



Learning  
Disabilities  
Association  
of Maine

Testimony in **Opposition** of LD 2116:

**An Act to Require Flame-retardant Seats on New School Buses**

February 1<sup>st</sup>, 2024

Dear Senator Ben Chipman, Representative Lydia Crafts and members of the Transportation Committee.

My name is Tracy Gregoire and I am the Healthy Children Project Coordinator for the Learning Disabilities Association of Maine.

The Learning Disabilities Association of Maine (LDA-ME) is a statewide, non-profit organization of individuals with specific learning disabilities and the families and the professionals who support them.

One in 5 American children have a learning or attention disability<sup>i</sup>. The autism rate continues to rise now affecting 1 in 36 children, which has tripled since 2000<sup>ii</sup>. Approximately 17.8% of children in the United States have a developmental disability<sup>iii</sup>.

The etiology of learning and developmental disabilities may include one or more of a complex variety of factors, including genetics, substance abuse, social environment and environmental exposure to toxic chemicals. According to the National Academy of Sciences Committee on Developmental Toxicology, **environmental factors, including toxic chemicals, cause about 3 percent of all developmental defects, and contribute to another 25 percent**<sup>iv</sup>. This means that 360,000 U.S. children (1 in every 200 children) suffer from developmental or neurological deficits caused by exposure to known toxic substances<sup>v</sup>.

This bill requires school buses manufactured in 2025 or later to have seats made of flame-retardant material. While this sounds like a good idea on the surface, we now know that flame retardants not only don't work well to slow fires but many are actually harmful to children's brain health.

Project TENDR (Targeting Environmental Neuro-Development Risks) is an alliance of more than 50 leading scientists, health professionals and advocates. Project TENDR, co-founded by LDA of America and UC Davis, focuses on preventing exposures of children and pregnant women to toxic substances that are harmful to brain development. Project TENDR's exemplary chemicals

of some of the worst neurotoxic chemicals include polybrominated diphenyl ethers (PBDEs). LDA and others fought for Maine bans on Octa, Penta and Deca and we won, protecting children's brain health from these persistent and bio-accumulative chemicals.

Because flame-retardant compounds are additives rather than chemically bound to consumer products, they can be released into the environment. We are exposed to these chemicals through inhalation of dust containing flame-retardants. People are also exposed when products burn. Our brave firefighters are more likely to die from cancer from chemical exposures than from fighting fires. From 2002 to 2019, cancer caused 66 percent of the career firefighter line-of-duty deaths, according to data from the International Association of Fire Fighters (IAFF). This is preventable, and despite the claims of the chemical industry, many flame-retardants are unnecessary and don't work well.

The peer-reviewed studies on some classes of flame-retardants document links to lower cognitive function, attention, learning, and adverse effects on fetal and child development and neurobehavioral function. PBDEs, HBCD, and TBBPA are persistent toxic chemicals that last a long time in the environment

There are already federal safety standards in place under the Department of Transportation National Highway Traffic Safety Administration (NHTSA). In 1988, After an incident in Kentucky, that process found that it wasn't necessary to add additional toxic flame-retardants to school bus seats for a variety of reasons. Most bus accidents are crash related and even if there is a fire, it is usually by the engine, away from kids with multiple escape options in larger buses. **We should not add something that is toxic, adds costs, and does not keep our children safer.**

It is the chemical industry pushing for flame-retardants in buses, not the public, policy makers, or firefighters.

**All of these flame-retardant risks and cons, added to little if any benefit, clearly show this is a wrong choice.** Please continue to protect children's brain health and our firefighters and vote against this bill.

Sincerely,

Tracy Gregoire  
Healthy Children Project Coordinator  
Learning Disabilities Association of Maine

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- <sup>i</sup> [National Center for Learning Disabilities](#), 2015-2016 statistics.
- <sup>ii</sup> [Center for Disease Control and Prevention](#), prevalence of autism, 2023.
- <sup>iii</sup> [Center for Disease Control](#), children aged 3-17 years with a developmental disability, 2015-2017.
- <sup>iv</sup> [Scientific Frontiers in Developmental Toxicology and Risk Assessment](#), Executive Summary, National Academy of Sciences Committee on Developmental Toxicology, 2000.
- <sup>v</sup> [Polluting Our Future: Chemical Pollution in the U.S. that Affects Child Development and Learning](#)”, National Environmental Trust, Physicians for Social Responsibility, and Learning Disabilities Association of America, September 2000.

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LD 2116

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