



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**8 VAC 20-70 – Regulations Governing Pupil Transportation Including Minimum Standards for School Buses in Virginia**  
**Department of Education**  
January 24, 2009

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### **Summary of the Proposed Amendments to Regulation**

The Board of Education (Board) proposes several amendments to these regulations including: 1) updating definitions to conform to the 2005 National School Transportation Specifications and Procedures, 2) adding numerous clarifications, 3) no longer permitting school divisions to have students standing during school bus rides for the first 30 instructional days of school, 4) mandating that all high school students receive additional training on the rules for motorists approaching a stopped school bus and on safe following distances when operating a personal vehicle, 5) amending the required minimum frequency of school bus maintenance inspections, 6) no longer requiring that bus collisions where no one is injured and damage is less than \$1,000 be reported to the Department of Education (Department), 7) requiring that school bus routes, school sites, and safety of pupils at designated school bus stops shall be reviewed at least twice each year rather than just once, 8) requiring that new transportation directors/supervisors employed by school divisions shall complete the “Train the Trainer” class conducted by the Department, and 9) requiring that school bus driver instructors meet the requirements of a school bus driver and have at least 2 years experience.

### **Result of Analysis**

The benefits likely exceed the costs for one or more proposed changes. There is insufficient data to accurately compare the magnitude of the benefits versus the costs for other changes.

## **Estimated Economic Impact**

Under current regulations school divisions can plan to have students standing during school bus rides for the first 30 instructional days of school while routes are adjusted. The proposed text indicates the school divisions can no longer have overcrowded buses at the beginning of the school year as routes are adjusted to match student needs. School staff will need to put in greater effort to have routes planned to match students needs prior to the first day of school, and to make faster adjustments when overcrowding is encountered due to unexpected demand. This may require a small addition in staff time, but will likely significantly improve safety for those students who no longer will need to stand on moving buses. This proposed change will thus likely produce a net benefit.

The Board proposes to require that students in grades 9 through 12 shall receive additional training on the rules for motorists approaching a stopped school bus and on safe following distances when operating a personal vehicle. According to the Department the additional training could for example take place during one school auditorium assembly each year. Some extra training on these rules may result in modest improvement in road safety. On the other hand it will require some additional school time that could be used productively in other ways. There is insufficient information to determine if the benefit from the potential modest improvement in road safety exceeds the opportunity cost of school time spent on this instruction rather than on other productive activities.

Under the current regulations all school buses and school activity vehicles used to transport public school pupils to and from school and school activity events shall be inspected and maintained by competent mechanics at least once every 30 operating days or every 2,500 miles traveled. The Board proposes to amend the minimum frequency of inspections and maintenance to at least once every 45 calendar days. This will not significantly affect most schools, but will affect some divisions where some buses run short routes and may take considerably longer than 30 operating days or 45 calendar days to reach 2,500 miles. Some extra time by mechanics may be needed to comply with the proposed required minimum frequency of 45 calendar days; but vehicles do deteriorate with time as well as with usage when not maintained. Thus, the proposed amendment does likely provide benefit in increasing the likelihood that school buses remain safe for their passengers.

School divisions currently must report all crashes incidents to the Department through a web based system. The Board proposes to no longer require that bus collisions where no one is injured and damage is less than \$1,000 be reported to the Department. According to the Department this will save school divisions across the Commonwealth the filing of at least 1,000 reports annually. Since filing reports take approximately 30 minutes per incident<sup>1</sup> this will save school divisions cumulatively at least 500 hours of staff time. Since the Department does not believe it needs this data this proposal clearly produces net benefit.

The Board also proposes to require that new transportation directors/supervisors employed by school divisions complete the “Train the Trainer” class conducted by the Department. This intent of this requirement is to ensure that directors understand the responsibilities required of school bus drivers, and to give them a good overview of the laws and regulations governing pupil transportation. The training lasts three to four days and is offered about six times during the summer at different locations around the Commonwealth and has \$25 fee. There are approximately ten new transportation directors/supervisors each year.

## **Businesses and Entities Affected**

The proposed amendments affect the 132 school divisions in the Commonwealth.

## **Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

## **Projected Impact on Employment**

The proposed amendments are unlikely to significantly affect employment.

## **Effects on the Use and Value of Private Property**

The proposed amendments are unlikely to significantly affect the use and value of private property.

## **Small Businesses: Costs and Other Effects**

The proposed amendments are unlikely to significantly affect small businesses.

## **Small Businesses: Alternative Method that Minimizes Adverse Impact**

The proposed amendments are unlikely to significantly affect small businesses.

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<sup>1</sup> Time estimate by Department of Education

## **Real Estate Development Costs**

The proposed amendments will not significantly affect real estate development costs.

## **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.