

90 3128  
1570 a

PUBLIC HEARING

before

LEGISLATIVE COMMISSION ON PEDESTRIAN SCHOOL CHILDREN SAFETY  
(Assembly Concurrent Resolution No. 9, 1970)

Held:  
Sept. 2, 1970  
Assembly Chamber  
State House  
Trenton, New Jersey

MEMBERS OF COMMISSION PRESENT:

Assemblyman Peter P. Garibaldi (Chairman)  
Senator Richard J. Coffee  
Senator John L. Miller  
Assemblyman John N. Dennis  
Assemblyman Joseph A. LeFante

\* \* \* \* \*

I N D E X

	<u>Page</u>
Mrs. Alex Gordon, President New Jersey Congress of Parents and Teachers	2
Dr. Orville G. Parrish, Director, Pupil Transportation New Jersey State Department of Education	7
Mr. James F. Hughes, Director General Education Division New Jersey State Safety Council, Inc.	30
Albert M. Simon The Port of New York Authority	42
Robert Nolan Supervising Engineer Traffic Bureau New Jersey Department of Transportation	57
Mark W. Hurwitz, Director Special Services New Jersey School Boards Association	64

ASSEMBLYMAN PETER P. GARIBALDI (Chairman): Good morning, ladies and gentlemen. This public hearing will please come to order.

I am Assemblyman Peter Garibaldi, Chairman of the Pedestrian School Children Safety Commission. Seated with me at this table are other members of the Commission - to my extreme left is Assemblyman John Dennis, Senator John Miller; to my right is Assemblyman Joseph LeFante and Senator Richard Coffee. Senator Wayne Dumont, the other member of the Commission, will be with us later.

The Pedestrian School Children Safety Commission was created by Assembly Concurrent Resolution No. 9 of 1970. It has the duty to "study the hazardous conditions confronting pedestrian school children in many areas of the State, to define and outline these hazards, and to make such recommendations for eliminating these conditions as it deems necessary."

The Commission has extended invitations to testify at these public hearings to several State agencies and various private organizations and individuals concerned with the problem of pedestrian school children safety.

Those who have been invited to testify and who are in attendance today will be called upon to testify first. Anyone else who would like to testify, please obtain a slip from Mr. Tilleman, the Commission's Secretary, who is seated at the first desk in front, to my right, and fill in the requested information if you have not done so already.

May I also ask that, as each witness is called to testify, he take the first seat in front to my left, that he speak into the microphone, and that he identify himself again by name, address, position and any group or organization that he represents.

In the conduct of this hearing, we will follow the usual procedure for legislative hearings. If the witness has a prepared statement, will he please make

a copy available to the members of the Commission and the Hearing Reporters. Prepared statements need not be read in full; witnesses may request that they be made part of the record for consideration by this Commission and the Legislature.

After each witness has made his statement, the Commission members may have some questions and we trust that each witness will make himself available to answer these questions. No questions may be directed to the members of the Commission and no questions from the audience will be permitted. If anyone wishes, however, he may submit questions in writing to the Chairman for consideration by the Commission.

I would further ask of the witnesses to testify today that they please attempt to avoid unnecessary repetition. If there are particular points in a witness' testimony that have been adequately covered by previous witnesses, it would be greatly appreciated if the subsequent witnesses would abbreviate their testimony accordingly.

I shall now call the first witness, Mrs. Alex Gordon, President, New Jersey Congress of Parents and Teachers.

M R S.     A L E X     G O R D O N: Mr. Chairman and members of the Commission, I am Mrs. Alex Gordon, President of the New Jersey Congress of Parents and Teachers. I am pleased to present this statement prepared by our Legislation Chairman, Mrs. Arthur L Davis, at this public hearing today.

In conferring with Mrs. H. A. Fleisch, the PTA Safety Chairman, on the proposed bill, we respectfully request that our observations regarding this legislation be included in the proceedings of the hearing. You are probably aware that the PTA has cooperated for many years with the State Department of Public Safety in a Pedestrian Safety Program for School Children, and has been the

recipient of several safety awards from the National Safety Council.

First of all, we wish to congratulate Assemblyman Garibaldi, The General Assembly (the Senate concurring), for their foresight in wishing to establish a Commission to study the hazardous conditions confronting pedestrian school children, to define and outline these hazards, and to make recommendations for eliminating these conditions as it deems necessary. We would be pleased to participate in any hearings should the Commission present further legislative action.

As indicated in Resolution No. 9, we, too, are aware of the fact that many school districts have highways and roads which are without sidewalks or adequate side paths. We receive many letters from PTAs in such school districts asking for support in legislation to correct this situation.

Learning to live in today's world with our current traffic environment is a serious business. Children face a variety of complex traffic situations every day. The responsibility to provide safe walking conditions, and to develop self-reliance and habits among children, is shared by schools, government officials, parents and children. The Legislature can enact laws and regulations which can provide the necessary control and protection of the children. However, we also recognize that safety is a joint responsibility

To insure the safety of children walking to and from school ,

To improve standard traffic signs and other control measures ,

To implement good pedestrian safety practices .

We believe that physical characteristics and traffic conditions that affect

pedestrian safety along a route must consider:

1. Availability of sidewalks. Streets without sidewalks should be used only when necessary.
2. Visibility at street crossings. Parking controls may be needed to permit this.
3. Heavy traffic or streets with conflicts should be avoided.
4. Assessment of maintenance on traffic signs and markings, noting any deficiencies.

We would further recommend that uniform standards for all traffic control devices should be based on application of nationally accepted standards and operating procedures. All newly constructed federal aid highways are to conform to these standards. Finally, the use of traffic engineering study data in determining needs.

We must also consider that too often the safety of children walking to and from school is jeopardized by actions of drivers loading and unloading passengers.

We appreciate your consideration in giving us the opportunity to express our views regarding the establishment of a Commission to study the hazardous conditions confronting pedestrian school children, and I want to add my sincere thanks to each of you for allowing me to testify first.

Thank you very much.

ASSEMBLYMAN GARIBALDI: You are welcome, Mrs. Gordon.

Are there any questions from the members?

ASSEMBLYMAN DENNIS: I just have a few questions, Mrs. Gordon.

How many students do we have in the State of New Jersey, do you know offhand, both public and parochial?

MRS. GORDON: Well, I don't know about parochial but I know we have 1.5 million public school children.

ASSEMBLYMAN DENNIS: Of this 1.5 million, what

percent would be walking to school and what percent, if they are in high school, would drive or go in cars?

MRS. GORDON: I wouldn't have that figure.

ASSEMBLYMAN DENNIS: You don't have that figure, what percent walk or bus.

MRS. GORDON: No, I wouldn't have that. I am sure that one of the other people who will testify would have that. I just don't.

ASSEMBLYMAN GARIBALDI: Any further questions?

ASSEMBLYMAN LE FANTE: Mrs. Gordon, as President of the New Jersey Congress of Parents and Teachers, do you have in your possession any information that you can give us in regard to excessive complaint areas?

MRS. GORDON: Offhand, I don't. As I told you, I have just returned from vacation and this was brought up suddenly to me. But we do have a large number of complaints in rural areas.

ASSEMBLYMAN LE FANTE: I would imagine that in your capacity the PTA's would be getting in touch with you and I was just wondering if there were any that would stand out more than the average.

MRS. GORDON: Offhand, there isn't. And the Safety Chairman might have that, if you would like to have it forwarded to you I would do that.

ASSEMBLYMAN LE FANTE: I would appreciate it.

MRS. GORDON: I will be happy to do that.

ASSEMBLYMAN LE FANTE: Sometimes the parents know best.

MRS. GORDON: Well, not all the time.

ASSEMBLYMAN LE FANTE: No, but sometimes.

Thank you.

ASSEMBLYMAN GARIBALDI: Any further questions?

Mrs. Gordon, I have a question, if you can help me with it. When any of the parents have complaints with regard to the safety conditions or the hazardous conditions confronting their pedestrian school children, to

whom would they take their complaints, the Board of Education or the governing body?

MRS. GORDON: A lot of times they do complain to the boards of education but then, after that, if they have not received a response then they usually go to the officials. However, we get a lot from parents who probably don't know the proper procedures as to how they should. I don't think they know that the responsibility is the Board of Education and probably the Legislature. It's amazing how many persons don't know what they should be doing. But we really get a lot, in mail, and they expect us to do miracles and we try to do the best we can. But then they come to our Safety Chairman and we work closely with the New Jersey State Department in the safety area. Dr. Parrish can tell you we work closely with him.

ASSEMBLYMAN GARIBALDI: And do you find also, in your past experience, that even when a parent does go before the school board that, because of a lack of criteria as to whom and what can be considered a hazardous condition, whether in fact the school board has the responsibility of rectifying that condition or does the responsibility lie with the governing body? Have you ever had this problem come before you?

MRS. GORDON: No, we haven't. That would usually go before the Board. But I don't think they really know whose responsibility it is. Most citizens are uninformed. But most times boards of education are responsive to demands of parents. I would say in my experience they are responsive to citizens' recommendations or encouraging the safety of children.

ASSEMBLYMAN GARIBALDI: O.K., Mrs. Gordon. Any other questions from any of the members?

Thank you for your presentation, Mrs. Gordon.

MRS. GORDON: Thank you.

ASSEMBLYMAN GARIBALDI: Our next witness will be

Dr. Orville G. Parrish, Director of Pupil Transportation, State Department of Education. And is Mr. John Giesguth with you?

DR. PARRISH: Right over here.

ASSEMBLYMAN GARIBALDI: Will he make a separate presentation?

DR. PARRISH: No. Mr. Giesguth is my back-up material.

ASSEMBLYMAN GARIBALDI: O.K.

O R V I L L E G. P A R R I S H: I am Orville Parrish, Director of Pupil Transportation for the State of New Jersey.

May I express to the Committee the appreciation of the Commissioner of Education, Dr. Carl L. Marburger, for inviting our comments on this issue. We sincerely appreciate the interest and the time that you gentlemen will have to be spending on this total study.

The Bureau of Pupil Transportation does not wish to establish any particular point of emphasis as it concerns the transportation of the "less than remote pupil" but simply to establish background material and answer any questions posed by this Committee.

Beginning as far back as 1927 to the present time, in many decisions rendered, the Commissioner of Education, the State Board of Education, and the courts of the State have held in essence to the following concept regarding hazard:

"The provision for safe conditions of travel is a municipal function. A board of education is limited to educational functions. It can provide instruction of safety in order to inculcate habits of safety. It is not within its authority to enforce traffic laws, to provide sidewalks, traffic lights, crossing guards, police patrols, overpasses, to meet the requirements of safe travel for school children. It can and should point out to the responsible governmental body, the

traffic hazards and other dangers to which pupils may be exposed." (Peters vs. Board of Education, Township of Washington, Gloucester County, March 8, 1968)

Title 18A:39-1 of the New Jersey Statutes, in the first paragraph reads:

"Whenever in any district there are pupils residing remote from any schoolhouse, the board of education of the district may make rules and contracts for the transportation of such pupils to and from school, including the transportation of school pupils to and from school other than a public school, except such school as is operated for profit in whole or in part."

Reading the statute verbatim, the local board of education may think it has an option in providing transportation to the "remote pupil." Title 18A:33-1, however, provides that the local district "...shall furnish suitable educational facilities including proper school buildings and furniture and equipment, convenience of access thereto...."

The Commissioner of Education, the State Board of Education and the courts of the State, including the New Jersey Supreme Court (Phillips vs. Board of Education, Township of West Amwell, January 27, 1926) have required transportation to be furnished where buildings have not been "convenient of access" and decreed that little children cannot be expected to walk over two miles to school.

Since 1926, in many subsequent decisions, it has been held that compulsory or mandated transportation should not be considered for high school students (9-12) who live within 2.5 miles of the assigned school or for elementary students (K-8) who live within two miles of the school.

The State Board of Education, on date of February 3, 1950 (amended June 8, 1956 and again on April 3, 1963), taking into consideration the decisions concerning compulsory transportation, designated State aid reimbursement to be allocated as follows:

"The words 'remote from the schoolhouse' should mean two and a half miles or more for high school pupils and two miles or more for elementary pupils, except for pupils suffering from physical or organic defects. State aid for shorter distances for the sole reason of traffic hazards should not be given, inasmuch as traffic hazards are a local responsibility."

Within the context of the pupil transportation statutes (18A:39-1.1), the Legislature of the State of New Jersey provided permissive powers to the local board of education to transport the less than remote pupil. The cost of transporting these pupils would, however, be excluded in calculating the amount of State aid.

During the school year 1968-69, the State of New Jersey expended \$38,800,000 for pupil transportation. Of this amount, \$24,500,000 was returned to the districts in the form of State aid. Maximum (75%) reimbursement, if given, would have amounted to \$29,100,000. The cost to the districts for unaided (less than remote) pupil transportation was the difference between potential State aid, \$29,100,000 and actual State aid, \$24,500,000 or \$4,600,000.

New Jersey, in 1969-70, transported 560,000 pupils to private and public schools. In the same year, the public school enrollment was 1,454,000. Approximate figure for the parochial schools was 295,000, other church related 10,000 and non-church related 15,000 for a grand total of 1,774,000 pupils. The difference between these two totals (1,214,000) would be the number of pedestrian pupils involved in the study by this Committee.

To my knowledge, no statistical summary exists that could enumerate the type or number of accidents that have occurred to pupils walking

to and from school. In an effort to be of service to this Committee in the area concerned, the Bureau of Pupil Transportation conducted a pedestrian accident survey of all school districts in Middlesex County for the school year 1969-70. The results of the survey are summarized in Appendix B, which is attached to the report. (For Appendix B see p. 78 ) And we have also provided, for your information, Appendices A and C, which provide comparative financial and statistical data for Middlesex County.

I would like to refer you to Appendix A, to begin with, and we're speaking now about pupil transportation cost and State aid for Middlesex County, 1968-69. (For Appendix A see p. 77 )

In case a question arises in your mind as to why I have backtracked the year situation, may I say to you that transportation aid has a one year lag, or a drag situation, simply because the records are not closed until the end of the school year. The auditing is not done until after school closes, so we have a one year drag.

Middlesex County in 1968-69 expended \$3,544,374 for pupil transportation. Of this amount \$2,275,185 was returned to the districts in the form of State aid. Now, as we stated before, maximum State aid would have been 75%, if given, and that would have amounted to \$2,658,280. Now the cost to the districts for Middlesex County for this unaided transportation was the difference between the potential and the actual or \$383,095.

Now lets drop down to the other section and we will state that in Middlesex County in the school year - and we're upping you now to bring you into focus more - the year 1969-70 had enrolled in the public schools 127,000 pupils and approximately 30,000 in the private schools for a total of 157,000. The boards of education transported 47,000, leaving 110,000 pupils in the less than remote category.

