

BOILERPLATE REPORT FOR ACT 200 OF 2012; SECTION 741

The FY2013 appropriation for Michigan Department of Transportation (MDOT), Act No. 200, Public Acts of 2012, has a requirement in Section 741 which reads:

Sec.741. By December 1, 2012, the department shall submit a report to the senate and house appropriations subcommittees on transportation and the senate and house fiscal agencies on the need, feasibility, and cost for increasing the safety standard of transit buses procured by Michigan transit agencies by requiring a federally approved rollover test standard.

This report is the MDOT's response to the requirement.

BACKGROUND INFORMATION

The Federal Motor Carrier Safety Administration (FMCSA) was established in U.S. Department of Transportation (USDOT) with a mission to reduce crashes, injuries and fatalities involving large trucks and buses. The FMCSA issues Federal Motor Vehicle Safety Standards (FMVSS) which are applicable to buses. The bus specifications which MDOT writes and Department of Technology, Management and Budget (DTMB) includes in request for proposals (RFP) to bus vendors, require buses to comply with the FMVSS. Our RFPs also require vendors to complete a pre-award FMVSS compliance certification and keep it on file for future review by the Federal Transit Administration.

Among the standards which MDOT requires transit buses to meet is FMVSS Standard No. 220 "School Bus Rollover Protection" which establishes performance requirements for bus rollover protection, including standards for testing. MDOT's evaluation of vendor responses to RFPs includes a check for compliance with Standard No.220. Therefore, MDOT is currently in compliance with the boilerplate language in that we use the only available federally-adopted rollover test standard. We cannot determine the need, feasibility and cost of adhering to any other federal standard since none exists.

ADDITIONAL INFORMATION

Past compliance by bus vendors with FMVSS Standard No. 220 demonstrates that testing for rollover protection, as prescribed by the federal standard, is feasible. Having conducted the School Bus Rollover Protection Test FMVSS 220 on multiple body models from year 2001 to year 2012, a bus manufacturer has reported that testing throughout the period resulted in an average cost per test of \$4,125.00.

THE FUTURE OF BUS SAFETY STANDARDS

On July 6, 2012, President Obama signed into law a new two year transportation reauthorization bill, the Moving Ahead for Progress in the 21st Century Act ("MAP-21"; P.L. 112-141). This new law includes many important provisions intended to help USDOT in its important mission to reduce crashes, injuries and fatalities involving large trucks and buses.

BOILERPLATE REPORT FOR ACT 200 OF 2012; SECTION 741

Under MAP-21, the USDOT must develop a National Public Transportation Safety Plan which shall include safety performance criteria for all modes of public transportation and minimum safety performance standards for public transportation vehicles used in revenue operations. As a result, for the first time, the Federal Transit Administration (FTA) will publish federal transit bus safety standards. MDOT's initial contact with FTA suggests that in publishing these new standards, FTA will look at existing standards, including the FMCSA roll over standard which is used in Michigan and throughout the country. FTA may adopt the FMCSA standard as the transit standard or if they determine that the national experience warrants a different standard, they will adopt a new standard. MAP-21 could therefore result in new federal safety standards for transit buses, and MDOT and Michigan transit agencies will follow these new standards in transit bus procurements.

The efforts that FTA will take to meet the new MAP-21 requirements and that MDOT will take to comply with the new federal regulations should go far in meeting what we believe to be the underlying intent of this boilerplate requirements, i.e., to a safe Michigan transit fleet.

Prepared by:
Michigan Department of Transportation
Office of Passenger Transportation
December 13, 2012