



Michael Clara <donmiguelslc@gmail.com>

Re: Heater Hose Incident and NHTSA

1 message

Michael Clára <donmiguelslc@gmail.com>

Wed, Sep 10, 2014 at 5:47 PM

To: "Martin, Murrell" <Murrell.Martin@schools.utah.gov>

Cc: "Withers, McKell ." <mckell.withers@slcschools.org>, "Larson, Jane" <jane.larson@slcschools.org>, "Martinez, Ken" <ken.martinez@slcschools.org>, "Greg Willmore (gwillmor@utah.gov)" <gwillmor@utah.gov>,

"Richard.Willard@dot.gov" <Richard.Willard@dot.gov>, joel.coleman@schools.utah.gov, adamanderson@utah.gov

Bcc: Michael Clara <donmiguelslc@gmail.com>

Mr. Martin,

Thank you so much for your follow up email. You often mention how much the transportation personnel care about children. As a policy maker, I want that care for children to be demonstrated in the form of repairing buses without delay when a recall notice is issued. I want that caring attitude to be expressed with honesty and integrity when responding to a school board member's questions.

The following are outstanding issues and questions:

1. The school buses did not meet the minimal Utah Standard of the protective shielding for the heater hose in the passenger compartment. Apparently, no one in the State of Utah is responsible for ensuring that school buses meet the standards as set forth in statute.
2. Salt Lake School District Administration lied to the Board of Education by claiming none of the buses in the fleet were subject to the safety recall. Apparently, no one in the state of Utah is ensuring that local school districts are responding appropriately to safety recalls.
3. In this case the safety recall was issued in June and the School District did not order the replacement parts until August. Why not order the parts in June and then have the buses in a safe condition for the start of the school year in August?
4. It was my understanding that you had sent out a notice to all school districts about this issue three weeks ago, when I first brought this to your attention. The following week I asked you for a copy of the notice you sent out and I never received a response. Am I now to understand that the notice just went out this week?

5. I am a bit shocked that you would accept that “shutting the circulation through the cabin down” as an acceptable solution. Are you aware that the defroster in the school bus does not work when this shut down is in place? I had a bus driver call me and reported that during the recent down pour he could not see out the windshield because the defroster would not work. He described how dangerous it was to drive a bus in that condition on the road and through school parking lots. This is yet another example of my level of frustration with this entire situation. Aren't we just trading one safety problem for another? Who then is responsible when that bus driver runs over a child because the mechanics shut down the defroster? Shouldn't all school buses have a working defroster year around?

Un abrazo,

Michael Clára

801-205-0389

Board Member, District 2

On Mon, Sep 8, 2014 at 6:05 PM, Martin, Murrell <Murrell.Martin@schools.utah.gov> wrote:

Dear Board Member Clara:

Thank you for your concern for the students in the Salt Lake City School District, the State of Utah, and across the country. I believe it is good that you have asked the National Highway Traffic Safety Administration (NHTSA) to investigate into other possible issues in heater hoses shielding that may need to be addressed with a recall notice. From my experience in pupil transportation for nearly 30 years, I know that NHTSA takes school bus safety very seriously, and that they have the resources to conduct investigations into reported safety issues. I am confident they will conduct a careful review into the issues with the resources available to them.

As referenced in my email below to pupil transportation directors and supervisors, I wanted to take some additional time to research a few things prior to sending information out to local school districts. In addition to other research, I did get an opportunity to visit with long-time Florida State Director Charlie Hood about how Florida has worked with the recall program since they have been known as the most involved in recall efforts. Charlie indicated that they used to be a lot more involved, and that due to limited resources, and liability concerns for the state of Florida, they now direct concerns to NHTSA for their consideration. In discussing why recalls did not require buses to be placed out of service and what might constitute placing a list of school buses out of service, Charlie indicated that he could only remember one case where a few buses were placed out of service until recall issues had been addressed and that the case he was aware of was a breaking issues on a few buses.

This evening I also had the opportunity to speak with UHP Lieutenant Greg Wilmore who is over the school bus inspection program. He indicated that he was present for the recent UHP inspections at Salt Lake City School District and that he felt your pupil transportation staff had addressed the safety concerns well. He also indicated that he thought it was good that you have asked NHTSA to investigate.

In going forward, we will involve representatives from UDOT, UHP and factory representatives along with our local district representatives in reviewing our safety standards for school buses. I do know the people involved

in pupil transportation care very much about the safety of the students they transport, and that in the past they have done everything they felt was within reason with the resources available to them to protect the safety of the students they transport.

Once again thanks for your concern for the safety of students, and for making contact with NHTSA directly.