Now I did a little calculation. You may smile as you look at it but I think you would agree with me that the exposure index for these pedestrian pupils would be 39,600,000 times. In other words, I took the 110,000 pupils that go back and forth to school twice a day, there are 180 days in the school year, for your total of 39 million plus.

Now, if you would go over to the accident survey - and may I tell you how that was accomplished. This was accomplished for, again, the use of this Committee by personal phone contact. It took us a little time to get this for you but I thought it would be of interest to the Committee. This is an actual personal contact to each school district in Middlesex County, giving the school district, the description of the accident - I'm not going to go all over this with you, it's in front of you. But may I say to you that in this total number in the year that you see ascribed, there were 8 minor accidents, 5 of which could only be ascribed to the automotive area. As you know, one of them was a child hit with a lunch box by another child; one was that the child fell down the icy steps of her own home; and one was where the motorist had a heart attack and the car jumped the curb and went on to the sidewalk and hit the child. That was the only serious accident that occurred in Middlesex County last year in the pedestrian type pupil. (Appendix B - p. 78)

I am not going to run down the list of financial data from Middlesex County but I thought you might be interested, you might have some questions in this area, so I left it there for you to look at, at a future date, if you so desire. (Appendix C - p.80)

Now, with that, I would like to open up to any possibility of questions from the Committee and thank you for the time that you have given us as the State Department of Education. Thank you.

ASSEMBLYMAN GARIBALDI: Thank you, Dr. Parrish  
Now we will have questions from members of the  
Commission.

ASSEMBLYMAN DENNIS: I have one question. On the  
first page you say that you can provide instruction of  
safety. I do have daughters in elementary school and  
I don't recall that they ever said anything, or not.  
But do they have mandatory instructions, whether it be  
one day or two days, where they have a policeman come  
in and they learn how to cross streets and the difference  
in the traffic lights and cross between the crosswalk, and  
so on? Is it mandatory in every school, public and  
private, to have some kind of a safety program, particularly  
the kindergarten. I know when they have pre-school, they  
probably go into the kindergarten and they go out and  
show them how to cross, or first grade?

DR. PARRISH: I think I can answer your question.  
If I had a publicity agent, sir, you would have been it.  
I was waiting for that one. New Jersey is unique in  
the nation. We have - by the way, for your information,  
New Jersey at the present time is considered tops in the  
nation in safety. We have done a tremendous campaign in  
this area with a very limited staff. What we are doing  
at the present time, sir, is a curriculum development  
program in all of the public schools of the State of New  
Jersey, and if you haven't heard of Stanley, the friendly  
school bus, you're going to hear about it now.

As you asked the question, I'm going to present this  
as a complimentary copy for you to take back with you  
and look it over, and the Committee can do likewise.

May I say to you, yes, we do have a planned  
curriculum development program in the State of New Jersey  
and it is the only one in the nation. Since last Friday,  
when we hit national publicity on this, in our magazine  
throughout the United States, we have received letters  
from 30 states of these United States, asking us either

to come there and speak or to send us brochures in this area of public safety. And what we are doing is to change the image of the school bus from an inanimate object to a smiling, friendly personality for children. What we have accomplished is a curriculum development woven into the program of K through 5th grade, whereby the teacher, in school, will do just exactly what you were saying, sir. And this is done through a work drawing book approach with bicycle stickers, joining cards, and Stanley.

Now, Stanley is the friendly school bus, and I would like you to have a copy. I was hoping somebody would ask me. And here is our posters that are out in all of the schools in the State of New Jersey. And this is a program that I feel, gentlemen, will do a great deal for safety of children.

You won the prize. I wish you would look at that, it's very good.

In addition to that, we have a rapport working with the Division of Motor Vehicles and the New Jersey State Police, which is second to none. We have working with us in-service training programs for school bus drivers in every district in the State of New Jersey. We again beg your indulgence for lack of staff. We cannot possibly cover 600 school districts a year, but we are going from school district to school district, bringing together groups of bus drivers as great as 50 up to 150 and 200 for a program of in-service instruction. The Division of Motor Vehicles will provide us teaching personnel. The State Police will provide us teaching personnel. The Division of Motor Vehicles is also in this program in a pre-testing program for school bus drivers which is the most difficult in the nation, here in the State of New Jersey.

You will recall reading in the newspapers not too recently the fact that there was an accident in the

State of Pennsylvania regarding a chartered vehicle. Do you recall the accident? And did you notice, by chance, the small little byline we got? And he had been refused a school bus driver's license in the State of New Jersey. I think that should have been a headline.

ASSEMBLYMAN GARIBALDI: Any further questions?

SENATOR COFFEE: Dr. Parrish, you made the statement that our program is tops in the nation in safety.

DR. PARRISH: That is correct.

SENATOR COFFEE: Who has designated our program as being tops?

DR. PARRISH: It was done by the Dunlap Associates, which is an organization of private individuals throughout the United States.

SENATOR COFFEE: Let's talk about the survey you did in Middlesex County.

Under Appendix A, top paragraph, the last sentence says, "The cost to the districts for unaided, which means less than remote, pupil transportation was the difference between potential State aid, \$2,658,280, and actual State aid, \$2,275,185, or \$383,095."

Now, I assume that this is the money that was spent by various local school districts in Middlesex County where they did not qualify for State aid. I assume further that we're talking about high school pupils who were bussed, living within 2.5 miles, elementary school pupils who were bussed, living within 2 miles. Did you go further and make a breakdown in those school districts to determine the number of pupils, the reasons, so that we can categorize these and perhaps glean something from them?

DR. PARRISH: I wish I could have, and I tried desperately, but you must recognize you are looking at money. You are not looking at pupils. I even took a percentage, Mr. Coffee, in that area. It's a 12% percentage,

if you're interested in that. I remember it from the calculations I did on it. But I could not ascribe the 12% to pupils, due to the fact that the distances involvement and our State Aid Formula is based upon how far you live from school, not the numbers involved. So that you could have, for instance, a bus load of 50, which would be, let's say, an average bus load, and 45 of those could be living outside the 2 and 2.5 miles and the five or six remaining is practically a nil categorization. I wish I could, and I did make an effort but then I realized I would be giving you statistics that would be worthless and I don't like to give that type of statistic. The answer is you cannot ascribe a percentage ratio of 12 there to the number of pupil involvement.

SENATOR COFFEE: The thing that would be helpful to us, I feel, is a sampling of the reasons why various school districts bus extra pupils.

DR. PARRISH: I think I can tell you.

SENATOR COFFEE: Just a sampling, the three, four or five main reasons. You've given us one, the bus is not completely full.

DR. PARRISH: I'll talk to you about that some other time. There are aspects to that.

The reasons that they are giving, and the only reasons that I know of that they are giving the undermileage transportation is what your Committee is now studying, Mr. Coffee, which is the word "hazardous". Please, a personal opinion and not the opinion of the Commissioner of Education otherwise. The definition of the word "hazard" is intangible to place upon paper to define it so that everyone concerned would agree with you as to its encompassing the necessary number of pupils. For instance, I have been out on hundreds of cases of hazard, and we do go into these, whereby the county superintendent asks for advice or service from the Department of Education. We are

a service organization. When we go out and look at it, it could be a mother involved in two trucks passing her home, dump trucks, at exactly the same time that her kindergarten youngster leaves the house, and it is a hazard. For you to encompass this in an over-all structure that could, say in a city situation, involve density of traffic control, so many cars per so many minutes would be a hazard, or crossing Route 22 - which you would take your life in your hands to attempt to cross anywhere, an adult, no matter who he might be - or other areas of the State of New Jersey. To define hazard is almost an impossibility.

That's why there are times when there are some statistical analyses that I may have given to you gentlemen that you question because of the high cost. The high cost is woven into the fact that when you get into hazards you have no stopping point.

Do I make myself clear on this? I would welcome any question in that area. I think we have gone into it rather closely and very carefully.

SENATOR COFFEE: Getting back to the \$383,000 the various school districts spend out of their own funds, this is less than State Aid, is all of this money for bussing? And a side question to that, is a portion of this money for school crossing guards?

DR. PARRISH: Under the transportation statutes, the school crossing guards would not be included for State Aid reimbursement. A school crossing guard is a municipal employee.

SENATOR COFFEE: Always?

DR. PARRISH: Always. And he is trained by the police officers, too.

SENATOR COFFEE: That's all I have.

ASSEMBLYMAN GARIBALDI: Dr. Parrish, is a school crossing guard actually trained?

DR. PARRISH: By the police. Now this is outside my jurisdictional authority, Mr. Garibaldi, as you know, and

for me to answer as though it were the final conclusion, I would beg abstinence

ASSEMBLYMAN GARIBALDI: I would hope that other witnesses will testify to the fact as to whether or not the State does have those courses that would train school crossing guards, or at least have some standards by which they shall be appointed school crossing guards

DR \ PARRISH Well, I know there is but I could not give you this because your next question would be, what would it be, and I would be stopped

ASSEMBLYMAN GARIBALDI: O K. Are there any other questions?

DR. PARRISH: May I, not as a question, I know I cannot question the Committee, add as reference material. If in the back of your mind a cost figure begins to slide into focus, you could take the numbers that I gave you as pedestrian walkers, Mr. Coffee, in the State of New Jersey - the normal transportation cost for a pupil, exclusive of handicap, is about \$60 to \$65 - you could multiply those two figures out and come up with about, some say, a fifty to sixty million dollar figure, and to that you would have to ascribe capital outlay of \$15 million for busses, etc., that would have to be purchased to encompass this type of transportation So that would give you, roughly, perhaps what you would like to put your foot on

SENATOR COFFEE: Which prompts another question.

DR PARRISH: I thought it might.

SENATOR COFFEE: How many busses carrying school pupils in New Jersey are owned by the school districts, as opposed to being contracted for?

DR PARRISH: We have approximately 40% of our fleet which is district owned and about 60% contractual. We have a total of approximately 10,000 of all vehicles, including our small vehicles, in addition to which we have public utilities that operate on tickets.

Statistics? We travel 86 million miles in 180 days in pupil transportation in the State of New Jersey. We had no fatal accidents last year. In thirty years of pupil transportation there has never been a child killed inside a school bus in the State of New Jersey. We are proud of this record to give to you gentlemen.

ASSEMBLYMAN GARIBALDI: I have a question in that regard. The statistics that you just gave are statistics relative to bus transportation of pupils. You don't have any statistics along these lines with regard to pedestrian school children, the number of deaths or injuries as a result of children having to walk hazardous routes to and from school?

DR. PARRISH: May I tell you what we tried to do, Mr. Garibaldi? You will notice in the report that I gave you that I stated that to the best of my knowledge there are no statistics available in the State of New Jersey in the category of your study. That's in my comments. However, I tried to go beyond this to be of service to you, in case you should ask the question.

We tried, unsuccessfully, to make contact through the Division of Motor Vehicles on pedestrian fatalities in the State of New Jersey for the past year in the age group that would be school children. We tried to focus in on the time, Mr. Garibaldi, of the school situations. Mr. Giesguth has the number, and I believe the total fatalities, pedestrian, in the State of New Jersey for children from the kindergarten classification to 20 years of age, John, was what?

MR. GIESGUTH: Age 5 to 19, 86 fatalities.

DR. PARRISH: May I ask Mr. Giesguth to come up and give you this, Mr. Garibaldi, because when you are jotting this figure down you will be out of line if you do not know the rest of the context. May I ask him to come to the microphone?

ASSEMBLYMAN GARIBALDI: Certainly.

Give us your name again, please?

MR. GIESGUTH: John Giesguth, Coordinator of Pupil Transportation in the Bureau of Pupil Transportation, State Department of Education.

ASSEMBLYMAN GARIBALDI: Thank you.

MR. GIESGUTH: The fatalities that took place were studied for children between the ages of 5 and 19. I am taking verbal assurance of someone in Motor Vehicles, with 45 years of experience, that most of these fatalities involved children between the ages of 5 and 14. I don't have the percentage.

There were 86 fatal accidents involving children whom I would call pedestrians. Eleven of these were bike riders, leaving 75 on foot.

I broke these down according to the day of the week and the time of day, realizing that Saturday and Sunday they would not be walking or riding to and from school. So those were eliminated.

The evening fatalities were eliminated. This would leave a balance of 17 that could possibly - now some of these took place at a quarter-to-one in the afternoon or ten-fifteen in the morning. I assumed, I had to, that they were possibly on their way to and from school. Now ten-fifteen, maybe so and maybe not. So we wind up with 17 during the possible school hours. Of these, two were killed at the bus stop - one was at the bus stop and one was crossing to the stop. So these two were riders, really, not walkers. One at the school with a crossing guard present. In one case a parent was dropping the child off at the school and the child - two children - walked behind the car, across the road, and one of them was injured and one fatal. One was on the sidewalk, run over by a car that jumped a curb, leaving us a balance of 12 possible fatalities on the way to or from school. And I would suspect, my own personal opinion is that some of these, having happened at odd hours, ten-fifteen or

something of this sort, might have been playing around the house or some situation such as this. This was only for the school months, September through June.

ASSEMBLYMAN GARIBALDI: Now, the information you just gave us is not what can be considered factual. We do not have any statistical reports available with regard to pedestrian school children, injuries or deaths, fatalities or whatever.

MR. GIESGUTH: Wherever Motor Vehicle could pick the child up as going to and from school, they did so, and I've given those to you, going to the school bus stop or something of this sort. They are really not concrete.

ASSEMBLYMAN GARIBALDI: In other words, what I'm driving at is, did the majority of the injuries of whatever number of injuries or fatalities that are involved happen because of the sidewalk not being there or that the sidewalk was not wide enough or that the sidewalk was not far enough from the street? In other words, we can't determine these factors.

DR. PARRISH: No.

ASSEMBLYMAN GARIBALDI: Are there any other questions?

O.K. Thank you, Mr. Geisguth.

Dr. Parrish, again.

DR. PARRISH: I would like to amplify what Mr. Geisguth has said, and he spent quite a little time, as you can figure, trying to go through a mass of material just for informational - please, that was informational value not a solid statistic, I wouldn't want you to be misled. The only way that we could get a solid statistic on that, and I know that you have already been thinking about it, is the possibility of a study committee being evolved from this nucleus committee for a full year to study pedestrian type accidents in the State of New Jersey, if you want a solid fact figure.

The accidents that were reported, Mr. Garibaldi,

were also inclusive of the ones that jumped a curb and ran into a sidewalk area to kill children. So you couldn't really pick out the ones where there were or were not sidewalks. But I think that if you did decide that this should<sup>be</sup> expanded and time should be given to some type of staffing to give you these results, it would require a full school year to do it, for actual fact figures.

Does that help?

ASSEMBLYMAN GARIBALDI: Yes. The question is, we don't have anything available, any statistics of this nature.

DR. PARRISH: The only statistics that you have is for a county known as Middlesex.

