



NASDPTS MEMBER ALERT

NHTSA Issues Interpretation on School Bus Clear Barriers and Shields

August 11, 2020

Dear NASDPTS Members,

This afternoon the National Highway Traffic Safety Administration (NHTSA) issued an important letter responding to inquiries from the Illinois Department of Transportation (IDOT) about the installation of plexiglass barriers and clear plastic shields in school buses. NHTSA requested that NASDPTS forward the letter to the school transportation community, including our members.

Several of you have contacted NASDPTS with various questions about the legality and advisability of allowing installation of plexiglass shields or soft plastic clear curtains within school buses with the intent of reducing transmission of the novel coronavirus. The letter to IDOT discusses the potential impacts of such equipment on several Federal Motor Vehicle Safety Standards (FMVSS), including issues of regulatory authority. Federal standards specifically discussed in the NHTSA letter include:

FMVSS No. 205, "Glazing Materials"

FMVSS No. 222, "School Bus Passenger Seating and Crash Protection"

FMVSS No. 302, "Flammability of Interior Materials"

FMVSS No. 217, "Bus Emergency Exits and Window Retention and Release"

FMVSS No. 111, "Rear Visibility"

NHTSA points out that its federal authority for establishing safety performance standards extends to new vehicle manufacturers and makers of motor vehicle equipment and items subject to FMVSS. When equipment is installed as aftermarket equipment by a manufacturer, distributor, dealer, rental company, or motor vehicle repair business, such entities may not knowingly make inoperative any device or element of design installed on or in a motor vehicle or item of motor vehicle equipment in compliance with an applicable FMVSS.

Please forward the letter to regulatory agencies and others within your states, companies, or industry associations as you deem appropriate. We look forward to discussing this important letter of interpretation during one or more of the upcoming weekly webinars of the Student Transportation Aligned for Return To School (STARTS) initiative. These webinars each Tuesday are a collaborative effort by NASDPTS, the National Association for Pupil Transportation, and the National School Transportation Association.

We welcome input and questions. Please contact Charlie Hood, NASDPTS Executive Director, at ExecDir@nasdpts.org or (850) 274-4308. Stay safe, stay well.