

Analyzing school bus safety in wake of Broncos crash

By [AdvocateDaily.com Staff](#)



The deadly crash in April involving a semi-trailer and a coach bus carrying the Humboldt Broncos hockey team raises questions about bus safety, but it may be unlikely that any measures could have prevented the tragedy from unfolding the way it did, says Toronto personal injury lawyer [Jasmine Daya](#).

"I think, as lawyers, we step back and analyze what could have been done differently in a bus accident situation involving young people," says Daya, managing principal with [Jasmine Daya & Co.](#)

"What type of bus was this? Could this have been prevented? Were there issues in terms of not providing the appropriate safety to the kids on the bus? All that legal analysis came to me after hearing about the crash."

The collision, which claimed 16 lives and injured 13, is still under investigation and little information has been released, but it's resurrected the issue of seatbelts

in buses, she tells [AdvocateDaily.com](#).

Shortly after the accident, which occurred at the intersection of two highways in rural Saskatchewan, the Canada Safety Council issued a call for seatbelts in coach buses, which currently are not mandated in Canada, the [CBC reports](#), noting that even when these vehicles are equipped with seatbelts, passengers are not required to wear them.

It's not known if the bus carrying the Broncos had seatbelts, but Daya says there's no guarantee the outcome would have been any different either way.

"The reality is that even with seatbelt use in motor-vehicle and bus accidents, serious injuries and impairment often can't be prevented. Seatbelts hold you in, but what if the vehicle catches fire or the glass shatters next to you and you're struck by something? With a bus rollover, you could still be injured significantly and it could be fatal," she says.

A coach bus is similar to a passenger vehicle in that both drive on highways a great deal, "which exposes them to increased risk."

While they prevent the driver and passengers from being ejected from a vehicle, which can minimize injury, "there are all sorts of injuries and impairment, even fatalities, that can occur, even if one is wearing a seatbelt," she adds.

There is also no requirement for the restraining device to be installed in school buses, and despite initially questioning the lack of regulation, Daya says she now understands the reasoning behind it.

First, she says, enforcement would be a problem, since there is usually only one adult, a driver, on the bus, and it would be difficult to check to see that every student is wearing a seatbelt.

"The second issue concerns an emergency situation. To get that many young people out of a bus when they have their seatbelts on could cause delays," she says. "Even kids who are normally able to take their seatbelts off may have difficulty because of heightened anxiety and fear in an emergency situation."

School buses are designed to protect young passengers by using high-backed seats, with energy-absorbing seat backs and padding, and spacing the seats close together, Daya says.

"The idea is the way the seats are built and designed will add a barrier to ensure the safety of children," making seatbelts unnecessary, she says.

Accidents involving school buses are rare, and they tend to occur when a vehicle attempts to overtake and pass a stopped bus, ignoring its hazard lights and stop sign, Daya says.

"It's a huge offence to overtake a school bus," she says, noting that in Ontario, passing a stopped bus when its lights are flashing brings a \$400 to \$2,000 fine and six demerit points, while a subsequent offence amounts to a \$1,000 to \$4,000 fine, six demerit points and possible jail time.

"The reason that school buses have these safety measures in place is not to irritate drivers on the road. It's to ensure the safety of everyone on the road, including drivers," Daya says. "It's important to get that message out there."