ASSEMBLYMAN GARIBALDI: I have some questions with regard to your presentation, Doctor. Of course, you noted in your presentation that the distance or the definition of what is remote was a court decision.

DR. PARRISH: It was several court decisions.

ASSEMBLYMAN GARIBALDI: All right. And that was back in 1926, was it?

DR. PARRISH: It started, Mr. Garibaldi, in 1926. It even went as high as the Supreme Court in the State of New Jersey in its determination and has been up again in courts and up again before the Commissioner as late as 1968 and 1969, with the same type of a response here.

ASSEMBLYMAN GARIBALDI: With regard to our transportation standards, as it is right now a Board of Education is not required to transport children who live within the remote distance of 2 and 2.5 miles, right?

DR. PARRISH: There is a statute giving permissive power.

ASSEMBLYMAN GARIBALDI: They are permitted to do that but, of course, they are not reimbursed by the State.

Because of the population growth, since you have come forth with statistics in Middlesex County as an example --

DR. PARRISH: May I? I see you smiling and I know what's in the back of your mind. I didn't pick Middlesex County out totally because you were Chairman of the

Committee.

ASSEMBLYMAN GARIBALDI: I hope not.

DR. PARRISH: I picked it out because of the fact that it is an area that has intense traffic situations. You do have rural-suburban areas. It is an area that is centrally located. We have a tremendous amount of transportation in the area. And, thirdly, you are Chairman of the Committee and I thought you would like to know some facts.

ASSEMBLYMAN GARIBALDI: Well, here's the point I am trying to bring up, and I am bringing this up only because I have six children of my own and the school is approximately 1.5 miles from my home. They are presently being bussed. I would assume that the Board of Education is defraying the cost, as it is with other areas. They've been doing this all along. Now, what would happen if the Board of Education, as most boards of education are being overburdened with the high costs, were to decide that they will not bus students who live within a remote distance, simply because they cannot afford it or they are not receiving State Aid. My children would then have to walk to that school, or whatever school they designated. There are no sidewalks. As a matter of fact, the roads in that area are not what would be considered the proper width of a road for traffic to go to and from. How can we define these hazards? Would there be hazards and how could we define these hazards and what remedies would we come up with to protect these children walking to and from that school?

DR. PARRISH: I'll take your questions in sequence.

How do you define hazard? I don't know how to define hazard. As I stated in the beginning, hazard depends upon your point of view. As you probably know, there have been several bills presented to the Assembly and to the Senate of the State of New Jersey that included reduction in mileages to 1.5 and 2 - you know about these, you voted on them. This is one way to move the point of controversy

closer in and get more people riding. But to actually solve the situation and define hazard, it has been attempted in many areas. If you will recall, I don't remember whether you and I had conversation in the past but I believe the East Brunswick School District has set up a criteria for hazard in which they have made a density count of automobiles. When they called me and when the transportation supervisor called, he asked about it and I said, "I think it's wonderful, it will last you one year." It lasted one year because, you see, the people that were not receiving transportation were not appeased. So then they redid it to appease the one that appeared. And then the following year they did it again for the new ones that appeared.

I feel, honestly, that hazard can be construed to almost run the gauntlet of anything from the area of the mandate into the school house itself. Now, I am not being facetious. Some of the schools are located across the street from, or the children have to go across a main thoroughfare. I have had people from the urban area call and I have had people from the rural areas call, and the people from the City of Newark, and people say, "Well, you've got sidewalks, you have police protection, you should have no problem." But, on the other hand, have you ever tried to cross the streets in the City of Newark and would you say to me, if I were the parent, there is no hazard? I mean, I try to take it from the point of view of looking at it from all sides of a picture.

Now you asked me how it could be done. Some school districts have stated that they will pick up, Mr. Garibaldi, all kindergarten, first and second grade students, no matter the distance. That's one way of doing it. You have a cut and dried cut-off point. It will work. You will get no argument and you can brook no argument. But when you start to lay down a hazard criteria that involves a street in New Brunswick, then another street

in New Brunswick could be proved equally hazardous and the parents can bring a civil suit. This is really a snow-balling effect.

You can do it by gradation, you can do it by mileage.

Now, I do not know whether the wisdom of the lawyers concerned, the courts and the judges of the State of New Jersey, is correct. I do not know. I only know that these were the dimensions that were proposed by people, like yourselves, as the determining boundary line where I should cut State Aid.

Personally, I feel there is hazard. No question about it. Anyone, I think, would concede hazard. The question, I think, evolves purely and simply "who is to pay for it?" This is a personal opinion, please, now; don't describe it as the Department of Education. You asked for ways and means of doing this. I'm trying to be, as I would speak before an audience of parents. I feel that we have in this area a subject that is covered under law but the problem of cost is what we are speaking about, and the cost is large, it's very large. When you say to me that a local board of education does not have sufficient funds to implement the program for safety to children, taking myself out of context and putting myself into a cold, critical, analytical point of view, I would say to you, is it the responsibility of the boards of education from their local budgets for education to expend monies for sidewalks or things of this nature? It is probably a municipal responsibility, and the courts of the State have decided that this is municipally a situation. But many times there is not funding in this area to do it. I agree with you on this.

Mr. Garibaldi, it all winds up, when I get through, saying to you that I do not know the answer to how to define hazard.

ASSEMBLYMAN GARIBALDI: One further question with regard to cost. What would happen if we were to

arbitrarily, as you seem to point out, change the distance, the remote distance, from 2 and 2.5 miles, respectively, to 1 and 1.5?

DR. PARRISH. It would cost you \$53 million.

ASSEMBLYMAN GARIBALDI. In addition to what we are already spending?

DR. PARRISH: Yes. That's including capital outlay. The capital outlay is \$12 million, to do what you are talking about. We are now expending \$40 million, if you wish to put the two together.

ASSEMBLYMAN GARIBALDI: O.K. You had that figure at hand or on the tip of your tongue.

DR. PARRISH: That figure was expected, Mr. Garibaldi.

ASSEMBLYMAN GARIBALDI: O.K. What would be the cost to the municipalities to rectify what could be considered a hazardous route, throughout the State?

DR. PARRISH: Total? What would be the cost to the municipalities of the State of New Jersey to totally rectify the hazardous conditions? \$70 million.

ASSEMBLYMAN GARIBALDI: As opposed to \$54 million to bus the additional --

DR. PARRISH: What do you mean? I'm talking about bussing the additional amount of children, as a rough estimate figure, including in that \$15 million for capital outlay. That picks up what Mr. Coffee was indicating, and I was telling him how I was getting at the figure. All I'm doing, you can see very readily, is multiplying out the number of students by an approximation of cost and including a capital item. That's all.

ASSEMBLYMAN GARIBALDI: Thank you.

SENATOR MILLER: Doctor, let me just ask this one question. I recognize the fact that there is a lack of statistics and even if we want to get statistics, it's going to be a difficult problem, but considering the over-all spectrum and looking at it in a general broad

sense, if there is a particular area in which you would feel that we could do something within reasonable cost limits, where would you recommend that the effort be made? Would it be in safety programs in the schools or something as far as the crossings were concerned, the intersection crossings, further protection at certain hours of the day? Is there any particular area that you would sort of feel would be the area that we could direct out attention to because I can recognize there are many areas that would be wonderful if we had the money, but it would be prohibitive to try to get into.

DR. PARRISH: May I put all of your thoughts together and say, this is what I've been saying for the last eight years, that we need emphasis in all of the areas that you just spoke about. And I think we need it to be part of our instructional program in the schools in the State of New Jersey. I think it should be an emphasis from the Division of Motor Vehicles. I think it should be an emphasis from the New Jersey State Police. I think it should be an emphasis from the Department of Education. I think what we need in here is a public knowledge and recognition of a fact situation rather than emotionalism.

We have at our fingertips, but insufficient staff to do it, the ability to conquer most of this. However, as I have stated to you before, the fatality situation is in an area of instruction and education which you were pointing out very clearly to me, and I agree with you 1,000% that it is a responsibility, educationwise, on a rapport situation in the total State of New Jersey for this thrust.

Now, I am not too sure - now, sort of off record, if I may -- I am not too sure, if you bussed every pupil in the State of New Jersey from his front door to his school, that we would not be sitting back here again, sometime in the future, discussing accidents happening to school busses.

Gentlemen, there are 10,000 of these yellow bugs running around the State of New Jersey. You have been behind

them, do not say you have not, and I imagine that you have sworn at me once in a while as an impediment in the traffic control of the State of New Jersey. Please bear in mind what we would be doing if we put into traffic control three times the vehicles that we are now operating. We operate - of course, this is something that we could talk about in committee some time - we are thrusting into your commercial traffic situations, the total educational program at the same time you are going and coming from work. Don't ask me what I think about it. A problem. Yes, we could do this and do it well with additional money and staff. We could save children's lives, we could set up programs of safety. It would cost us considerably less than the total over-all budget that I'm speaking about. But we will not, in any way, ever save every life in the State of New Jersey. That's an impossibility. We are almost to this area now. In fact, it's 425 times safer to ride your child in our school busses than it is to ride the child in your own vehicle. And Mr. Garibaldi will say to me, "See? That's why we should bus everybody." I'm not arguing the point. I am only saying that what we do together has to be a consideration of money versus what we anticipate for the future. That's all. I will do anything you gentlemen ask, and we will do it with your cooperation.

SENATOR MILLER: Thank you, Doctor.

ASSEMBLYMAN LE FANTE: Doctor, from your experience - there seems to have been a lot of emphasis put on the definition of hazardous conditions here, but from your experience, do you think that some of the municipalities you refer to are lax or neglecting their duties with the crossing guard situation?

DR. PARRISH: I don't know the answer to that question because, you see, again that depends upon the funds within the municipal budget, as to how many guards they can put on.

ASSEMBLYMAN LE FANTE: Well, my reason for asking is, I thought maybe from some of your experiences, and purely as a personal opinion, do you think that if State aid were permitted for crossing guards to municipalities --

DR. PARRISH: There would be more of them?

ASSEMBLYMAN LE FANTE: No. Do you think that would improve the safety conditions for the pedestrians. I imagine you hear all sorts of complaints and I was just wondering if a majority of the complaints could be satisfied or pacified with crossing guards.

DR. PARRISH: I have been up before irate audiences of 350 people who have been clamoring for my blood, simply because of the fact that I represent the State of New Jersey, for you gentlemen, when I am out in the field. In fact, one guy was going to shoot me from the back of the auditorium, a former Marine. Don't put that in the paper but that's the truth. But he came around afterward and said, "There are problems, aren't there? I apologize." Yes, there are problems in this area and, to answer you very honestly, anything that we can do in the area of provisions for safety for children, I am for it. There is no question that if you added additional crossing guards in areas of busy street intersections that there would be an added safety factor. Anyone that said there would not be would then have to assume that the person on guard duty there was totally incompetent. And I would never assume this.

ASSEMBLYMAN LE FANTE: Therefore, we can assume that there are areas, in your opinion, that should and would require crossing guards.

DR. PARRISH: I would say there are areas that could require. The question of whether it should be mandated is a local responsibility.

ASSEMBLYMAN LE FANTE: By the same token, can we assume that the reason these guards are not there is because of a

lack of funds in a municipality?

DR. PARRISH: I would say it this way, that if you had more funding from the State Department, you would have more crossing guards.

ASSEMBLYMAN LE FANTE: Do you think that if this Commission, as one of its recommendations, would think that way, that in order to qualify for State aid to put additional crossing guards on - do you think if we incorporated into our suggestion a formal training program for these crossing guards, do you think that would discourage any of the municipalities from coming forth?

DR. PARRISH: I think it would encourage, not discourage.

ASSEMBLYMAN LE FANTE: Thank you, Doctor.

DR. PARRISH: As far as the formal program, please though, I do not know what their formal program is but I would like to be part of their program to be a teaching element if this should happen. I would love to get involved in the teaching process from this area of what we're talking about. I think the crossing guards could have knowledge, besides the municipal instructions, in the area of school instruction that I would like, through our staff, to present. I think we have a point of view that is totally different in the aspect of safety.

ASSEMBLYMAN LE FANTE: Thank you, Doctor.

ASSEMBLYMAN GARIBALDI: Thank you, Dr. Parrish, for your comprehensive presentation.

Our next witness will be Mr. James F. Hughes, Director, General Education Division of the New Jersey State Safety Council.

J A M E S F. H U G H E S: Good morning, gentlemen. My name is James F. Hughes from the New Jersey State Safety Council, a private organization supported by business and industry for the promotion of accident prevention in the State of New Jersey since 1924.

We are appreciative of the Commission's invitation to appear before you today to participate in your study of

the hazardous conditions confronting pedestrian school children in many areas of the State, to define and outline these hazards, and to make recommendations for eliminating such conditions.

First, may I say that the Legislature is to be commended for establishing this Commission as it is the first time in our memory that an official agency has called for a comprehensive review of the problems and status of pedestrian safety programming in the State of New Jersey.

Now the problem. Nationwide, nearly one-fifth of all persons killed in highway crashes are pedestrians, and because accidents involving pedestrians have increased 28% over the past ten years, pedestrian safety has been given a high priority among those concerned with accident prevention. Pedestrians are an integral part of the highway transportation complex, and must be treated as such. In New Jersey, nearly 30% of all persons killed in highway crashes are pedestrians, 10% higher than the national average.

Obviously, in the face of such statistics, programs dealing with the pedestrian safety problem cannot be relegated to the distant future.

The New Jersey State Safety Council is in a unique position especially through the activities of its County Highway Safety Committees to report to you that there is need on the local level for a coordinated statewide pedestrian accident prevention program. However, before embarking on such a program it will be necessary to conduct a statistical survey which would accurately pinpoint all of the information which would be required to determine the type and scope of the program to be undertaken. This survey should tell us the number of pedestrian accidents which are occurring, both fatal and injury, age of the casualties, the location and frequency of the accidents and, with reference to school children, whether or not they are actually occurring going to and from school.

The second recommendation of the Council is that there be appointed a committee composed of representatives of the public and private sector who have expertise in the area of pedestrian accident prevention. This group, based upon the information obtained from the statistical survey, would plan a coordinated program which would bring together educators, police, highway safety specialists, parent groups and others who have responsibility in this area.

It is further recommended that the suggestions and guidelines which will be prepared by this Committee be made available to all municipalities in the State.

Funding for such a project is available under the provisions of the Highway Safety Act of 1966. This legislation provides that the Federal Government will match, on a 50-50 basis, funds expended by the State or political subdivisions for the implementation of any of the 17 standards promulgated by the National Highway Safety Bureau.

Gentlemen, I would like to go on with some other comments that are not in my statement here which have been raised by other speakers. I was fortunate not to be first. I can get the points raised and then go on from there.

Now, first of all, I think when talking about pedestrian safety we should not categorize it down to the point of children alone. Pedestrians are from age zero on up. And if we are going to look at the program in its entirety, we have to look at the total complex.

