY

Public Entities in Massachusetts continue to use 15 passenger vans to transport students, seniors, sports groups or other members on a regular basis. Whether it be to transport children for a summer recreational program, transport students in lieu of school buses or to transport seniors to the store, 15 passenger vans are used as a convenient and cost effective transportation solution in many Towns. However, a serious exposure from rollover crashes still exists and continues to be a concern for these types of vehicles.

Rollover Concerns

Over the past five years the National Highway Traffic Safety Administration (NHTSA) has released several consumer advisories regarding 15 passenger vans and the potential for rollover crashes. The result of these alerts and educational efforts has helped to reduce the number of 15 passenger van occupant fatalities that occur from rollover crashes. The percentage is down from a high of 81% in 2000 to 52% in 2003. However, 15 passenger vans still are more likely to be involved in a single vehicle rollover crash than any other type of vehicle. Therefore we must continue our efforts to educate on this serious exposure in order to prevent further rollover crashes.

Federal Regulatory Considerations

NHTSA has the authority to regulate the first sale or lease of a new vehicle by a dealer and requires the dealer to ensure that vehicle meets all applicable standards. If a bus is sold or leased for the purpose of transporting students, it must meet NHTSA’s school bus standards. Under their regulations a “bus” is any vehicle, including a van that has a capacity of 11 persons or more. They define a “school bus” as any bus which is likely to be “used significantly” to transport preprimary, primary and secondary students to or from school or school related events. A 12-15 passenger van that is likely to be used to transport students would therefore be considered a “school bus”. Conventional 12-15 passenger vans are not certified as meeting NHTSA standards and therefore cannot be sold or leased as new vehicles, to carry students on a regular basis.

Massachusetts Regulatory Considerations

In addition to the NHTSA requirements, the Massachusetts Registry of Motor Vehicles prohibits the initial registration of new non-conforming 15 passenger vans for the purpose of transporting students to and from home or school related activities. Currently, used or existing 15 passenger vans that have already been registered can still be registered but the intention is to eventually not allow for these vehicles to be registered at all. Thus passenger vans with a capacity of more than 10 and that are intended to transport students would be phased out.

The requirements for the use of a motor vehicle are determined by State Law. Massachusetts General Law c.90, Section 7D does allow for “school pupils” to be transported in vehicles other than school buses. These vehicles are called “school transport vehicles”. However, the law restricts them to carrying a maximum of eight pupil passengers. A “school pupil” is defined as any person enrolled in any school, kindergarten through grade twelve, or enrolled for day care services, or in any program for children with special needs. Transporting more than eight “school pupils” on a fixed route requires the
use of a “school bus” as described in M.G.L. c.90, Section 7B. It does not matter if the vehicles are publicly or privately owned. A fixed route includes any transportation to and from any school or day care related activity.

Buyer Beware! In summary, it is illegal for an auto dealer to sell or lease a passenger van that has the capacity to occupy more than 10 people and that is intended for the purpose of transporting students to or from school and school related activities. Also, in the State of Massachusetts you can only transport 8 pupils or less in passenger vans, regardless of their capacity. You may contact the Registry of Motor Vehicles at 617-351-9904 if you have questions as to whether or not you are in violation of Federal and State Law.

Although, most Massachusetts schools are familiar with the majority of the strict school bus standards in our state, some other Town departments may not be informed on the Passenger van requirements. However, they should be informed as the exposure still exists for them. For example, summer recreation programs still use 12-15 passenger vans for transporting students to their activities. Some senior citizen groups are using these vehicles to help transport our seniors throughout our communities. Some Towns have even converted vans into maintenance or Public Works vehicles. If you do own one of these vehicles it is very important to ensure that your employees and volunteers have received proper driver training.

**How Can You Protect Your Students and Staff?**

- **Keep your passenger load light.** NHTSA research has shown that 15 passenger vans with 10 or more occupants had a rollover rate in single vehicle crashes that is nearly three times the rate of those that were lightly loaded. The more occupants you have in 15 passenger vans the higher the center of gravity becomes, making them more susceptible to rollover.

- **Check your vans tire pressure at least once per week or prior to any extended trip.** Another NHTSA study found that 74% of all 15 passenger vans had improperly inflated tires. Improperly inflated tires can change handling capabilities, increasing your chance for a rollover crash. This study also indicated that worn tire treads were linked with under-inflated tires. Be sure to identify the recommended tire pressure on the tire sidewall and in the owner’s manual as they are sometimes different.

- **Require all occupants to use their seatbelts or child restraints.** Be sure that your employees have proper training on how to install child restraints. Nearly 80% of rollover fatalities in 15 passenger vans were not wearing their seatbelts.

- **If possible, seat passengers and place cargo forward of the rear axle and avoid placing any loads on the roof.** This will help to lower the vehicles center of gravity and lower the chance of a rollover crash.

- **Be mindful of speed and road conditions.** These studies also showed that crashes increased at speeds over 50 miles per hour and on curved roads. Wind and road conditions can force a vehicle to slide sideways off the road. The grassy or dirt medians and shoulders can cause vans to overturn when the tires dig into the dirt. Over correcting at higher speeds can also cause an operator to lose control of a vehicle. Train your drivers on how to handle curved roads, and quick maneuvering situations by slowing down.
Ensure drivers have proper training. Many 15 passenger van drivers are young volunteers without experience in driving any type of vehicle. Drivers should have many hours practicing with an experienced driver prior to having an occupant load of any size. Training should also include driving with a heavier load to help show the difference in handling characteristics, as well as how to use mirrors, brake time differences, blind spot awareness and backing limitations. Training should also focus on the potential for distractions when transporting children and how to handle them. It may be necessary to have another adult in the vehicle to help control some situations.

The MIIA training library includes a self teaching defensive driver training course on “Coaching the Van Driver”. This course can be taught by any experienced driver and can be done for a group or individual. Contact Maryann Marino at 800-882-1498 to borrow the DVD course.

Make sure your drivers are trained on the basic maintenance of the vehicle. They should be able to identify a basic problem by checking fluids, looking for normal wear and tear, monitoring tires, seatbelts, all lights and turn signals. Your entity should have someone on staff or a company familiar with the state and federal school bus inspection requirements performing maintenance on your vehicle.

Ensure drivers are properly rested. Evaluate the length of trips in order to determine if relief drivers are needed.

In summary, it is crucial to be aware of what vehicles and equipment we purchase in order to ensure our employees, students and residents are properly protected. By being aware we must learn all state and federal requirements as well as be conscious of who we are putting behind the wheel of these potentially dangerous vehicles that transport such a precious cargo.

Contact the MIIA Loss Control Department with any questions at 1-800-882-1498.