

H-147

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: May 9, 1978

Forwarded to:

Honorable Joan Claybrook
Administrator
National Highway Traffic Safety
Administration
Washington, D.C. 20590

SAFETY RECOMMENDATION(S)

H-78-29 and 30

About 11:55 a.m. on July 6, 1977, a truck, with a gross weight of 52,000 pounds, struck an automobile at the intersection of U.S. Route 206 and County Road Route 616 near Vincentown, New Jersey. The truckdriver and six of the seven occupants of the automobile were killed.

The National Transportation Safety Board's investigation of the accident revealed that the truckdriver was exceeding the speed limit. The truck's brakes were in good condition, but there was no evidence of preimpact braking.

The truckdriver had been issued a New Jersey "basic driver license" which allows operation of all vehicles except motorcycles, omnibuses, schoolbuses, and certain other vehicles that weigh more than 18,000 pounds. He had been driving for his employer, a private intrastate carrier, intermittently for more than 5 years. During that time he was convicted of driving while under the influence of an intoxicating liquor, had his license suspended, and was involved in two accidents. During the 3 years before his employment, he had been convicted of careless driving, speeding, and driving while impaired. His employer was not required to and had not checked his driving record either before hiring or during his employment.

Federal Motor Carrier Safety Regulations (FMCSR) require employers operating motor vehicles in interstate commerce to check a prospective driver's driving record for the previous 3 years and to annually review his driving record. New Jersey has no such law for employers operating intrastate. Had the employer been required to check the driver's record and thus been made aware of his convictions, he might not have hired him.

The Bureau of Motor Carrier Safety (BMCS) encourages States to adopt regulations similar to the FMCSR; however, not all States have done so. The National Highway Traffic Safety Administration, which also has an interest in improving driver performance and proficiency, should work with BMCS and encourage the States to adopt regulations for qualifications of drivers along the lines of the FMCSR.

Drivers who pass an automobile driver's test are not necessarily qualified to operate the various types and sizes of trucks that the New Jersey motor vehicle laws allow them to operate with only a "basic driver license." At the time of this accident, the State of New Jersey did not have a license classification system for truckdrivers. An amended driver licensing law, which became effective on September 1, 1977, still allows persons with a basic operator's license to drive all trucks unless their operation is prohibited by other regulations.

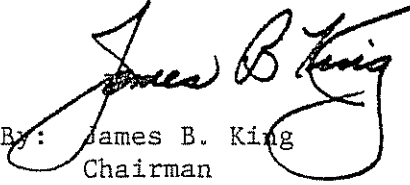
New Jersey is not unique in this respect. Only 23 States have classified licensing plans, and many of those do not realistically test a driver's ability to drive a truck. The National Highway Traffic Safety Administration's Highway Safety Program Standard No. 5 recommends that States adopt a classified driver licensing plan in cooperation with the American Association of Motor Vehicle Administrators.

Therefore, the National Transportation Safety Board recommends that the National Highway Traffic Safety Administration:

Actively encourage the State of New Jersey to develop and implement a classified driver licensing system which conforms to Highway Safety Program Standard No. 5, "Driver Licensing." (Class II, Priority Action) (H-78-29)

In cooperation with the Bureau of Motor Carrier Safety, actively encourage the State of New Jersey to develop and implement regulations that require employers to make pre-employment investigations of the driving record of each truckdriver applicant. The requirements should be similar to those found in 49 CFR 391.23 and 391.25 of the Federal Motor Carrier Safety Regulations. (Class II, Priority Action) (H-78-30)

KING, Chairman, McADAMS, HOGUE, and DRIVER Members, concurred in the above recommendations.


By: James B. King
Chairman