



National Transportation Safety Board

Washington, D.C. 20594
Safety Recommendation

Date: September 16, 1986

In reply refer to: H-86-65 through -67

Mr. Kenneth L. Pierson
Director
Bureau of Motor Carrier Safety
U.S. Department of Transportation
Washington D. C. 20590

About 7:51 p.m. on June 21, 1985, a privately-owned, 70,000-pound tractor-semitrailer operating in interstate commerce under a trip-lease agreement with C. Maxwell Trucking Company, Inc., lost control while descending a steep 3,439-foot grade on southbound State Route 59 in downtown Van Buren, Arkansas. The truck collided with the rear of and overrode a station wagon which was stopped at the bottom of the hill. The truck and the station wagon continued 84 feet forward, across an intersection, up a curb, and through a guardrail. They then traveled another 22 feet and struck two commercial buildings. A fire ensued and engulfed both vehicles and three buildings. Both occupants in the truck and the seven occupants in the station wagon were fatally injured. 1/

The 20-year-old truckdriver's driving record as well as his actions on the day of the accident are indicative of a person who was prone to disregard any law or regulation that might be an inconvenience. The truckdriver, driving the same truck, was stopped by law enforcement officers in four separate States a few weeks before the accident. The level of scrutiny the truckdriver and accident truck received varied because the training of and responsibilities assigned to the patrol officers, the weightmaster, and the motor carrier safety inspector were distinctly different. However, each had inspected the driver's license, but only the inspector in Missouri recognized that the driver was not qualified to operate an interstate commercial vehicle. Furthermore, the identification of a driver whose license is suspended or revoked is difficult during a roadside inspection because all 50 States and the District of Columbia individually may have to be contacted to determine this information if the driver does not voluntarily provide it.

Dealing effectively with drivers who violate motor carrier safety regulations and traffic laws is an ever increasing problem as is evident from the 18 percent increase in commercial truck accidents since 1982. 2/ Uniformed police officers are trained to enforce Rules of the Road violations, and only a limited number of officers have received advanced training as motor carrier safety inspectors.

1/ For more detailed information, read Highway Accident Report—"Tractor-Semitrailer/Station Wagon Runaway, Collision, and Fire, Van Buren, Arkansas, June 21, 1985" (NTSB/HAR-86/03).

2/ Insurance Institute for Highway Safety, "Big Trucks and Highway Safety" 1985.

The Bureau of Motor Carrier Safety (BMCS) is attempting to address the problem of an insufficient number of Federal inspectors by hiring 150 new inspectors who primarily will be assigned to conducting trucking company safety audits. Also, the BMCS is attempting to address the problem of unsafe commercial vehicles through its Motor Carrier Safety Assistance Program (MCSAP). The objective of the program is to improve the safe operation of commercial vehicles by encouraging States to develop programs for conducting vehicle/driver roadside safety inspections and by training State enforcement personnel to perform effective safety inspections. The MCSAP permits State, county, and local motor carrier safety inspectors to enforce safety regulations on both interstate and intrastate vehicles. Under the provisions of the program, the BMCS provides participating States with grant funding and training support. Currently, 47 States and territories participating in the program have adopted Federal Motor Carrier Safety Regulations or enforce similar State statutes for commercial vehicles and drivers.

During 1985, the first full year of the MCSAP, 1,500 State and local motor carrier safety specialists were trained, an estimated 300,000 roadside safety inspections were conducted, 30,000 drivers were inspected for proper qualifications, and 100,000 unsafe vehicles were removed from service. This program already has greatly extended BMCS's capabilities for enforcing motor carrier safety regulations.

Preliminary data collected in 1986 by the Safety Board indicates that MCSAP has made significant progress. Seventeen million dollars have been allocated for training and implementation of the program. About 1,600,000 roadside inspections have been conducted, and all relevant inspection and driver data will be entered into the BMCS data base for future use by all participating States. Currently, two studies have been funded to analyze the data for driver-related problems. The State of Montana's use of an abbreviated inspection form to check vehicle equipment permits its inspectors to concentrate more on identifying driver-related problems. In Nevada, a new on-line computer system will aid inspectors by providing them with driver violation information. Presently the system is used to check States surrounding Nevada. However, the system has the capability of checking all State drivers files.

Enforcement personnel must be trained to identify each of the numerous potential safety violations and must be trained to properly enforce these violations. The Safety Board believes that MCSAP provides great potential for improving the safety of commercial transportation throughout this nation and urges each State to participate to the fullest in this program. The States of Alaska, Florida, New Mexico, Texas, and Wyoming, currently are the only States not involved in the MCSAP, and the Safety Board urges these States to participate in the MCSAP. The Safety Board believes that through the training, support, and direction of the MCSAP these States, as well as the rest of the nation, will benefit from the improved safety of commercial vehicle operations and resultant reduction in the number of accidents.

Although the accident truckdriver was cited during the May 12, 1985, Missouri inspection for driving a commercial vehicle in interstate commerce when he was less than 21 years of age and for not having a valid license to drive a truck, he could not be declared out-of-service for this violation and, in fact, continued to drive in violation of these Federal rules. Also, the accident truckdriver's father/codriver could not be declared out-of-service although he was driving on a license that had been suspended or revoked in three separate jurisdictions. The Safety Board believes that the BMCS should revise Part 391 of the Federal Motor Carrier Safety Regulations and amend its driver

out-of-service criteria to include declaring drivers who are less than 21 years of age, or who are otherwise disqualified, out-of-service at the time and place of the inspection, and should encourage the States which are participating in the MCSAP to do likewise.

The number of defective equipment violations that the Missouri inspector noted in his inspection is indicative of the generally poor mechanical condition of the accident truck. While these violations by themselves are not grounds for declaring the truck out-of-service, the Safety Board believes collectively they adversely affected the safe operation of the truck. Further, the Safety Board urges the BMCS to study the feasibility of implementing a point system for safety inspection violations which would require a vehicle with multiple deficiencies to be declared out-of-service.

Therefore, as a result of its investigation, the National Transportation Safety Board recommends that the Bureau of Motor Carrier Safety:

Amend Part 391 of the Federal Motor Carrier Safety Regulations and the driver out-of-service criteria to provide for declaring out-of-service at the time and place of a driver/vehicle roadside inspection those drivers who are found to be underage or otherwise disqualified, and encourage States participating in the Motor Carrier Safety Assistance Program to adopt similar procedures. (Class II, Priority Action) (H-86-65)

Study the feasibility of implementing a point system for safety inspection violations that in and of themselves are not grounds for a commercial vehicle to be "declared out-of-service," but which would, based on quantity, be cause for declaring a vehicle out-of-service. (Class II, Priority Action) (H-86-66)

Oversee and monitor the States which currently participate in the Motor Carrier Safety Assistance Program, and encourage them to adopt and aggressively enforce all Federal Motor Carrier Safety Regulations and all out-of-service criteria to ensure uniformity. (Class II, Priority Action) (H-86-67)

Also, the Safety Board made Safety Recommendations H-86-68 and -69 to the Federal Highway Administration, H-86-70 to the Arkansas State Highway and Transportation Department, and H-86-71 to the Governors of the States of Alaska, Florida, New Mexico, Texas, and Wyoming.

BURNETT, Chairman, GOLDMAN, Vice Chairman, and LAUBER and NALL, Members, concurred in these recommendations.

By: 
Chairman

