



# National Transportation Safety Board

Washington, D.C. 20594

## Safety Recommendation

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**Date:** July 6, 2004

**In reply refer to:** H-04-22

Mr. Dale Moser  
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The National Transportation Safety Board is an independent Federal agency charged by Congress with investigating transportation accidents, determining their probable cause, and making recommendations to prevent similar accidents from occurring. We are providing the following information to urge your organization to take action on the safety recommendation in this letter. The Safety Board is vitally interested in this recommendation because it is designed to prevent accidents and save lives.

This recommendation addresses the evaluation of all telephone calls reporting unsafe drivers to motor carriers. The recommendation is derived from the Safety Board's investigation of the June 23, 2002, motorcoach run-off-the-road and rollover accident off Interstate 90 near Victor, New York,<sup>1</sup> and is consistent with the evidence we found and the analysis we performed. As a result of this investigation, the Safety Board has reiterated two and issued five new safety recommendations, one of which is addressed to Coach USA and its subsidiaries. Information supporting this recommendation is discussed below. The Safety Board would appreciate a response from you within 90 days addressing the actions you have taken or intend to take to implement our recommendation.

At 2:56 p.m. on June 23, 2002, a 1998 Motor Coach Industries, 55-passenger motorcoach, operated by Arrow Line, Inc., a Coach USA subsidiary, was traveling eastbound between 60 and 63 mph on Interstate 90 near Victor, New York. The motorcoach, carrying 47 passengers, was en route from Niagara Falls, Ontario, Canada, to Waterbury, Connecticut. As the bus approached the Victor Exit 45 ramp, the vehicle departed the roadway and proceeded into the depressed grassy area between the eastbound exit and entrance ramps. The motorcoach then struck a W-beam guardrail, dragged approximately 700 feet of the guardrail across the eastbound entrance ramp, vaulted over the entrance ramp roadway, landed on the south side shoulder of the entrance ramp, rolled 90 degrees onto its right side, and slid to rest. The guardrail dragged by the

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<sup>1</sup> For additional information, read National Transportation Safety Board, *Motorcoach Run-off-the-Road and Rollover off Interstate 90 Near Victor, New York, on June 23, 2002*, Highway Accident Report NTSB/HAR-04/03 (Washington, DC: NTSB, 2004).

motorcoach during the accident sequence then struck three eastbound vehicles on the entrance ramp. Three occupants of these vehicles were uninjured, and six received minor injuries. Of the 48 people on the motorcoach, 5 passengers were killed; the driver and 41 passengers sustained injuries; and 1 passenger was uninjured.

The National Transportation Safety Board determined that the probable cause of the accident was that the bus driver fell asleep while operating the motorcoach due to his deliberate failure to obtain adequate rest during his off-duty hours. Contributing to the cause of the accident was the second Arrow Line, Inc., motorcoach driver, who did nothing to prevent the severely fatigued driver from operating the accident motorcoach, and the failure of Arrow Line, Inc., and its holding company, Coach USA, to provide adequate oversight of their drivers. Contributing to the severity of the accident was the lack of occupant restraints for the motorcoach passengers.

About 11:00 p.m. on Thursday, June 20, 2002, the accident bus departed Waterbury and a second chartered bus (motorcoach 2) departed Manhattan for a trip to Niagara Falls sponsored by a Waterbury church. The accident motorcoach met motorcoach 2 at the Canadian border, and both proceeded to a Niagara Falls hotel. The accident bus driver told the New York State Police (NYSP) that he arrived at the hotel about 7:30 a.m. on Friday, June 21, 2002. The group organizers scheduled both motorcoaches to visit Marineland on Saturday, June 22, 2002. The motorcoach operators had no other scheduled driving duties until the return trip on Sunday, June 23, 2002.

The motorcoach 2 driver told the NYSP that he spoke with the accident bus driver on Saturday morning, when the accident driver stopped by his hotel room and said that he had won \$4,000 at the casinos. According to the motorcoach 2 driver's statements, he knew that the accident driver slept for about 3 hours in the bus while the tour group was at Marineland, and he observed the accident driver getting into a cab to go to the casino about 5:00 p.m. on Saturday.

The accident driver informed the NYSP that he had been at the casino from noon on Friday until about 10:00 a.m. on Saturday, when he went back to his hotel room but did not sleep. Both motorcoaches departed the hotel about noon on Saturday and transported passengers to Marineland. The accident bus driver said that he remained with his motorcoach, napped about 3 hours, and left for the hotel with his passengers about 4:00 p.m. According to the accident bus driver, he showered at the hotel and then left for the casinos, where he remained until approximately 9:00 a.m. on Sunday morning.