Sincerely,

Murrell Martin – Pupil Transportation Specialist

Utah State Office of Education

250 East 500 South

P.O. Box 144200

Salt Lake City, Utah 84114-4200

Phone (801) 538-7666

From: Martin, Murrell

Sent: Monday, September 8, 2014 4:06 PM

To: 'Allen, Kris'; Barben, Jeff; Barney, Curtis; 'Blizzard, Wess'; Bond, Jared; Boyer, Rock; 'Butcher, Verna'; 'Cannon, Jean'; 'Chaston, Brent'; 'Christensen, Ivan'; 'Cowan, Danny'; 'Crawford, Ken'; Erickson, Shane; Esterholdt, Robyn; 'Given, Tom'; Harris, Brad; 'Heyborne, Lyle'; 'Jensen, Herb'; 'Jensen, Kerry'; Johnson, Ed; 'Knight, Debbie'; Kyhl, Gary; 'Larsen, Brian'; Larson, Jane; Lindloff, Troy; Litchfield, Ron; 'Messersmith, Paul'; 'Morgan, Susan'; 'Peterson, Pat'; 'Porter, Wynn'; 'Reese, Wayne'; Richins, Lisa; 'Robinson, LuAnn'; 'Sagers, Dallon'; 'Schmutz, Launi'; Simkins, Glen; Squire, Ralph; 'Swenson, Roger'; 'Taylor, Ned'; Underwood, Brian; Warren, Joe; Weishar, Dan; 'Wilson, Drew'; Young, Bruce

Cc: White, Matthew; Hardman, Jackie; Roberts, David; Williams, Bruce; 'joel.coleman@schools.utah.gov'; 'Richard.Willard@dot.gov'; Greg Willmore (gwillmor@utah.gov); Adam Anderson (adamanderson@utah.gov)

Subject: FW: Proposed Resolution to Heater Hose Incident

Importance: High

Directors, Supervisors and Key Pupil Transportation Administrators:

I am providing a forward of a recent email sent to a Salt Lake City School District board member in response to a request for more information about our standards for shielding over heater hoses as it related to an incident in their district back in June. Most of you are likely already aware that an incident took place where a heater hose developed a leak that directed hot fluid through openings in the hose shielding in a way that scalded some passengers.

I am also requesting that this email be forwarded to bus shop supervisors, and to any contracted services that

oversee bus maintenance.

A part of my response indicated the following:

“With the information available to me, it is my opinion that Salt Lake City School District pupil transportation staff were operating in good faith with the information available to them prior to June 2, 2014, when the heater hose ruptured in such a manner as to direct hot fluid through a 1/16 inch gap between the hose shielding and the interior side wall of the bus.

In perspective, I believe the pupil transportation staff at Salt Lake City School District had every reason to believe that the heater hose shielding on their buses met the requirements of Standards for Utah School Buses and Operations, namely “Heater lines on the interior of the bus shall be shielded to prevent scalding of the driver or passengers.””

Prior to forwarding the email below, I wanted to take additional time to research more from the Utah Highway Patrol, the Utah Department of Transportation, the National Highway Traffic Safety Administration (NHTSA).

In summary, I believe Salt Lake City School District Pupil Transportation Department has operated in good faith and that they have been proactive in taking additional steps above and beyond what is required by law and by the federal recall program to ensure the protection of their students. You will notice the additional measure they have taken in the email below.

I also believe it is appropriate that Salt Lake City School Board Member Michael Clara has filed a notice to the National Highway Traffic Safety Administration (NHTSA) requesting they investigate it. NHTSA is the agency with responsibility for determining when a recall should be put in place, and owners of school buses are in the best position to supply NHTSA with information about their buses. I am sure NHTSA will give careful consideration to their investigation.

As all of you are aware, we have a very strict federal recall program for school buses, and recall notices are important to respond to and correct as soon as possible. I am not aware of any recall notices that have also placed a bus out of service until the recall had been addressed, but I am told that if the safety risk was considered high enough, a recall could place a school bus out of service. The fact that recalls do not typically place a bus out of service may be due to the strict “preventive nature” of the school bus recall program, but certainly local school districts need to address recall notices as soon as possible.

By law school bus manufacturers are required to send recall notices to those they have sold buses to. As an additional option, you can sign up for automated email alerts of all school bus recall notices by going to www.safercar.gov and clicking on “Vehicle Owners” and then on “email alerts” to setup automatic alerts.

As we pull our standards committees together later this fall, we will direct the Bus Body and Chassis Committee to review the facts and determine what may need to be done additionally to prevent a similar incident from taking place in the future.

In reviewing what else might be done to prevent this type of incident, a recommendation of shutting the circulation through the cabin down during the hot summer months was suggested. This would not only reduce the wear on the hoses over the years, but would also prevent possible exposure during extreme heat conditions. Salt Lake City School District Bus Service Manager, Ken Martinez has offered that perhaps around Memorial Day might be a good time for turning them off, and that turning them back on around Labor Day might be a good option. Ken has also offered that it is likely best to have a shop technician involved in the process. Some rural school districts with drivers in remote locations may also be comfortable in training a driver to do so.

