PRE-SCREENING NOTIFICATION
Responsible Authority: Transport Scotland, Transport Policy Directorate

Title of the plan: Seat Belts on School Transport (Scotland) Bill

What prompted the plan: 
(e.g. a legislative, regulatory or administrative provision)

The Scottish Government has had a long-standing intention to make seat belts a legal requirement on dedicated school transport, which is supported by Gillian Martin MSP. Devolution of legislative competence on the issue to the Scottish Parliament was secured via a Scotland Act Order in 2015 and Ms Martin introduced the above Bill in February 2017. The seat belt measures within the Bill are similar to provisions already implemented in Wales from 2014. The Bill also relates to a former petition before the Scottish Parliament’s Public Petitions Committee (PE1098).

Plan subject: 
(e.g. transport)

Dedicated School Transport.

Brief summary of the plan: 
(including the area or location to which the plan related)

There is currently no legal obligation for seat belts to be fitted on dedicated school transport in Scotland, despite the well-established safety benefits they can bring in the event of a road traffic accident. This Bill would make it compulsory for such home-to-school transport provided by local authorities, independent school providers and grant-aided school providers (‘school authorities’) to have seat belts fitted. It covers vehicles owned by the school authorities and those provided under contract. The legislation is intended to come into force in 2018 for vehicles transporting primary school children and 2021 for vehicles carrying secondary school pupils.

Brief summary of the likely environmental consequences: 
(including whether it has been determined that the plan is likely to have no or minimum effects, either directly or indirectly)

Extensive stakeholder engagement has taken place over a number of years, exploring various issues connected with the policy intention. Following this, the likelihood of an environmental consequence stemming from the Bill are deemed to be extremely slim. The policy does not stipulate a particular type of vehicle on which seat belts must be fitted and the effect therefore has no direct consequence on the emissions of a vehicle.

There are a range of factors as to why different vehicles are used for dedicated school transport provision. In-depth discussions with the bus industry and school authorities have highlighted that seat belts are only one element influencing this and would not be the sole determinant as to why one type of vehicle is chosen. Many of the vehicles used for dedicated school transport contracts which are not fitted with seat belts are older double-deckers. Therefore, if such vehicles go out of service they are likely to be replaced with newer models, which may meet more recent vehicle emissions standards.

There will be a range of options open to commercial bus operators not in possession of buses with seat belts yet wishing to bid for dedicated school transport contracts, such as moving vehicles around their fleet, retrofitting vehicles or replacing them. Such decisions are based on a company’s long-term business plan which will take into account an overlapping number of commercial considerations (many of these bus companies use the vehicles for other services when not on the school run) and not due to one requirement,
such as seat belts, in one area of provision alone. Therefore the seat belt measure cannot be isolated within these considerations or deemed the sole determinant for a bus company to make any fleet changes or to bid for future contracts.

Regarding any fleet changes that may take place, it cannot be assumed that two single-decker vehicle would be needed to replace a double-decker which potentially is removed from service as a knock-on effect of the Bill. Bus companies report that modern single-deckers can have capacity for between 70 – 80 passengers, similar to the number of seats on a double-decker.

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