

Log H-440

SP-20

NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

ISSUED: June 4, 1985

Forwarded to:

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Executive Director  
Florida Department of Highway  
Safety and Motor Vehicles  
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Tallahassee, Florida 32301

SAFETY RECOMMENDATION(S)

H-85-9 through -11

About 1:55 p.m., on September 28, 1983, a privately-owned 1971 schoolbus, being operated for profit and carrying 37 elementary school children, was traveling in the left westbound lane of U.S. Route 41 in Miami, Florida. The bus began to weave within the travel lanes, veered left onto the adjacent grass median of the dry, four-lane, divided roadway, swerved back into the travel lanes, overturned on its left side, and came to rest facing east. The busdriver and 30 students received minor to moderate injuries; 7 students were not injured. 1/

A postaccident inspection revealed several preexisting vehicle discrepancies. The left front shock was separated completely from its front axle attachment, the right outside dual tire on the rear axle was flat, and three of the six tires were worn smooth. The inflation pressures were 36 and 56 psi for the two front tires and 28 to 43 psi for the three inflated rear tires. The manufacturer's recommended maximum inflation pressure is 85 psi for a single tire wheel and 75 psi for a dual tire wheel. A sharp piece of metallic spring wire, which had penetrated the tread and ruptured the inner tube before the accident, was found in the flat tire.

The busdriver purchased the used bus in January 1983. Although privately-owned schoolbuses in Florida are required to be inspected annually by State Statute 316.615, the bus did not have a current State inspection sticker. The owner performed vehicle maintenance at her discretion. She did not keep, nor was she required to keep, any maintenance records. The owner-operator of the bus had driven the accident bus for about 9 months and school vans and buses for about 9 years. She had a valid Florida chauffeur license, had received 13 points for six traffic citations between May 1976 and April 1983, and had one prior accident reported. Three of the traffic citations were acquired while driving the accident bus in 1983. When the 1983 traffic citations were issued, she did not receive a citation for driving a privately-owned schoolbus which had not been inspected. The Safety Board believes that State schoolbus inspections should be enforced and that any schoolbus—public or private—used to transport students should be subject to the same level of vehicle inspection and periodic maintenance to ensure that it is in safe operating condition.

1/ For more detailed information, read Highway Accident Report--"Schoolbus Loss of Control Accidents in Miami, Florida, September 28, 1983, and Birmingham, Alabama, April 12, 1984" (NTSB/HAR-85/03).

Although the Florida Highway Patrol (FHP) estimated that it would inspect about 6,000 privately-owned schoolbuses in the 1984/85 school year, the FHP could not determine the total number of privately-owned schoolbuses in the State. The FHP is under the jurisdiction of the Florida Department of Highway Safety and Motor Vehicles (DHSMV). Florida State Statute 316.615 gives the DHSMV authority to promulgate the rules and regulations necessary to effect the purpose of the statute. The Safety Board believes that the Florida DHSMV should initiate appropriate regulatory action to require all owners of private buses to declare if the bus is being used for pupil transportation purposes when the vehicle is registered with the State. The data would permit the FHP to identify those buses and owner-operators that are subject to the vehicle inspection and driver licensing requirements specified in Florida State Statute 316.615 and should be used to advise private schoolbus owners who have not had their buses inspected that they are in violation of a State statute.

Therefore, the National Transportation Safety Board recommends that the State of Florida, Department of Highway Safety and Motor Vehicles:

Adopt regulations to require the owner of a private bus to declare annually when the vehicle is registered if the bus is to be used for pupil transportation, and institute procedures to use the data to identify all privately-owned and privately-operated schoolbuses that are subject to the vehicle inspection and driver certification requirements in Florida State Statute 316.615. (Class II, Priority Action) (H-85-9)

Contact private schoolbus owners who have not had their buses inspected, and advise them that they are in violation of Florida State Statute 316.615. (Class II, Priority Action) (H-85-10)

Instruct law enforcement officers to verify on a continuing basis compliance with the requirement for annual inspection of privately-owned schoolbuses stated in Florida State Statute 316.615 through a systematic program of roadside vehicle checks and on each occasion a private schoolbus is stopped for a driver violation or a specific vehicle safety violation. (Class II, Priority Action) (H-85-11)

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility ". . . to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations" (Public Law 93-633). The Safety Board is vitally interested in any actions taken as a result of its safety recommendations and would appreciate a response from you regarding action taken or contemplated with respect to the recommendations in this letter.

BURNETT, Chairman, GOLDMAN, Vice Chairman, and BURSLEY, Member, concurred in these recommendations.

By:   
Jim Burnett  
Chairman