Now we talked about the age grouping earlier, and the age grouping is about 0 to 14, which is a high point; we have a low point from 15 to 44 where the problem seems to subside - I think we are all in cars at that point; and at age 45 and up the problem reoccurs. So you have it at both ends of the scale.

Now, gentlemen, if you don't have copies of the

National Highway Safety Standards, I have one copy here, if you would like to include it in the record. This should be more or less a bible for any activity undertaken. This is a nationwide program. Funds are available to implement it and I would strongly suggest that we use it.

Now, there was talk about the educational approach, earlier, and if I may, I have some reports here which I would like to take certain information out of and present it to you at this time.

Now we are talking about pedestrians of the grammar schools, elementary schools, and all the traffic safety. You really have to look at the total complex. It's almost like little balls within each other. And if we are going to look at pedestrians, we've got to look at bicycles; if we are going to look at bicycles, we have to look at driver education.

Now this is a statement on a comprehensive K-12 traffic safety education program. And in it - this was put out by the State Department of Education in our own New Jersey, where they said that an elementary school program was definitely part of the total program. I will just pick out two paragraphs here. They say: "If attitudes are important in driving and if these attitudes are formed early in life, why is so little emphasis placed on attitudinal development as it relates to traffic safety education in the elementary grades?"

They go on to say: "As educators, our commitments should be to a total traffic safety education concept. This would necessitate implementing programs on the elementary level dealing with topics such as school patrol, bicycle safety, pedestrian safety, school bus safety, etc."

And this brings us to another point and it should be a recommendation which we did not put in our formal presentation and that is, when we put a committee together, we bring all of the elements involved in the program - one of the elements which is sadly needed in

New Jersey is a guide for teachers in the elementary schools. How are they going to approach the total aspect of accident prevention? I would strongly recommend that the State Department of Education be funded or be given the necessary personnel to put together a guide for the teachers in the schools so that they can have something they are going to follow, just as they have a lesson guide for algebra, they should have a lesson guide for safety education.

There was such a guide available in the State of New Jersey up until four years ago and we happen to have been the source for it. And our funds were curtailed and put into another project and we were no longer able to supply this.

Now what we recommend to the hundreds of phone callers that call for this information is that they contact the National Education Association in Washington, D. C. for these guides. Now we get these requests from all the teacher colleges, usually at the beginning of the year and toward the middle of the next semester. So this is an area that I think we should really address ourselves to as we go down the line in pedestrian safety.

Now the question was also raised as to school crossing guards, and this happens to be one of my pets, in a way, and, if I may, I would just like to read excerpts from a report which I have prepared, in cooperation with others, on school crossing guards in the State of New Jersey. I will just skip through it, I won't go through the whole report.

We took a survey of the school crossing guards and we said: "It was immediately evident to the Committee that school crossing guards in the following categories" - when we're talking school crossing guards we're talking about the fully empowered policeman, the special policeman and the school crossing guard. They come in three

categories, sometimes the category depending on the salary range they are going to pay the individual. We said:

"They are all directing traffic and are controlling the traffic flow on municipal, county and state highways. It was further revealed that many of the special police and unauthorized school guards are controlling the flow of traffic without the benefit of even as much as one hour's instruction and lacking the benefit of the very rudimentary knowledge of Title 39, which is our Motor Vehicle Law. In fact, in some instances, it might be said that their lack of knowledge and training presents a hazard to the pedestrian and the motoring public, rather than fulfilling their mission as protectors."

We also took notice of the varying degrees of uniforms which are worn. "Again it was obvious that the uniform varies from a complete uniform to the use of jackets, special hats, brightly colored gloves, tennis paddles and other costumes. The varying lack of uniform leaves much to be desired from the standpoint of recognition." So, if you are accustomed to seeing paddles in Middlesex County and you go down to Cape May and they are using flash lights, well, what does it really mean to you? If they are wearing a bat man cape in X county and they are wearing something else in other counties, are you really sure what's happening?

What we recommended in this study is that there be under a State agency, whoever this may be, a set of rules and regulations established for the appointing, empowering and training of school crossing guards.

Now, in this area, we have had a number of meetings and there has also been legislation partially introduced to cover this area, that's Assembly Bill 918 which we think is a good bill in the theory that it will require the training of all special police. Now this only gets, though, to one part of the enforcement people, specials.

Now under the category of school crossing guards,

there is no state training guide. Each municipality trains the individual in the manner it sees fit. It uniforms them in the manner it sees fit. It pays them in the manner it sees fit. So there is no uniformity whatsoever.

We've worked on this long and hard. We've talked to the Police Training Commission. And I was told this morning when I was coming down here that there is a letter going to the State Training Commission, this morning, saying if they would request in writing that this project be undertaken on the federal level there will be an application sent to Washington to begin a study survey of school crossing guards in New Jersey. I understand that's going to the Executive Director. This means that he, in turn, will have to write a letter back saying, yes, we want to go ahead, and go through the motions, or else it may be we might suggest an amendment to A-918 to bring the school crossing guards under the same regulation.

There are ways of doing this. You can go the route of determining the entire cost curriculum and mandating it, you can go the route of preparing guidelines and let each municipality determine its own course of action - are you going to have a fully empowered policeman, are you going to have a special, are you going to have a school crossing guard. But the degree of power which would determine the individual's right to be out on the street, and which is frequently not realized by the municipality. When they send someone out on the street and if an accident happens, there is the possibility of civil liability, they've sent an untrained person out to direct traffic. Now, if you are going to have a school crossing guard and you are not going to empower him in any way, keep him on the sidewalk, don't let him go out. If you are going to give him limited police power and you spell it out in the town ordinance and then you can put him out in the street - he's going to direct traffic, she's

going to direct traffic. Maybe the question comes up then, we may have to pay him more money. Well, if you look around the state and get a report on how the various municipalities are handling the program, you will find that somewhere usually these people do double duty, they are meter maids after 9 o'clock, they're matrons in the jail at certain points in time. The power of police is really coming more into their own these days. How do you cut the budget and how do you get services.

Now this idea may seem that it might not be accepted by the police officials. I sent a copy of the thoughts and ideas to Raymond Nash who is President of the New Jersey Association of Chiefs of Police a year ago, a year ago today, September 2, 1969, and a letter came back - I'm just going to quote a little of this: "I must state that you adequately brought out the core of our effort. I don't believe I can add any more to this proposal. Therefore, I suggest wholeheartedly that this proposal be finalized and be submitted so that we can attain our over-all objective." He has other information here but I'm just skipping it. "There has been a proposal prepared to be sent to Washington to institute a formal program for the training of school crossing guards. I think it requires support, understanding of the problem and to get behind it with as much public support as we can possibly engender for this type of program.

Well, gentlemen, I think I have covered the points which I wanted to make this morning. I will be glad to answer any questions which you may have.

ASSEMBLYMAN GARIBALDI: Thank you, Mr. Hughes.

ASSEMBLYMAN DENNIS: It appears that you have a pretty good knowledge of what they do in other states. Prior to my coming here as an Assemblyman, I used to travel quite extensively in the 15 western states, two of which I think have excellent pedestrian rules and regulations as far as driving goes, that's Texas and Arizona. During

the course of the day, of course, I used to drive around the cities, not the rural areas, making calls and you come upon a school district and the speed limit was either ten, fifteen or twenty, and boy, it was phenomenal, the people really obeyed it there, whether it was the time of day when the schools were in session or not. I mean, when the children were in the classrooms, not actually going to school, they were really enforced. I don't know whether it was the police that were so tough on the people, but I've never seen anything like it. I have three children of my own and we just moved recently and they are going to be crossing some pretty heavy streets and I am most concerned about this problem and I just wish -- I could see cars whipping along at 25 or 50 miles in zones that should be 15 miles an hour. Of course, sometimes they get stopped and sometimes they don't.

Are you familiar with these other states at all?

MR. HUGHES: Just in a general way. I think the key to the problem, when you're talking about how fast they're going, is reasonable speed limits. This is a very thorny question. It engenders a lot of local feeling. I think, really, - this may be the key again to many of the things we do - if we do them based upon fact, we have a lot less problems when we go out to the municipalities. If we're armed with facts and statistics that we know how many accidents happen, we know where they happen and we know the type of accidents, then we talk to the people in the municipalities and talk intelligently and say, your problem seems to be Route 9 and the junction of so-and-so, and there are maybe other alternates than speed. It's possible you have a high accident location which requires funding out of a different area, maybe it's out of the Department of Transportation. It may require channel marking, where you are going to direct the traffic, right, left or through.

That's why I think it's so important to have a

person or a group of persons to go out and do this, who are really technically and professionally competent so that they can talk to the people intelligently, know what their problem is, and then give them the solution. You are never going to satisfy or make everyone happy.

So I think with that approach we are on solid ground.

Now, as far as what goes on in other states, one good way to do a survey without spending a lot of money and a lot of time is to just go down to the National Highway Safety Group in Washington and sit down with those people. They have on file, you know, the 50 states. If you want to talk about a good program, you can even tell them I have a major city, give me programs which you know have worked in Newark. And they can pull out, you know, Los Angeles projects or the San Francisco project, and it saves an awful lot of time.

ASSEMBLYMAN GARIBALDI: Are there any further questions?

Before you leave, Mr. Hughes, with regard to statistics, would you have any statistics with regard to accidents or injuries, fatalities, whatever, on bad weather days? For example, when we have snow, children walking to and from school, - are there more accidents during these periods, or in rain or whatever?

MR. HUGHES: Well, that type of information was prepared by the Division of Motor Vehicles up until 1966 and they have not been able to prepare that since 1966. This is the last book which they produced which is 1967 containing the 1966 figures. And they had done that. They have the computer, time, and the talent, and they have the source for receiving all of the accident reports so they have been able to strip this down. Now, hopefully, if their budget permits, they are going to be able to resume this activity in the coming year. That's why I said, if we are going to go to a pedestrian program,

we would have to provide them with the funds to extrapolate from all of their data what we are looking for. I don't have it in the form which would be usable. The problem, of course, is, we are looking at 1966 figures and we are now on the way to 1971. What has happened? How much has the urban area grown? How much has the traffic pattern changed? They are good guides but they may not reflect the situation as it is today. This information is four years old.

SENATOR COFFEE: Mr. Hughes, you spoke of money available from the federal government through the Federal Highway Safety Act. Would a local governmental agency apply to a state agency for these funds under your 17 categories?

MR. HUGHES: The way the money is funneled, it comes to the Governor's Office and then in his office is the Highway Safety Liaison Office, and the local political subdivisions apply to that office for funds. Now each year the State receives - this year they're working on \$2.2 million, federal money. So you would apply to the Highway Safety League for the money. They would ask you how you want to use it, what you are going to do with it. They will ask you to prepare a formal project and then, as happens because the \$2 million doesn't go terribly far, it falls into a line of priorities.

We have been doing a lot with the drinking drivers. We had a high priority there. So pedestrian is a high priority. Recordkeeping is a high priority. If your local police department - let's say Ewing, your next door neighbor, -- they just put in a whole new traffic bureau in their police department based on the receipt of federal money. They were given a grant and I think the grant would probably give them a three year start, fifty-fifty, and you can match this federal money on fifty-fifty with in-service. So if Ewing wants \$50,000,

well, part of the money can be the office space they have to provide for that, the number of patrol cars they are going to provide, and other hardware they will provide, which will offset the amount of cash which they have to put up on a matching basis.

Now we have had some projects and surveys that the State decided were so important that State money was used to put up for local contributions. So it's 50% federal and 50% state money, because the project was hot, it had to go and we wanted to move it, we couldn't wait.

I think in all of these areas you are going to find hot items that have to move. So sometimes, we look at the total and we get a little frightened, we say, "My God, we will never get to all of this." If we nibble away, piece by piece, on a priority basis, we will get down to it.

SENATOR COFFEE: Do you know of any programs now in existence that we might be interested in and should look at?

MR. HUGHES: On pedestrians?

SENATOR COFFEE: In the State of New Jersey.

MR. HUGHES: Well, I think, all the expertise which is available. You should certainly have all of the information which is available from the National Highway Safety Bureau, all the information which is available from Northwestern University Traffic Center, New York University's Traffic Center. There are police departments in New Jersey which have good programs. I can send you a list. I would like to tabulate them up rather than give you three or four off the top of my head of those we think have good ongoing programs. I can send you those.

SENATOR COFFEE: I suggest, Mr. Chairman, that we have Mr. Hughes at least submit us a list of reference sources so that we can acquire the information.

ASSEMBLYMAN GARIBALDI: If you would make such a list available to the Committee, we would appreciate it.

MR. HUGHES. Yes, I will be glad to.

ASSEMBLYMAN GARIBALDI: Thank you, Mr. Hughes.

Our next witness will be Mr. Albert M. Simon, a member of the BiState New York Port Authority, who is also a resident of East Brunswick and one of those who participated strongly in the East Brunswick remedial action that was alluded to before by Dr. Parrish.

Would you repeat your name and address for the record.

A L B E R T M. S I M O N: My name is Albert M. Simon. My address is 48 Bradford Road; my mailing address is Old Bridge but in the Township of East Brunswick.

I would like to make a couple of preface comments before I make my statement. Don't let the beard throw you; I'm not a hippie. Number 2, just about any piece of literature on the subject is prefaced with the statement that this is a highly-emotional issue, and indeed it is. I just want you to be aware that, if you see my eyes tearing, it is not my emotions but my hay fever. It's quite bad today so you will have to forgive me if I break every so often.

My final preface would be that I would like it made very clear that this statement is explicitly as a private citizen and not as a professional employee of the Port of New York Authority. I do have some background. I am about to obtain my Master's Degree in Urban Planning from New York University and I purposely during the last two years have been concentrating on transportation courses, urban transportation, etc., so that I have been able to build up a little bit of expertise but perhaps not as much as some of the other people speaking today.

Just a few weeks ago, The Home News (New Brunswick) editorial took to task "...an extremely hazardous road," namely, Route 18. The blame for the "nightmare" is

attributed to "home rule," which might very well cover the problem under discussion here today.

About two years ago I became spokesman for a group of intelligent but frustrated parents who were faced with an unbelievable situation. After much study and research, it was overwhelmingly discovered that the local school board had capriciously thrust upon the community (or certain segments thereof) an arbitrary set of "criteria" to determine "hazards" in relation to the bussing of school children. When challenged to provide documentation or "experts," the board, under the leadership of its President, refused to acknowledge the efforts of those of us who persisted in attaining competent, professional help.