If you or your shop foreman have additional information that you feel is important for our standards committee to consider, please forward it to me.

Thanks,

Murrell Martin – Pupil Transportation Specialist

Utah State Office of Education

250 East 500 South

P.O. Box 144200

Salt Lake City, Utah 84114-4200

Phone (801) 538-7666

From: Martin, Murrell

Sent: Thursday, August 21, 2014 3:46 PM

To: 'donmiguelslc@gmail.com'

Cc: Archie Archuletta; Cristina Flores; Ben Wood; Debbie Dujanovic; susana danso; James Evans; evansjmc; Dinha, Nineveh; Lisa Schencker; gwillmor@utah.gov; Martin, Murrell; Eric Peterson; kj524@msn.com; Luz Robles; Angela Romero; Angela Romero; Salamanca, Rosa (CRS); Steve Woods; Kelly Orton; Jane Larson; Joan M. Andrews (jandrews@fabianlaw.com); Britta Barney; Douglas Nelson (doug@mdxperts.com); Heather Bennett; Roberts, Janet; Kristi Swett; Laurel Young; Britta Barney; Withers, McKell .; Rosemary Emery; Tiffany Sandberg; Allison Sisam; Craig Ruesch; Katie Haslam; Roberts, David; Kristina Kindl; Patrick Garcia; Martinez, Ken

Subject: Proposed Resolution to Heater Hose Incident

Importance: High

Dear Board Member Clara,

Thank you for your phone call yesterday, and for giving me the opportunity to review the Standards for Utah School Buses and Operations as they relate to heater hoses in all Utah school buses. Concerning the incident that took place in the Salt Lake City School District back in June of this year, I have reviewed the Utah Highway Patrol report of the incident, and have also reviewed the details of the incident with Salt Lake City School District School Bus Shop Supervisor Ken Martinez.

I am providing a copy to others who have been included in the emails so they will be up to date on how I am proposing we go forward from my perspectives at the Utah State Office of Education.

With the information available to me, it is my opinion that Salt Lake City School District pupil transportation staff were operating in good faith with the information available to them prior to June 2, 2014, when the heater hose ruptured in such a manner as to direct hot fluid through a 1/16 inch gap between the hose shielding and the interior side wall of the bus.

In perspective, I believe the pupil transportation staff at Salt Lake City School District had every reason to believe that the heater hose shielding on their buses met the requirements of Standards for Utah School Buses and Operations, namely *"Heater lines on the interior of the bus shall be shielded to prevent scalding of the driver or passengers."*

I am not aware of any other cases in Utah where heater hoses have ruptured in such a manner as to direct hot fluid through gaps between the hose shielding and the interior side walls of a bus in a way that scalded passengers.

In my opinion, with this case, it is appropriate for Salt Lake City School District to take additional precautions above and beyond what our Standards for Utah School Buses and Operations currently identify.

In reviewing the additional precautions Salt Lake City School District has taken to prevent such future incidents, I have been informed that they have done the following:

1. Made sure all their buses, that had recall notices related to heater hoses, were addressed by the bus manufacturer representatives.

2. Carefully inspected all their buses and applied sealant to gaps between the shielding and the interior walls to prevent the possibility of a hot stream of fluid from being directed through the gaps.
3. Installed caps to any service openings where a hot fluid might be directed into the interior area of the buses.
4. Started a program of shutting down bus interior fluid circulation during times when the heaters are not in use.

I am sure the Salt Lake City School District Pupil Transportation Department will also make sure their drivers are aware of these additional precautions and will review the importance of reporting any identified interior leaks immediately, and quickly accessing if there is a need to move or evacuate their passengers in the event of a fluid leak.

Even though in a larger perspective of the nearly 500,000 school buses in operation in the United States, there appears to be a low incident rate of rupturing heater hoses with a potential of scalding passengers, any such case is a tragedy that needs to be evaluated to determine how to prevent it from happening in the future. Please express our concern to the students involved, and their families, and please express that on a state level we will do the following:

1. We are in the process of making all other school districts and school busing entities in Utah aware of the incident and the extra precautions taken by Salt Lake City School District to prevent this type of incident in the future.
2. In preparation for our next review of Standards for Utah School Buses and Operations (that will start in the near future), we will ask the Bus Body and Chassis Writing Committee to address this issue and identify how our standards may address prevention in the future.
3. As our Bus Body and Chassis Writing Committee completes their work, we will forward a recommendation for consideration by the National Congress on School Transportation (NCST), set to meet in May of 2015. This will first go to the NCST Bus Body and Chassis Writing Committee for their review.

As difficult as this process has been for all involved, we appreciate knowing that Salt Lake City School District has processed through it, and has put progressive things in place in an effort to prevent this type of incident in the future.

Sincerely,

Murrell Martin – Pupil Transportation Specialist

Utah State Office of Education

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