About 8:30 a.m. on Sunday, June 23, the motorcoach 2 driver prepared his vehicle for the return trip boarding. According to the group organizers, when, at their request, hotel staff attempted to summon the accident bus driver from his room around 9:30 a.m., the accident bus driver did not answer. The motorcoach 2 driver told the NYSP that he saw the accident bus driver arrive at the hotel about 9:30 a.m., and the accident bus driver said that he had lost the money overnight that he had won the previous evening. The accident bus driver showed up at his motorcoach shortly before 11:00 a.m. (the scheduled departure time), opened the luggage compartment, took his seat behind the wheel, and slept while passengers loaded their luggage onto the motorcoach. Because one group organizer expressed her concern to the motorcoach 2 driver that the accident bus driver did not appear fit to drive, he roused the accident bus driver and asked whether he was all right to drive. The accident bus driver replied, "Yes, I'm fine." The motorcoach 2 driver planned to return directly to Manhattan; the accident bus driver planned to stop at two or three attractions before returning to Waterbury. The two motorcoaches departed about 12:30 p.m.

The trip coordinators and several motorcoach passengers expressed concern over the accident bus driver's visible sleepiness. Even without knowing that the driver had been awake for nearly 2 days, the coordinators recognized that the driver was unfit to perform his duties, since he displayed obvious signs of a sleep-deprived state. Initially, they sought the assistance of the motorcoach 2 driver, who knew of the accident driver's overnight casino trips and yet deferred to the accident driver's statement that he was "okay to drive." The motorcoach 2 driver told the NYSP that the accident bus driver had "30 years experience and would know if he was alright." During the trip, a coordinator used the microphone, speaking in Spanish, to tell the passengers that they should make noise because the driver was sleepy. Another passenger approached the driver just prior to Victor Exit 45 and asked him to pull over at the next stop and rest; however, the driver rebuffed her and she started to return to her seat.

In 1998, the Safety Board investigated an accident near Burnt Cabins, Pennsylvania,<sup>2</sup> in which the bus driver fell asleep and the motorcoach ran off the road, striking a parked semitrailer. Greyhound Lines, Inc. (Greyhound), which owned the motorcoach, had a 1-800-SAFEBUS driver safety check program that included a written policy for processing complaints against drivers, similar to the Driver's Alert program for Coach USA. The purpose of the 1-800-SAFEBUS program was to allow the public to report to the company, using a toll-free number, on driver performance, service, and driving behavior. As in the Driver's Alert program, the number was displayed on the outside of the Greyhound motorcoach and the system did not process anonymous calls. As a result of its investigation, the Safety Board concluded that Greyhound's policy of disregarding anonymous calls prevented the company from identifying patterns of unsafe driving practices by particular drivers or on particular runs and diminished the safety oversight benefits of the program. As a result, the Safety Board issued the following recommendation to Greyhound:

H-00-09

Revise your 1-800-SAFEBUS program to ensure that all complaints are included in drivers' files and used in drivers' assessments.

In September 2000, Greyhound responded that after an analysis of the SAFEBUS program, Greyhound agreed to perform a case-by-case review of anonymous motorist complaints. The anonymous calls would no longer be discarded by the SAFEBUS vendor and would be passed on to the Greyhound Safety Department for further action. The Safety Board therefore classified Safety Recommendation H-00-09 "Closed—Acceptable Action" on January 5, 2001.

In the Victor accident, the exterior of the accident motorcoach also displayed a toll-free number for individuals to call when they observed the motorcoach being operated in an unsafe manner. The Coach USA Driver's Alert Program operates 24 hours a day and is staffed by personnel who speak directly with the caller and obtain information. Although another driver witnessed and reported to the NYSP after the accident that the bus driver had been driving erratically, no calls to Driver's Alert were made prior to the accident. Quite possibly, even if calls had been made to report the accident driver, had the callers remained anonymous or been unwilling to leave contact information, nothing would have been done to investigate the complaint and stop the driver. The Safety Board concluded that even if passengers had called

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<sup>2</sup> National Transportation Safety Board, *Greyhound Motorcoach Run-off-the-Road Accident, Burnt Cabins, Pennsylvania, June 20, 1998*, Highway Accident Report NTSB/HAR-00/01 (Washington, DC: NTSB, 2000).

Driver's Alert to report the driver, a system was not in place to allow Arrow to take immediate action. Although Coach USA no longer owns Arrow, Coach USA owns many subsidiary passenger carriers and still uses the Driver's Alert program.

Therefore, the National Transportation Safety Board recommends that Coach USA and its subsidiaries:

Evaluate all calls reporting dangerous driver behaviors immediately upon receiving them and establish a method to reach the driver so that Coach USA can evaluate the driver's fitness for duty and take appropriate countermeasures, if necessary. (H-04-22)

The Safety Board also issued safety recommendations to the Federal Motor Carrier Safety Administration and the U.S. Department of Defense Surface Deployment and Distribution Command. The Board also reiterated safety recommendations to the National Highway Traffic Safety Administration. In your response to the recommendation in this letter, please refer to H-04-22. If you need additional information, you may call (202) 314-6177.

Chairman ENGLEMAN CONNERS, Vice Chairman ROSENKER, and Members CARMODY, HEALING, and HERSMAN concurred in this recommendation.

By: Ellen Engleman Connors  
Chairman