I might just take an aside for a moment to back up that statement. The one thing we want to know at that time was who were the experts who prepared this criteria. Logically you would expect traffic experts, in addition to your police, etc. As it turned out, the only expert they were able to point to was the local traffic officer who happens to be an excellent policeman who, when I would present him with any of the books and textbooks that I had to specify a point, would say, "Hey, Al, I'm not an expert" and never testified at any board meeting. The other was the school board secretary and the criteria which I have with me, if anyone is interested in looking at it, had only one reference - a footnote at the bottom of the criteria. I will explain that later if anyone is interested. The footnote referred to a document of the American Association of State Highway Officials and it referred to a page and a section, and having resources at work I approached several engineers and asked them for a copy of that book. Well, Number 1, it was an antiquated edition that had been revised twice since the time it was used, quoted in the criteria; secondly, the chapter

had something to do with sidewalks and had nothing to do with the number of vehicles per hour which is used in the criteria or the miles per hour.

So when I approached the school board's secretary privately and asked why this reference was used, he said, well, he consulted a mathematician, and I said, "Well, what has a mathematician got to do with it?" and it had some to do with the inverse proportion of something but, honest to God, I've had three or four engineers look at this information and say they see absolutely no relation of one to the other.

That was the only document.

The other document that he had in the entire file, which the newspapers quoted as having documentation from all over the place - all schools, any book, everything was quoted, but he had nothing to back it up. There were two letters in the file. The two letters were both dated the same date, April - I think it was 1968 - from the East Brunswick Safety Council. The first letter was about a paragraph long and said in effect, signed by the chairman, that "we approve the criteria with the exception of one item which there was a slight revision to."

And, ironically, there was a second letter equally as short, dated the same date, signed by the same person, which said that the East Brunswick Safety Council recommends that all kindergarten children be bussed, and that was never brought out at any of the public testimony or evidence on the part of the School Board.

Personally, I was amazed at the amount of information that was indeed available but that required stubborn stick-to-itiveness to draw out. Among the material discovered was. The Traffic Engineering Handbook, the AAA Manual on Pedestrian Safety, The Master Plan Studies for East Brunswick Township by E. Eugene Cross, which incidentally had pinpointed every single

accident in the Township over three different years. The National Safety Council Traffic Safety Memo No. 71 was devoted exclusively to school crossing protection. The Highway Research Board of the National Research Council of the National Academy of Sciences provides innumerable material on the subject. In short, a professional traffic consultant would know precisely what is available and what is known as established fact.

In East Brunswick there was none. Nor were there any elected representatives on the board who even thought of calling upon a real expert. Only when faced with the expose we concerned parents brought forward did one or two board members panic, suddenly discovering that the experts they thought they were relying upon were not experts, and search their consciences. All we asked was identification of the "experts" responsible for the so-called criteria that would determine the safety and lives of our kindergarten and first and second-grade children.

Initially, all the proper legal channels were attempted. We confronted the Board itself, then the Mayor, but to little or no avail. Following these fruitless attempts at local levels, we began to search out for other guidelines. Among those contacted were: Senators, Congressmen, and Assemblymen and, of course, the Governor. We received responses from a few but active involvement primarily from our Assemblyman Garibaldi, who took the trouble to attend one School Board session and merely suggested that the information developed by "Mr. Simon" be referred to the Township Council by resolution. The Board refused to even call for a vote.

Just as today, many "vacation" days were devoted to visits with State officials. I think I have accumulated about a week or two just on this

subject matter alone. It took several to finally have an audience with the Assistant Commissioner for Highways, Russell H. Mullen, as well as the Acting Chief - I believe it was Albert Cucci of the then Traffic Safety Service of the Motor Vehicle Traffic Safety Service of the Division of Motor Vehicles, which was under the Department of Law and Public Safety. Fortunately, as you gentlemen know, I believe a law was passed that combined these two agencies into the Department of Transportation so that at least now, if you've got a problem to solve, you go to one source. At that time, with a problem with the State Highway, we had to go to Mr. Mullen, and if it was a non-State Highway we had to go to Mr. Cuzzi.

Yes, we corresponded with Mr. Joseph R. Costa, Director of Highway Safety Liaison Office, and so on and so forth. There was even listed in Fitzgerald's Legislative Manual of 1968 a roster of membership of the State Coordinating Council on Traffic Safety, which was absolutely amazing and practically took a whole page and practically all-inconclusive - but probably non-functional. The correspondence wasn't even acknowledged.

I took the trouble to write Commissioner Mullen after initially meeting with his staff. In that letter, which is attached to my statement, I said.

"You participated on Tuesday, November 19, at the Women's Traffic Safety Leaders Association Conference and surely must have heard the keynote speaker, Attorney General Sills, say:

'Highway accidents are the third most common cause of death for children between the ages of one and four.

'They are the second most common cause of death for children 5 to 14... These statistics reveal clearly that the traffic safety crisis is a public health problem of severe magnitude.

But our great difficulty has been the inability to muster concern and support from the grass-roots level in order that we might come to grips with the problems. "

Offering "very concerned grass-roots" supporters was to no particular avail to any of these people or organizations.

This year the crisis was again resurrected. But this time a group of citizens was strangely and mysteriously accepted - this was in East Brunswick - to help to develop a point system to assist in evaluating "hazardous" crossings and routes. It is the best beginning I have witnessed, although it was initially labelled "administratively impossible" by the Board Secretary, who was responsible for the initial criteria. It appears that the State is reluctant to change archaic definitions as far as distance is concerned, and localities are equally reluctant to administer complex guidelines that might fairly distribute education funds.

At the invitation of Victor C. Carney, Director of the Traffic Safety Division of the New Jersey State Safety Council, I spoke and chided the membership to get itself involved. Again, to no particular avail.

Two years ago, Assemblyman Garibaldi introduced legislation that has obviously resulted in these hearings. Rather than usurp the time of others more capable than myself, I would like to condense my final remarks to the repetition of the previously mentioned letter to Commissioner Mullen wherein was asked which responsible agencies would

1. accept the responsibilities for establishing guidelines as to what constitutes traffic safety FOR THE PEDESTRIAN, and particularly the very young school child.
2. assume the responsibility for creating safety criteria to evaluate and determine standards for acceptable school crossing and route problems. Perhaps the study of a method of measurement and distance could be included.

3. provide a "task force" of qualified personnel such as traffic engineers, systems personnel, etc., who are technically proficient people with the resources to devote on a regular basis their expertise to individual counties and municipalities.
4. coordinate standards for the larger cities as well as the so-called rural environments.
5. apply the overwhelming research data compiled by the Highway Research Board into logical, workable solutions of problems confronting various New Jersey communities.
6. serve as both a source of information as well the provoking force of legislation, specifically related to safety problems.
7. propose recommendations to counties and municipalities that would be enforceable by law.
8. standardize signs and communications throughout the State, establish guidelines for relative matters such as pavement markings, guard rails, barriers and curb sidewalks, safety provisions for railroad tracks (where accessible) as well as bodies of water, high tension and power plants, utility poles protection, etc.
9. propose alternate, feasible solutions for temporary or impractical problem areas, such as shuttle buses, etc.

If that isn't familiar to you, it is something that we recommended to our Mayor in August. After two months of confrontation, it was announced one day that a traffic light was knocked down, shuttle busses were provided, because it was a new ball game - the light was no longer in effect. The shuttle bus concept was one that we parents thought of which was simply we were not arguing that we wanted our children bussed from door-to-door. As previously stated by Mr. Hughes, statistics do show that school bussing can be a problem in itself by accidents. All we asked was that the children walk to the school they were supposed to go to

and be shuttle-bussed across the area which is depicted on one of the attached sheets by a sketch I made then, to eliminate the hazard and be shuttle-bussed back to the school, and it is still quite a considerable distance to walk, but that was not the issue. The issue was to avoid the hazards.

10. develop a procedure for review of updated data and advancements as well as inter-agency implementation of coordinated problems, a sort of check as to whether or not in fact one or the other related agency staff is actually doing something about the problem.

It is my firm conviction that this Commission has within its power at this time to create not just another bureaucratic agency but an effective dynamic Task Force that would initiate and implement highly professional and competent guidelines that would help mold this State into the leadership role it is so capable of assuming. Let New Jersey take the solutions it discovers to the nation, not wait for the nation to solve it first. It might be too late.

Before I go any further, my point here is that, as home rule has been mentioned before, I recognize very well that the State has not got the man-power to go out to every single locality and solve all the problems. On the other hand, the localities do not have the competent and qualified people to make decisions and determinations that require expertise that only the State seems to be able to provide.

Abraham Lincoln said during his debate with Douglas: "He who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes or decisions possible or impossible to execute."

We are living in a time of militancy and revolution. It is a positive time. I firmly believe that. But the old cliches and answers do not always suffice. It is time to demonstrate to our children and the generations

to come that we did not just stand by and let bureaucratic inefficiencies overwhelm us. It is time to look at all of our problems squarely and draw upon the vast resources of talent and brains that surround us. Jointly I think we can overcome them all.

Home Rule is much like the ever-popular words once again being sung - UNITED WE STAND, DIVIDED WE FALL. You honorable gentlemen are our elected representatives and only you can make the State assume its role.

We wish God's blessings upon you all. I don't envy you. Thank you.

ASSEMBLYMAN GARIBALDI: Thank you, Mr. Simon.

Are there any questions? [No response]

I have a few brief questions.

The fact was alluded to before by Dr. Parrish concerning a program that had been initiated in East Brunswick, which is in Middlesex County. I don't know whether any other areas have such a program for establishing criteria, but who or how - will you explain briefly this criteria for this point system that is now in existence in East Brunswick?

MR. SIMON: Right. Unfortunately I happened to be on vacation at the time this new committee was operating, but I have met with one of the key members of the committee who happens to be a civil engineer. There was a group of citizens - one traffic engineer, I believe, who works for the New Jersey Turnpike Authority. They attempted to do something that I had advocated two years ago. From all of the resources that I have searched out, I developed a list from A to O of various types of hazards. Now it was stated before, I believe, by Dr. Parrish, that no one is willing to define hazard, and that is absolutely true. No one up to a certain point. But the word is tossed around quite freely. It is used in many texts. For example, one of the most prominent

traffic reports published from England, the Buchanan Report, which was used as a partial text in the Urban Transportation Course I took last semester. Let me just read a couple of sentences to you.

The title of the report is "Traffic in Towns," and what he did in this report was to take various sized towns, and quoting his general statement - one of which is, for example, "The deterioration of environment," - just one sentence. He says "Cars are parked in the street and create additional hazards for children." Definition, no, but a statement it's an additional hazard for children. And he cites that main roads become congested with traffic. Drivers have sought alternative routes only too often using streets unsuitable for that purpose.

I happen to live next to the now probably very famous Bamberger's going up in East Brunswick and I know that my street, which is a residential street, will undoubtedly become an alternate way to by-pass the State Highway. The street is not adequate to take on that kind of traffic. In the morning - no problem. Three o'clock in the afternoon, when the children are coming back from school, I think it might be a very serious problem.

He goes into the garaging, servicing and maintenance of cars in residential streets which create hazards for children. He isn't only limiting this to children. He says: "Absolute safety for pedestrians could be secured only by preventing them crossing the carriage-way on the level and in some way excluding all possibility of a vehicle mounting the pavement." Of course, that's ideal.

"Society will have to choose which course to take - the easy way based on the open parking lot or the much more difficult course of either sacrificing some degree of accessibility or else undertaking extremely expensive works to accommodate the vehicle in a civilized way."

And finally, "Clearly it is the people in the second and third group", which he referred to before, "but particularly the pedestrians, who are most immediately in contact and at risk with vehicles. The standard which directly influenced the relationship between pedestrians and motor vehicles, therefore, deserves the most weight."

Now I cite this because it's the most recent source but if you browse through my copy here of the Traffic Engineering Handbook, you will find it profusely covered with yellow markings explicitly related to pedestrians and school crossings - quite a bit of material in engineering formulas and how to determine the need for crossing guards, curbing, and everything else.

The Manual on Pedestrian Safety from the American Automobile Association, among many other sources - Physical Factors which Affect Pedestrian Safety. They are among physical contributors to serious hazards of poor street lighting, inadequate vehicle headlights, improperly-designed intersections, poorly designed or marked pedestrian crosswalks, non-reflecting road services, and many others.

There is a whole chapter devoted explicitly and exclusivity to the school child pedestrian. I have found in many cases a publication neatly tucked away on the shelf of most of the people I met. They are all familiar with the fact that it exists but it seems that when you go into specifics it's very little. Perhaps the best resource - which I think would make Mr. Hughes, unless he has left already, kind of happy is the National Safety Council's Traffic Safety Memo, wherein a beginning is made - this is an entire issue devoted to traffic safety, the school crossing protection. That is the sub-hearing. And they list here nine items that they consider in the general area of hazards or that require careful consideration. Well, I simply took all these various sources and compiled a list of about - whatever

A to 0 is. This information was given to one of the Board members to pass it on to this Committee, and what they did was to take things like - broke it down into two areas - roadway and walkway - and what they are trying to do is give a variation from zero to X number of points for a certain condition. For example, speed limit - defined as legal 35 miles per hour or below - 0. Above 35 miles per hour - 18 points; above 45 miles per hour - 21 points.

Now do you get the idea? Speed limit, traffic volume, visability, type of traffic, walkway - volume of student walk, distance between walkway and traffic-way, interrupted crossing, length of roadway, etc.

By compiling that and compiling information as it relates to walkway, various routes to the various schools were rated by points, and a grand total of over 80 points was considered hazardous and, therefore, the township would transport them even though they were under the state limit so the money wouldn't be refunded.

This is the big issue - money.

I asked the question how was the number of 80 arrived at and I got a very apologetic, "Well, we don't really know. We are going to try it out. It's a combination of politics and economics." I mean, after all, we have just so much money we can afford to spend and there are so many children, so 80 is the number they are going to try to work with.

Last Saturday one of the gentlemen who worked on this came to my house and was quite concerned because he suddenly discovered from the notices that had come out last week end his ninth-grade child, going to the same school as his seventh-grade child, was not going to be bused but his seventh-grade child would be bused. The hazard was recognized for the seventh-grader but not recognized for the ninth-grader.

There might be validity in this. I don't know. But the question again is just exactly how this type

of information had application. Never mind just East Brunswick but throughout the State. Now I find a little difficulty in accepting some of the comments that Dr. Parrish made before. I respect his position and the Board of Education. I have had a great deal of correspondence with Commissioner Marburger which talked all around the subject and stated that they do not have the responsibility. I find it very difficult, however, to find this great emphasis on dollars. I would like to know, for example, from Dr. Parrish the numbers he gave us, for example, of \$70 million to rectify hazards. Well, what is the definition used to define this hazard that would cost \$70 million? You gentlemen sitting here - \$70 million - how can we even think about it?

But I dare say if you get the competent professional people in here to define exactly what should be considered a hazard, you might cut this down to - I don't know. I am not an economist; I don't know where these dollars come from, and I don't know how you evaluate them, but all of a sudden they are willing to state that hazard can be rectified by \$70 million. I seriously would challenge that. I seriously challenge the \$53 million to change from 1 to 1 and 1/2 miles because that, I think, is a side issue. The 1 to 1-1/2 miles should only be considered where it is definitely considered a hazardous condition. I think many parents initially react to the 2 mile walk but the reaction is primarily where it concerns itself with hazard.

