

H-29.5

# NATIONAL TRANSPORTATION SAFETY BOARD WASHINGTON, D.C.

ISSUED: September 24, 1981

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Forwarded to:

Honorable Raymond A. Peck, Jr.  
Administrator  
National Highway Traffic Safety  
Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

SAFETY RECOMMENDATION(S)

H-81-61

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The National Transportation Safety Board has concluded a special study 1/ which examined fatalities and injuries as a result of persons riding in the cargo areas of pickup trucks. 2/ The study was made to demonstrate the need for model guidelines prohibiting passengers from riding in the open cargo area of a vehicle, and to make available information about the dangers to passengers riding in the cargo area of a vehicle.

An average of 242 persons were killed each year from 1975 through 1979 in accidents while riding in the cargo areas of pickup trucks, according to data from the National Highway Traffic Safety Administration's (NHTSA) Fatal Accident Reporting System (FARS). In addition, an average of 167 persons suffered incapacitating injuries and 142 persons received nonincapacitating injuries each year.

In 1979, the Safety Board investigated an accident involving a compact pickup truck in which the driver and three persons were riding in the cab and eight persons were in the open cargo area of the truck. The driver failed to negotiate a curve and the truck ran off the road and overturned. Seven persons in the cargo area were killed. 3/ As a result of its investigation of this accident, the Safety Board determined that model guidelines might assist States in formulating legislation which would control the use of cargo areas of vehicles for passenger conveyance. Accordingly, the Safety Board recommended on September 6, 1979, that the National Committee on Uniform Traffic Laws and Ordinances (NCUTLO):

1/ For more detailed information, read Special Study--"Fatalities and Injuries Associated with Riding in Cargo Areas of Pickup Trucks" (NTSB-HSS-81-2).

2/ Includes all pickup trucks, with or without caps, campers, stake, and small dump bodies.

3/ Highway Accident Report--"Ford Courier Pickup Truck, Fixed Object Collision, Patuxent Road, Near Crofton, Maryland, April 23, 1979" (NTSB-HAR-79-6).

Establish model guidelines for prohibiting passengers from riding in open-cargo areas of vehicles that are not being used for work-related purposes. (H-79-40)

Since the Safety Board's recommendation was made after the NCUTLO's last full meeting in August 1979, it could not be acted on. The NCUTLO subcommittee on traffic operations was to meet in February 1981 and determine whether the recommendation would be put on the agenda for the NCUTLO's next full meeting in August 1981. These meetings were never held because of budget constraints. The subcommittee may meet in the fall of 1981 and again consider placing the recommendation on the agenda in preparation for a full meeting in August 1982.

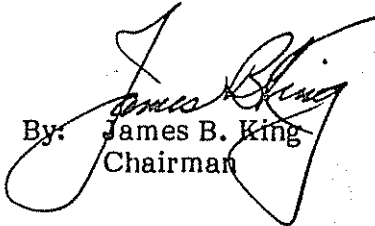
In 1979, the Administrative Committee of the NCUTLO authorized its staff to write a model law regarding riding in the cargo area of a pickup truck and have the model law voted upon by the full committee by mail ballot. When adopted, the model law would be made available to the States in a much shorter time. At present, the NCUTLO does not have sufficient funds to do this work because it must rely on outside contributions.

The NHTSA functions as a major research arm of the Department of Transportation and funds many research, demonstration, and communications projects aimed at reducing death and injury on our nation's highways. States, other Federal agencies, universities, private research groups, consultants, and the NCUTLO have received funds for safety projects. The participation of the NHTSA in the development of a model law to prohibit riding in open cargo areas would be in keeping with the agency's safety objectives.

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

In cooperation with the Insurance Institute for Highway Safety and the Motor Vehicle Manufacturers Association, support the National Committee on Uniform Traffic Laws and Ordinances in the development of model guidelines for legislation prohibiting passengers from riding in open cargo areas of vehicles that are not being used for work-related purposes. (Class II, Priority Action) (H-81-61)

KING, Chairman, and GOLDMAN and BURSLEY, Members, concurred in this recommendation. DRIVER, Vice Chairman, and McADAMS, Member, did not participate.

  
By: James B. King  
Chairman