It is also an issue, as all statistics show - the Triple A and the others that Mr. Hughes presented before, that the accident rate is highly significant up to age 7. Now beyond that, it drops. That is one of the issues that got us very much involved in East Brunswick, because the

children involved - for example, at the intersection just before entering the Turnpike off Route 18, Eggerts Street and Route 18, two or three years ago had an ADT - that's the average daily traffic count sometimes referred to as AADT - of over 40,000 vehicles. That's phenomenal. That's a major crossing. And the School Board, by their definition of providing one or two crossing guards, eliminated the hazard, and that's where I object, because they were asking kindergarten children to cross Route 18 at an hour when traffic was at its peak. The Board President, for example, said, "Well, kindergarten children are very responsive to authority."

I know Assemblyman Garibaldi like myself has six children; this gentlemen indicated he has three, and I am sure most of you have had children and have all been through it. I have two of my boys here today.

Kindergarten children are responsive to authority?

The Police Handbook which I have gotten hold of instructs a police officer to be exceptionally alert to kindergarten and the lower-grade children because their period of attentiveness is very limited. What may be only a 2-minute gap will turn out to them to be like two hours, and 10 seconds after the officer or crossing guard puts his hand up, the child may not see what is happening and will dart out. This is a fact, and I think it has to be considered.

I tend to digress but the criteria that is now being used was very, very much objected to and fought by the Board's secretary who was responsible for the initial document. However, I just want to point out that two years ago, and for two years, that document remained as the criteria, and what irked me even more was that on the very day that I came down to see Commissioner Mullen and Albert Cucci, this series of blue pages - I invited the Board's secretary because I wanted him to have first-hand experience. He asked if I would mind if he stopped off at the State Board of

Education, and I said, of course not - it was his car; it was air-conditioned and comfortable, and I said, fine. So we get there, and I said, "What are you doing?" He had boxes of this and he was bringing this to the State Board of Education. I looked at it and I said, "Bob, my God, what are you doing?" "Oh," he said, "the State is very interested in our criteria." Dr. Parrish mentioned before that there is recognition. People are calling from all over. "East Brunswick's got a criteria. Isn't that marvelous. And it works." Who says it works?

After three nights of working until two o'clock in the morning, a group of Board members and citizens, working on the very things I have mentioned before, the School Board President would stand up in public and say - and I am quoting him almost verbatim - that no concrete specific evidence is presented to have the School Board change its criteria.

Gentlemen, the School Board had no criteria. They had no documentation; they had no experts; it was a piece of paper that I believe my eight or seven-year old boy could put together, and yet that was the criteria that the township used, that the State is looking at, and that no one, absolutely no one, challenges.

I'm sorry if I've gone on a little on that.

ASSEMBLYMAN DENNIS Just one minor question.

Obviously you have done a lot of research on this and I have found it very informative. In your book on England, is there any record there of pedestrian crossings in England versus the United States? If I recall in London they have what they call "zebra crossings" where, without any question, the pedestrian has the right of way. If you tried to cross in front of our Capitol right here, every car has the right of way, where in England, as soon as you leave the curb, the cars automatically stop at these crossings. Have any statistics in the book been further broken down to

school children?

MR. SIMON: Well, this report happens to be a shortened edition. I don't know how voluminous the original report is, but I might indicate to you that from my impression and the Professor and others in the class, I would say that just on the volumes that England is confronted with, they are at least 10 years behind us. It's ironic because in some ways - we vary from country to country - I think the thinking is ahead of us. But they know full well - for example, the shopping center problem had not been that much of a problem at the time this report was written. It is gradually coming into England. But Buchanan made a very concentrated effort to use whatever data he could from the United States.

I am just pointing out that the evidence and statistics that he does use are essentially based on England's problems which are far less critical in certain respects than ours, just by the development of the automobile and the volumes of automobiles available.

ASSEMBLYMAN GARIBALDI: Thank you, Mr. Simon, for your well-presented testimony.

We do have two other witnesses to hear. I would like to go right through. I think we can hear them and then break for the day.

Our next witness will be Mr. Robert Nolan of the Traffic Engineering Division, State Department of Transportation.

R O B E R T N O L A N: My name is Robert Nolan and I am Supervising Engineer of the Traffic Bureau of the Department of Transportation. I do not have a prepared statement.

The problem of pedestrian safety, so far as the Department of Transportation is concerned, is just one aspect of the safety problem. The philosophy in the

Department over the past few years is that the transportation of pedestrians is just as much of a problem as the transportation of vehicles or goods.

I am not trying to de-emphasize the pedestrian problem, but in just checking the limited statistics that I have available, I found there were something like 800 accidents involving pedestrians out of 55,000 on the State Highway system in 1967.

One thing I would like to point out is, as the other speakers before me pointed out, that the statistics are very skimpy in the accident field and that the latest statistics we can get are 1967 and there is very little of that. Our staff does not permit us to analyze these accident statistics in depth. Several years ago we had a team of 3 engineers that went out and personally investigated every fatal accident on the State Highway System but we had to discontinue it because of lack of funds and inability to recruit people in this area.

Our approach in the department, of course, is from the engineering point of view, providing the pedestrian overpasses, signs, markings, and so on and so forth.

There are problems connected with the devices. For years we have been trying to obtain uniformity from the counties and municipalities in the use of traffic control devices. The Department of Transportation itself instituted a program to try to get the counties and local people to upgrade their traffic control devices to bring them in conformance with the national standards. We find that a great many of useful traffic engineering devices are misused, that there are a great many signs, for example, that are either incorrectly placed or do not conform with the national standards, and sometimes the use of these signs masks the good signs that should be there. We find there are a lot of school bus signs that are incorrectly placed and should not be there in the first place. We suspect, and I have no statistics to show this,

that there could be more attention paid to the locale of school bus stops. We often find, particularly on our rural roads, county roads, that school bus stops are not necessarily in the best position from the standpoint of traffic engineering. I admit that this is a very difficult thing to supervise.

**Pedestrian overpass.** A pedestrian overpass is an excellent device to get people across a busy highway if they will use it. One of our major problems is to try to enforce the use of pedestrian overpasses. We built a pedestrian overpass across Route 4, for example, and then we had to put a bridge down the center of the highway to try to get the kids to use the overpass. So I think one of the problems is education of the pedestrian concerning his own safety.

**Pedestrian signals.** We have the same problem. We put in a great many traffic signals that are equipped with pedestrian push buttons where, if the pedestrian pushed a button, he would get additional time to cross the highway. They won't use it. They won't wait the proper time; they'll just cross.

In the matter of cost, a pedestrian overpass generally runs between \$75,000 and \$100,000. You can't put in many pedestrian overpasses for a million dollars - possibly 10 overpasses for a million dollars.

Pedestrian signals run about \$10,000 apiece.

**Sidewalks,** if they were to be installed, cost about \$50,000 a mile, just for the construction of the sidewalk alone, not counting the cost of the right-of-way, the possible drainage that might be involved, and the possible widening that might have to be done to bridges.

Someone commented - I think it was Assemblyman Dennis - on the right of way of pedestrians. Well, Title 39 now gives the pedestrian the right of way but you would never know it. I grant you that in New Jersey there seems to be either a misunderstanding or a natural lack of knowledge on the part of the motorist that the pedestrian does have

the right of way and this, I think, is the primary difference between the eastern half of the United States and the western half of the United States. In the western half of the United States, the pedestrian has the right of way, he exercises that right of way, and the law gives it to him. If he steps off the curb in a crosswalk in California, for example, traffic stops. Here in Jersey, if he steps off in a crosswalk, he is taking his life in his own hands.

So I think one possible approach to pedestrian safety might be a change in attitude on the part of the driver and the general public - not to think of the pedestrian as a target but as a human being.

Another problem that we have encountered on the State Highway System in the area of school pedestrians is the location of schools. I may be talking about an outmoded concept but we find very many instances where, with a little foresight, a school and its population could have been located on the right side of a highway rather than have a highway separate the two where the kids would have to cross. This is not peculiar alone to schools but is peculiar to fire houses and a lot of other institutions.

Another problem that we don't know quite how to cope with is the pedestrian traffic that is generated by the shopping centers. There is very little attention paid to this problem by the people who generate the traffic. You might consider a pedestrian safety problem the same way as you would consider cholera. You wouldn't let a traffic generator move into an area bringing along many cases of cholera. So why do we let a traffic generator move into an area bringing along many cases of hazard or conflict without possibly suggesting to the traffic generator that something be done by the traffic generator. Where we have two shopping centers,

one on either side of the highway, it is not unreasonable to me to think that the shopping center should be interested in taking care of the pedestrian traffic that they are generating.

As I said, I don't have any prepared statement and that is about the extent of my remarks. I will be willing to answer any questions.

ASSEMBLYMAN GARIBALDI: Thank you, Mr. Nolan.  
Assemblyman Dennis?

ASSEMBLYMAN DENNIS: I couldn't agree with you more. Again, as you mentioned earlier, I have traveled out west and I think these should be emphasized greatly in our State - that the pedestrian right of way and the fact that the speed limits are really obeyed out there, whereas I have seen where, other than when the children are going to school, there may be a sign out there "20 Miles an Hour" or "15 Miles an Hour" in a school zone and cars are going at 34 or 40, figuring the kids are in school and ought not to be out there, but in case somebody has to go home they are there.

You mentioned earlier you are working on signs to be standard - local, county and state, and taking it one step further, federal. Is there now a standardization of signs and crosswalk markings, etc., or are you still working on this?

MR. NOLAN: No, there are standards. There is a Manual on Uniform Traffic Control Devices for Streets and Highways that is put out by the National Joint Committee sponsored by the Federal Government, and this document has been in existence for a great many years. It is now in the process of revision, but it does set forth standards for traffic signals, signs and markings. Really a copy of it should be in the hands of every jurisdiction having anything to do with traffic safety. We find a great many police chiefs and local governing units that don't have this document, and this would shed quite a bit of light on what a sign

consists of and where it should be installed.

ASSEMBLYMAN DENNIS: One last question: When a town builds a new school and they do set a bus stop, do they write to your department for suggestions as to where they should locate the bus stop or is that just up to the municipality to put them where they need them?

MR. NOLAN. They don't write to us. Now whether they write to Dr. Parrish or not, I don't know. But they don't write to us.

ASSEMBLYMAN DENNIS: I just heard a "No" from Dr. Parrish, so apparently when the bus routes are established they are just established, regardless of any guidelines - I guess the municipalities try to find guidelines, but the municipalities establish their own bus stops and what not.

MR. PARRISH: The local boards of education establish the bus stops.

ASSEMBLYMAN GARIBALDI: One question. Mr. Nolan, with regard to our modern transportation needs as they relate to pedestrian school children or just our modern transportation needs for school children, has the Department of Transportation made any evaluation, or do you believe that they are charged with the responsibility of making an evaluation of the present standards which were set up many years ago with regard to transporting children to and from school?

MR. NOLAN: Transporting them in a sense, not the vehicular transportation, bus - but, yes, I think it is part of our responsibility and I think we are cognizant of that responsibility, that we do have a duty to perform in providing safe crossings of our highways - adequate markings, adequate signs - and we try. We get a great many requests or complaints from local communities, irate citizens, about the dangers that their children encounter on their way to school, and we normally investigate them to insure that we do have adequate

signals or signs, or whatever. We do think it is part of our responsibility, and we do know there is the Federal Highway Safety Program, there is a pedestrian standard, and part of the responsibility for that standard falls upon the Department of Transportation.

ASSEMBLYMAN GARIBALDI: Attempts then are being made to ascertain the adequacy of our present transportation, our methods of transporting school children at this point by the Department of Transportation?

MR. NOLAN: Yes. They are not in my opinion sufficient. Frankly we do not have the staff that we should have to do this kind of work. There are a great many things we feel we could do were we to be adequately staffed for it - in the field of accident investigation, in the field of surveillance of traffic control devices, in the field of developing, say, warrants for the installation of overpasses. You may not realize it but right now there are very few criteria for the installation of a pedestrian overpass. Now this is a very expensive piece of machinery - \$100,000 - and we scratch our heads trying to establish a priority. What we need is a program that would examine the various factors that go into pedestrian safety and determine which pedestrian overpass should be built first and where it should be built, but we don't have the staff to do this.

ASSEMBLYMAN GARIBALDI: Any further questions?

Thank you, Mr. Nolan.

If there are any others that have come in who wish to testify, please let me know. I have as our next witness Mr. Mark Hurwitz, Director of Special Services, New Jersey School Boards Association.

M A R K   W.   H U R W I T Z:

Assemblyman Garibaldi and members of the Commission

I am Mark W Hurwitz, Director of Special Services of the New Jersey School Boards Association. We appreciate the opportunity to appear before you today to express our feelings concerning pupil transportation in New Jersey

There is no question faced by local boards of education which generates more emotion than that of pupil transportation. Faced with rising costs and budget defeats, boards are literally beset by indignant parents when board members make efforts to curtail bus routes which do not qualify for state aid. It should be noted that parents more frequently than not are justified in their demands for more pupil transportation.

Today's journey to school is not simply a matter of healthful exercise for children. It is too often a walk along dangerous traffic routes which jeopardize the safety of all children, but particularly small children. Yet New Jersey continues to use outdated rules governing transportation as if no changes in vehicles or traffic patterns had taken place in the last 50 years.

The first pupil transportation law in New Jersey, Chapter 335, dates back to 1894 when school boards were granted discretion to provide transportation for children living "remote" from the schoolhouse and to levy a special tax for that purpose. In 1907 the first transportation aid law providing State reimbursement for 75% of approved local district transportation costs was enacted in New Jersey. The same basis for payment has continued to the present day

#### DEFINITION OF REMOTE

The definition of "remote" as it is used in the statutes for purposes of State transportation aid is generally cited as a distance from the pupil's home to the schoolhouse of 2.5 miles for pupils in grades 9 through 12, and 2 miles or more for pupils in grades kindergarten through 8. However, this definition of remote does not appear in any law or formal regulation of the State Board of Education. It had its origin in a series of court, State Board of Education, and Commissioner of Education decisions dating from the beginning of this century.

The only recent record of State Board action to define "remote" are ad hoc resolutions by county superintendents of schools in 1950, 1956, and 1963 which establish the distance for State aid payments as a guide for all county superintendents.

The State Board of Education originally adopted Rule Number 19 titled "Routes" on November 7, 1956. This rule, renumbered 1416 in the State Department of Education's 1967 publication "Pupil Transportation," sets forth certain general conditions, guidelines and restrictions concerning school transportation. The rule does not include a definition of "remote." Dr. Parrish, however, pointed out earlier that recently it does. Nevertheless

the same distances of 2 5 and 2 miles still are the generally accepted definitions of "remote" as they have been for more than 50 years Is it realistic to expect a kindergarten child to walk 2 miles to school and 2 miles home from school? How long is it since you have walked even 1 mile with a 5 year old? Is it any wonder parents are angrily demanding shorter distances for walkers and attention to the question of danger along the routes?

#### NATIONWIDE STUDY

Because of these pressures faced by every board of education, the New Jersey School Boards Association appointed a committee composed of board members, transportation supervisors and State Department of Education officials from throughout New Jersey to study pupil transportation and make recommendations for its improvement This committee was instrumental in having legislation entered and enacted which now permits local boards of education to exclude from transportation unruly pupils whose transportation is mandated due to the definition of "remote " Prior to this time, by the way, if a child lived more than 2 miles or 2-1/2 miles from school and he was not behaving properly on the bus and there was a safety factor, we could not exclude the child from transportation because his transportation was mandated. However, you gentlemen enacted legislation recently which now permits boards of education to exclude unruly pupils whose behavior would create a danger to the other students. This committee also conducted a nationwide survey to determine how "hazard" was defined in other states as far as pupil transportation was concerned A copy of our final report is appended to this testimony for your information

Forty-eight states responded to our questionnaire Of those states which define "hazard" as distance from the school building, there is a tendency to use 1 5 or 1 0 miles as the measure We would especially like to direct your attention to the laws in both New Mexico and Wisconsin New Mexico uses a formula which takes into consideration in its definition of hazard,

traffic volume, lack of sidewalks, and size of highway In Wisconsin, the local board of education in cooperation with the local police authorities investigates local traffic conditions and defines "hazardous conditions "

THE NEW JERSEY SCHOOL BOARDS ASSOCIATION IS OF THE OPINION THAT "HAZARDOUS CONDITIONS" MUST BE DEFINED MORE COMPREHENSIVELY THAN JUST BY MEASURING DISTANCE In this, the most urbanized state in the country, we cannot continue to rely on practices which date back to the sleepy rural villages of the early 1900s The "hazardous conditions" confronting the school child in our urban areas certainly cannot be adequately measured by distance from the schoolhouse' Size, speed and number of cars alone makes such a measure unrealistic Some consideration must be given to the amount of traffic and the traffic patterns - the total hazard faced by children walking to school - and a new program evolved for state-aided pupil transportation

Under the present administrative rules and regulations, boards of education are permitted to transport children for distances under 2 and 2 5 miles if the full cost is borne at the local level This problem is further compounded by the fact that if a local board of education transports public school pupils who reside less than 2 or 2 5 miles from school they must do the same for the non-public school pupils These costs weigh heavily on local districts which already bear a disproportionate share of the total cost of education Witness the fact that during the first year of operation, the private school busing law cost the state \$5,767,556 and it cost local school districts \$1,992,519 Consider also that 170 budgets, or

more than one-third of all school district budgets, were defeated by the voters at the February, 1970 elections. Local citizens can no longer be expected to pay higher and higher property taxes as school costs continue to rise steeply. It is clear that the state must assume a larger role in financing public school education and transportation costs are no exception.

I would guess that some of these boards of education in response to criticisms from their community and also from recommendations from their administrative staffs were attempting to lower the mileage from 2 to 2-1/2 to a lower mileage. However, when your budget is defeated and you've got to make a cut, do you cut library books or do you cut buses? And what is the board of education in business for basically. As you see, one-third of all school districts in the State were faced with such a decision. What cuts are we going to make to the mandate of the people?

In considering pupil transportation we must realize that modern educational programs call for school transportation services that go beyond the traditional concept of merely busing children to and from school. New programs such as environmental education require field trips, expanded interscholastic athletics place greater burdens on the shoulders of transportation personnel. School bus routes are now computerized in many districts, some school buses have been equipped as "classrooms on wheels" so that good use can be made of transportation time.

Transportation today is big business. More and more school districts have found it necessary to hire full-time transportation supervisors to deal with the complexities of transporting thousands of children economically, efficiently and safely. For your information we are submitting with our testimony copies of our research bulletin, 9-4, entitled "Salary Guides and Fringe Benefits for Transportation Personnel, 1969-70" which lists the salary guides and fringe benefits policies provided by local boards of

education for various school transportation personnel. Our 1970-71 edition is presently being prepared and will be sent to each of you when it is completed. These salary and fringe benefits surveys will give you some idea of the cost of personnel to handle transportation in local districts, much of which has arisen since the impact of the non-public school transportation law.

Pupil transportation is today the largest transportation system in the country and it is growing all the time. This year it is estimated that 20,000,000 school children will depend on school bus transportation. Nearly a quarter of a million buses of all types and sizes are being used to get the job done and transportation costs are expected to reach \$1 billion. Here in New Jersey we transport almost one-half million pupils over 35 million miles on approximately 5,000 buses at a cost exceeding \$25 million. But even this is not enough. Too many young children are walking too far over dangerous routes to school.

The pleas and the wrath of concerned parents presently are being visited upon local boards of education at meeting after meeting, often with good reason. The problem of district-aided transportation falls disproportionately, often weighing heavily on boards least able financially to bear it. Yet their own concern for the children's safety and parental pressure force them to provide buses for dangerous routes even though they are less than remote.

Boards should not have to choose between "wheels" or education. THE NEW JERSEY SCHOOL BOARDS ASSOCIATION URGES THE STATE TO PREPARE AN ADEQUATE DEFINITION OR METHOD OF DEFINING HAZARD AND TO REEVALUATE THE PRESENT DEFINITION OF "REMOTE" FROM SCHOOL. Both tasks are essential to the welfare of our children and need to be done at once before confidence in local boards of education is further eroded and emotionalism rules.

It would be unrealistic for the school boards association to demand such additional services from the State without pointing out the need to provide at the State level additional services in the Division of Pupil Transportation Services. New Jersey is indeed fortunate in having highly capable individuals staffing this Division. Dr. Parrish himself has won many national awards and is heading up many national committees. We are quite fortunate to have him and he works with our Association as a consultant, incidentally. They have been of unestimable help to local boards in dealing with difficult problems.

We feel that the State should not only define hazardous conditions in a comprehensive and realistic fashion and recognize the increasing complexity of pupil transportation, it should also provide additional staffing to the present Division of Pupil Transportation. We offer the resources of our Association and our own special study committee to help in any way we can.

Two points are raised incidentally - I would just like to respond to you briefly - by other people who have appeared before you today. Number 1 was the problem of vocational school buildings. There are numerous criteria the Board of Education must consider when they are deciding upon the site for school buildings. We need not go through all of these, but let me speak to you about the political realities of the decision-making process. Number 1, can the Board of Education realistically select the best land in the community. I am putting that realistically now. When the municipal officials are concerned about what is going to go off the tax rolls, it is located on the right side of the right highway, by the way - which land is more valuable? the land on the right side of the highway or the wrong side of the highway? And which would a municipal body rather have taken off the tax rolls - the lane on the wrong side or the right side?

There are numerous decisions that Boards of Education have to make and oftentimes, between you and me, behind the

scenes the decision is if you want the support of the municipal government on your bond issue, it will be this site.

Now I think you gentlemen have been involved at the county and local level enough to realize that these kinds of things are realistic, are going to happen, and do happen, and boards cannot always select the site that they would like to have.

Also some discussion was had about the East Brunswick Board of Education and their attempt to define "hazard." I know the East Brunswick Board of Education; I know the officials involved in the situation. I would be the first to agree that there should have been a greater degree of involvement of members of the community from the beginning. However, here is a board of education that was not just simply saying that the law says two or two and a half miles and we don't want to hear any more. Here was a board that would at least try to do something. I think the involvement of the community could have come at an earlier stage of the decision-making process. However, let's not forget the many boards of education throughout the State who are responding not only to pressures from parents to transport, pressures from Black Panther groups, pressures from teacher groups and the NJEA. Our counterparts aren't here today, which I'm surprised to find - but you must agree there are some pressures coming from teachers direct to boards of education in some places. We can list the student unrest and list numerous problems - the pressures directed to the boards of education are numerous and you don't always have the luxury of sufficient time to plan and make the kinds of decisions they have got to make on a day-to-day basis.

I will certainly be glad to answer any questions you may have to present, gentlemen. Thank you.

ASSEMBLYMAN GARIBALDI. Thank you, Mr. Hurwitz.

Are there any questions?

ASSEMBLYMAN DENNIS: Just one. Nobody seems to have any statistics. Do you have any statistics as to how many accidents have happened in the case of children going to school or coming from school?

MR. HURWITZ: No, sir, I'll fall in line with the other people. These statistics are honestly not available and we have attempted ourselves to locate them. We have a Transportation Committee that has some members on it that are screaming the same kinds of things. Dr. Parrish and myself have been out in the field looking at every source possible and that data is just not being collected. And if it's being collected, it is not being disseminated.

ASSEMBLYMAN GARIBALDI. I have a question, Mr. Hurwitz: Do you have any information in regard to any problems which may be confronting pedestrian school children on split sessions where we have schools, and we are finding more and more schools, because of the population, growth, etc., going on split sessions?

MR. HURWITZ. Yes.

ASSEMBLYMAN GARIBALDI: What are the problems in your opinion?

MR. HURWITZ: Well, I was indeed fortunate before I joined the School Boards Association almost four years ago in that I was the Superintendent in South Jersey, in Camden County, Pine Hill. Senator Miller knows the area. And we had to go on split sessions and we tried to make all kinds of plans to protect the safety of the children. One thing we didn't realize was the psychological set of the motorist. The motorist generalizes that children are going to and from school between, let's say, 7 and 8:30 in the morning and from 2:30 to 4. They are quite astonished to see our half-day kindergarten children on the road at 11:30, for example, and they are not set for it. So the signs that are posted so far as the speed limits are concerned, if they are going to observe them they are going to observe them between 7 and 8:30 and between, let's say,

2:30 and 4. We had difficulty, because I had four schools, each letting out at a different time, and we had kindergarten leaving as early as 11:15 in the morning and split session people leaving at some weird times like 1:15 and 1.30. We had a great problem with the 3-man police force especially in a small town. We had difficult problems. So I say one of the major problems is the psychological set, Mr. Garibaldi.

ASSEMBLYMAN GARIBALDI: Also, on these split sessions, I understand they are keeping children the latter part of the day in the split sessions into hours such as 4:30, 4:45, even as late as 5 o'clock, when in the wintertime it's dark.

MR. HURWITZ: That is correct. There are children getting out of school as late as 6 o'clock in some parts of South Jersey. The Lower Camden County Regional High School, until they constructed their brand new building, the children were getting out at 6 o'clock at night, high school students - junior and senior high school.

ASSEMBLYMAN GARIBALDI: And the age groups involved here would be -

MR. HURWITZ: Grades 7 through 12. So I suppose you are talking about 13-year-olds through 18 - 12 through 18. Of course, they constructed a new facility to alleviate that problem but there are other districts in the State that are running 2 and 3 sessions in the same school building, so you are going to have to accommodate them in the same facility. So your times are going late. You can rest assured, however, there are many children who are leaving school buildings after dark.

ASSEMBLYMAN DENNIS: I have one question that is kind of silly, I guess. But who puts the signs out in the morning where the school districts are? Is that part of the school or does the police? There are on the side and obviously somebody puts them out in the middle of the street and takes them down at night. Is that part of the school that does that or is that the local police that does that?

MR. HURWITZ: The local police, the school crossing guards.

ASSEMBLYMAN DENNIS: Well, if there is no crossing guard and they just have a sign, then it's the police that come up the first thing in the morning and put them out and take them down at nighttime?

MR. HURWITZ: Yes.

ASSEMBLYMAN DENNIS: And who says where the signs go and what streets they are going to put them on? Is that local again?

MR. HURWITZ: Quite often - safety is the responsibility of numerous people, the police, and so on. I know as an elementary school principal this was one of my responsibilities, to post signs or to put these things up where we thought they should be. We had big cutouts of children that we put out. As an elementary school principal it was my job to see to it that members of the safety patrol placed these in the morning at different places and at the end of the day too. Now this will probably differ from situation to situation. This is the way we handled it.

ASSEMBLYMAN GARIBALDI: One further question: With regard to transportation and the suggestion that we might be better off busing children or changing the remote distance from 2 and 2-1/2 miles, respectively, to 1 and 1-1/2 miles, thereby busing more children and possibly alleviating the problem. The question has been posed that this would put more buses on our roads, thereby increasing the traffic hazards generally. Do you have any information or statistics with regard to the number of cars where mothers are transporting their individual children, specifically on days when traffic hazards are greater, on rainy days, snow days, etc.?

MR. HURWITZ: I couldn't give you any particular statistics on that, but I think Dr. Parrish would be the first to agree that if we doubled the number of children we wouldn't automatically double the number of buses, because, Number 1, we try to make more efficient use of the existing buses. There would, of course, be a mathematical increase in the number of buses. We have different schools opening at different times, and so on. Here again I am speaking from

experience and I haven't been in every school district in the State as an administrator. But in those where I have worked, it is a very big problem - the hazard of mothers bringing their children on rainy days and snowy days. I was out there personally in the rain as a principal to supervise the parking area. It was unbelievable. This was just a 500-pupil school. Of course, we didn't want the children to be there too early. We had that rule - we didn't want the children an hour before school started because we didn't have teachers on duty, so all the arrivals were concentrated on about a 15-minute area, and I would say with a 500 pupil school we had a good 200 cars arriving during a 15-minute period with a parking lot area that was not designed to park 200 cars, so we had people backed up and leaving children off in the middle of the street and so on. So we had problems; we did have problems.

Here again, I don't know if you can generalize this to the whole State, but if you had a survey of elementary school principals I am sure you would find they all have a raincoat hanging out there for those rainy days, because the parking lots do need supervision and you've got to do it personally. That's how bad it gets, primarily because parents, some of them today, still respond to the principal. The teachers they may run over, but at least to the principal there will perhaps be some response.

ASSEMBLYMAN DENNIS: Again probably you don't have statistics available, but what percentage of your high school students drive to school? Do you have any idea?

MR. HURWITZ: No, sir, I don't. Perhaps Dr. Parrish might have that. This is one of the demands the students are placing now. We are negotiating with all groups now and one demand is, of course, the smoking area, and so on, but adequate parking facilities for students is demanded throughout the State in numerous areas, where the students are demanding parking facilities in the new school buildings.

ASSEMBLYMAN GARIBALDI: Are there any further questions? If not, I want to thank you, Mr. Hurwitz. I would

MR. HURWITZ: Thank you.

ASSEMBLYMAN GARIBALDI: Are there any other speakers who have not been afforded the opportunity who wish to testify now? If not, I would like to take this opportunity on behalf of the Commission to express their appreciation for the comprehensive presentations that have been made here today with regard to the Commission's task in trying to resolve the problems confronting our pedestrian school children and to outline and define what hazards actually exist and to come forth with remedies to alleviate these problems. I do believe that the testimony today did set forth, if not the views of the particular departments, the personal views of the witnesses, that serious questions do exist with regard to our pedestrian school children, that questions must be answered and remedies must be provided relative to their safety.

I do hope we will have additional hearings in the near future and we hope to bring these hearings to other areas within the State and afford the mothers and parents and district boards of education the opportunity to voice their opinions and, in so doing, we will come forth with legislation which will best serve the interest of our pedestrian school students and the interest of the State in general.

Thank you all again. This meeting stands adjourned.

[ A D J O U R N E D ]

PUPIL TRANSPORTATION COST AND STATE AID

MIDDLESEX COUNTY 1968-69

Middlesex County in 1968-69 expended \$3,544,374 for pupil transportation. Of this amount \$2,275,185 was returned to the districts in the form of State aid. Maximum (75%) reimbursement, if given, would have amounted to \$2,658,280. The cost to the districts for unaided (less than remote) pupil transportation was the difference between potential State aid (\$2,658,280) and actual State aid (\$2,275,185) or \$383,095.

PUBLIC AND PRIVATE SCHOOL ENROLLMENT

MIDDLESEX COUNTY 1969-70

Middlesex County in the school year 1969-70 had enrolled in the public schools 127,000 pupils and approximately 30,000 in the private schools for a total of 157,000 pupils. The boards of education transported 47,000, leaving 110,000 pupils in the less than remote category. The exposure index for these pedestrian pupils would be 39,600,000 (110,000 pupils X 2 trips a day X 180 days in a school year).

PUPIL PEDESTRIAN ACCIDENTS

APPENDIX B

MIDDLESEX COUNTY 1969-70

School District	Description of Accident	Age of Pupil	Miles from School	Severity of Accident			Number of Accidents
				Minor	Major	Fatal	
Carteret	-	-	-	-	-	-	-
Cranbury Twp.	-	-	-	-	-	-	-
Dunellen	-	-	-	-	-	-	-
E. Brunswick	1. Boy walked into side of car while crossing intersection.	8	1.0	X			2
	2. Motorist had heart attack. Car ran up on sidewalk and struck pupil.	16	1.7		X		
Edison Twp.	1. Boy walking to school with older brother. Crossed road 1 block prior to crossing guard. Brother made him recross and was hit in the process.	6	0.8	X			1
Helmetta	-	-	-	-	-	-	-
Highland Park	-	-	-	-	-	-	-
Jamesburg	-	-	-	-	-	-	-
Madison Twp.	-	-	-	-	-	-	-
Metuchen	1. Girl hit in head by lunch box of another pupil.	7	0.9	X			3
	2. Girl brushed by car while crossing street.	12	1.3	X			
	3. Girl fell down icy steps at her home on way to school.	13	1.5	X			
Middlesex Boro	1. Boy daydreaming walked from sidewalk into street and was hit by car.	12	1.9	X			1
Milltown	-	-	-	-	-	-	-
Monroe Twp.	-	-	-	-	-	-	-

PUPIL PEDESTRIAN ACCIDENTS

APPENDIX B

MIDDLESEX COUNTY 1969-70

(Cont.)

School District	Description of Accident	Age of Pupil	Miles from School	Severity of Accident			Number of Accidents
				Minor	Major	Fatal	
New Brunswick	-	-	-	-	-	-	-
No. Brunswick	-	-	-	-	-	-	-
Perth Amboy	-	-	-	-	-	-	-
Piscataway Twp.	-	-	-	-	-	-	-
Sayreville	-	-	-	-	-	-	-
South Amboy	-	-	-	-	-	-	-
So. Brunswick	-	-	-	-	-	-	-
So. Plainfield	-	-	-	-	-	-	-
South River	-	-	-	-	-	-	-
Spotswood	1. Two boys collided on bicycles	7 & 14	.75 & .5	X	X	-	1
Woodbridge	-	-	-	-	-	-	-
						TOTAL	8 *

79

\* Of the eight incidents, three could be removed as irrelevant to automotive hazard leaving a total of five for the year.

COMPARATIVE FINANCIAL AND STATISTICAL DATA

APPENDIX C

MIDDLESEX COUNTY 1968-69

District	Total Trans. Cost	Total State Aid Cost	Average Cost Per Typical Pupil	No. of Pupils Transported	Trans Aid Pupils	Total No. of Pupils
	(1)	(2)	(3)	(4)	(5)	(6)
Carteret	\$ 85,289.31	\$ 40,230.43	\$ 51.92	1,147	20	1,167
Cranbury Twp.	30,810.40	16,707.97	74.01	337	11	348
Dunellen	5,431.86	4,073.90	-	18	-	18
East Brunswick Twp.	268,396.14	176,464.22	54.74	4,375	23	4,398
Edison Twp.	350,811.77	252,975.75	72.14	4,014	235	4,249
Helmetta	19,482.00	14,611.50	117.21	123	-	123
Highland Park	17,028.69	12,583.27	-	28	-	28
Jamesburg	2,250.00	1,687.50	150.00	11	-	11
Madison Twp.	495,481.59	317,294.50	63.31	6,963	27	6,990
Metuchen	20,412.83	15,253.37	56.67	37	-	37
Middlesex Borough	52,806.18	37,398.22	57.77	535	13	548
Milltown	54,283.43	37,129.35	85.14	504	6	510
Monroe Twp.	98,374.84	62,447.73	63.52	1,385	16	1,401
New Brunswick	96,004.05	71,555.21	74.82	1,092	13	1,105
North Brunswick	221,021.78	139,633.81	76.11	2,526	36	2,562
Perth Amboy	73,455.01	46,251.86	39.58	896	29	925
Piscataway Twp.	274,804.11	201,535.05	83.27	2,606	83	2,689
Plainsboro	17,813.47	12,661.81	84.37	149	11	160
Sayreville	283,103.19	144,079.88	46.10	5,306	15	5,321
South Amboy	20,526.65	15,394.97	42.31	45	-	45
South Brunswick	190,580.45	127,332.96	61.97	2,656	84	2,740
South Plainfield	103,805.71	52,668.56	50.78	1,450	33	1,483
South River	22,268.31	18,787.73	93.46	141	3	144
Spotswood	70,602.12	52,426.59	93.16	651	3	654
Woodbridge	669,530.42	403,999.51	78.86	7,202	150	7,352
<b>TOTALS:</b>	<b>\$ 3,544,374.31</b>	<b>\$ 2,275,185.65</b>		<b>44,197</b>	<b>811</b>	<b>45,008</b>
<b>AVERAGES:</b>			<b>\$ 65.11</b>			

80.



**New Jersey  
School Boards Association**

407 West State Street, P O Box 909, Trenton, New Jersey 08605

MRS RUTH H PAGE  
Executive Director

## FINAL REPORT

NATIONWIDE STUDY ON PUPIL TRANSPORTATION

(48 states; 96% Response)

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Alabama	Local boards are permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance law.	No provision made
Alaska	Local administrators are permitted to exclude unruly pupils from bus; pupils are not exempted from compulsory attendance law. Board action necessary for more than a 10 day period.	State pays 100% of the cost of transporting children over 1½ miles. Districts may declare hazardous walking conditions within the 1½ miles and the State will pay 50% of the cost.
Arizona	Local boards are permitted to exclude all unruly pupils from the bus. Class exemption depends on seriousness of offense and local rules.	No State aid for transportation
Arkansas	Bus driver authorized to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance law.	State aid over 2 miles. Full cost is borne at the local level for children under 2 miles
California	Local boards are permitted to exclude all unruly pupils from bus; pupils are not exempted from compulsory attendance law.	No provision made

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Colorado	Transportation not mandated; decision on exclusion at discretion of local board.	No State aid for pupils carried less than 1 mile. Hazard decisions at discretion of local boards.
Connecticut	Local boards are permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance law.	Transportation provided when "reasonable and desirable." Both distance and hazard are considered and incorporated into a local board of education transportation policy.
Delaware	Local boards are permitted to exclude all unruly pupils.	Provision made but not described in questionnaire.
Florida	Local boards are permitted to exclude all unruly pupils.	No provision made due to the difficulty of establishing acceptable and consistent criteria.
Georgia	County boards are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	No provision made.
Hawaii	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	Both distance and hazard are considered. Hazard is determined at the local level.
Idaho	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	State aid for pupils over 1½ miles. Boards of education may appeal to the State Board of Education for reimbursement of expenses for transporting less than 1½ miles when hazards endanger safety of pupils.

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Illinois	Exclusion is from the entire program, class and bus.	No provision made.
Indiana	Pupils may be excluded from the bus; they are not exempted from compulsory class attendance.	No provision made.
Iowa	Local administrators are permitted to exclude all unruly pupils.	No provision made.
Kansas	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory class attendance law.	No provision made.
Kentucky	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory class attendance law.	No State aid for transportation. However, boards must transport students who do not reside within a reasonable walking distance. Court decisions concerning "reasonable walking distance" mention safety hazards not distance.
Louisiana	Pupils may be excluded from the bus; they are not exempted from compulsory class attendance.	No provision made.
Maine	Local administrators are permitted to exclude all unruly pupils from the bus, pupils are not exempted from compulsory class attendance law.	State law mentions "comfort, safety and welfare." Court decisions decide cases on individual merits.

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Maryland	Local administrators are permitted to exclude all unruly pupils.	Presently under study.
Massachusetts	Bus driver may exclude all unruly pupils.	State aid over 1½ miles. Cost of transporting a lesser distance is borne at the local level.
Michigan	Local administrators are permitted to exclude all unruly pupils from the bus; Any pupil who is excluded from school bus transportation must walk to school or be provided transportation by parents.	No provision made.
Minnesota	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	No provision made.
Mississippi	Local administrators are permitted to exclude all unruly pupils from the bus. There is no compulsory attendance law.	Provision is made but not described in the reply.
Missouri	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	No provision made.
Montana	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	No provision made.

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Nebraska	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	No provision made.
Nevada	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	Hazard policies determined at the local level.
New Hampshire	Local board of education is permitted to exclude all unruly pupils from the bus. Most districts require parents to provide other transportation in such a situation.	No provision made.
New Mexico	Local board of education is permitted to exclude all unruly pupils from the bus, pupils are not exempted from the compulsory attendance law.	Provision made as follows: <ol style="list-style-type: none"> <li data-bbox="943 1215 1419 1367">1. Total traffic volume on other than mountainous roads exceeds 120 vehicles per hour and 1 or more of the following exists:               <ol style="list-style-type: none"> <li data-bbox="1003 1409 1419 1556">a. Less than 3.5 feet of walking space outside of a curbed roadway on at least 1 side of the roadway.</li> <li data-bbox="1003 1598 1419 1745">b. A 2-lane road or a 4-lane road, with less than 5 feet of road shoulder, on at least 1 side of the road.</li> </ol> </li> <li data-bbox="943 1787 1435 1969">2. Walkways (shoulder, paths or sidewalks) on roads with a volume of 120 vehicles per hour, are obstructed continuously for 75 feet or more or if obstructed</li> </ol>

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
New Mexico (continued)		<p>for less than 75 feet there is less than 1 space gap per minute between vehicles traveling on the near side of the center line.</p> <p>3. On 2-lane mountainous roads when little or no off-street walking space is available (shoulder or path) and the traffic volume exceeds 60 vehicles per hour.</p> <p>4. The traffic volume exceeds 180 vehicles per hour through the crosswalk at an uncontrolled intersection and the crossing exceeds 40 feet in width.</p> <p>In the event transportation is approved under any of the foregoing exceptions, such transportation will be discontinued immediately upon the improvement of the conditions for which the transportation has been provided.</p>
New York	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance. However, this has never been legally tested.	No provision made.
North Carolina	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance.	No provision made.
North Dakota	Local administrators are permitted to exclude all unruly pupils.	No provision made.

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Ohio	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory class attendance law.	No provision made. (State aid for all pupils over 1 mile).
Oklahoma	No provision made	No provision made. (State aid for all pupils over 1½ miles).
Oregon	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	No State aid for pupil transportation.
Pennsylvania	Local Board of School Directors is permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory class attendance. Pupils that are denied permission to ride the school bus must be in school otherwise the parents may be arrested or fined.	No provision made.
Rhode Island	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	
South Carolina	Local administrators are permitted to exclude all unruly pupils.	No provision made.
South Dakota	Local board of education is permitted to exclude all unruly pupils.	No provision made.

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Tennessee	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance.	No provision made.
Utah	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance.	Hazard is presently considered but a bill has been entered to discontinue the practice. Local districts apply to the State Department of Education for approval of students.
Vermont	No mandated pupils.	No State aid for pupil transportation.
Virginia	Local administrators are permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	Hazard defined at the local level.
Washington	Local administrators are permitted to exclude all unruly pupils.	All students over 2 miles must be transported. Under 2 miles, the State pays 90% of the cost of transporting children for health and safety reasons.
West Virginia	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from compulsory attendance.	No State aid for pupil transportation.
Wisconsin	Local board of education is permitted to exclude all unruly pupils from the bus; pupils are not exempted from the compulsory attendance law.	Law passed in 1968. Difficult to administer because of the varied opinion relative to what constitutes an area of unusual hazard. The sheriff's department makes the determination. (A copy of the law is attached to this report).

<u>STATE</u>	<u>EXCLUSION OF UNRULY PUPILS</u>	<u>HAZARD PROVISIONS</u>
Wyoming	Local board policy rules.	No provision made.

STATE OF WISCONSIN

CHAPTER 65, LAWS OF 1967

AN ACT to create 40.53 (1m) of the statutes, relating to the transportation of school children in areas of unusual hazards.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

40.53(1m) of the statutes is created to read:

40.53(1m) Transportation in areas of unusual hazards. In school districts in which unusual hazards exist walking to and from school for children who reside less than 2 miles from the school where they are enrolled, the school district board may develop a plan which shall show by map and explanation the nature of the unusual hazards to pupil travel and propose a plan of transportation which will provide proper safeguards for the school attendance of such children. Copies of the plan shall be filed with the sheriff of the county in which the principal office of the school district is located. The sheriff shall review the plan and may make suggestions for revision that he deems appropriate. He shall investigate the site and plan and make a determination as to whether unusual hazards exist which cannot be corrected by local government. He shall report his findings in writing to the school board concerned. If any person is aggrieved by the determination made by the sheriff, he may appeal the determination to the state superintendent who shall make a determination which shall thereupon be the determination on which the school board acts. If the findings support the plan and the determination that unusual hazards exist which seriously jeopardize the safety of the children in their travel to and from school, the school board may put the plan for transportation into effect, but no part of the costs resulting from the transportation of school children under this subsection shall be reimbursed from state funds.