



# National Transportation Safety Board

Washington, D. C. 20594

Safety Recommendation

*Log H-520*

Date: July 29, 1988

In reply refer to : H-88-29

Honorable George Deukmejian  
Governor of California  
Sacramento, California 95814

Honorable Willie Lewis Brown, Jr.  
Speaker  
Room 219  
State Capitol  
Sacramento, California 95814

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President Pro Tem  
Room 205  
State Capitol  
Sacramento, California 95814

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About 5:06 p.m., Pacific standard time, January 19, 1988, a San Mateo County Transit Authority (SamTrans) commuter bus was preparing to depart from the Transbay Terminal at Mission and Fremont Streets in San Francisco, California. The busdriver and 11 passengers were onboard the bus. When the busdriver closed the bus doors and engaged the transmission, the bus accelerated from the passenger boarding area at the terminal and entered Mission Street. It struck a 1984 Jaguar that was stopped at the traffic signals at the southwest corner of the intersection. The vehicles continued through the intersection in a northeast direction and struck a 1981 Renault and 11 pedestrians in the southwest crosswalk of the intersection. The bus and Jaguar continued northbound on Fremont Street, jumped the curb, and struck several more pedestrians, parking meters, and trees along the sidewalk. The bus traveled 336 feet from the initial impact before coming to rest on the sidewalk against a tree.

Three of the pedestrians who were struck sustained fatal injuries; 15 other pedestrians received varying degrees of injuries and were transported to five area hospitals. The busdriver and bus passengers received either minor or no injuries.

The accident occurred at a busy downtown intersection controlled by traffic signals. The bus was parked at a passenger loading area just before the accident. At the time of the accident, the weather was clear and the pavement was dry.

The accident bus was a 1980, 47-passenger, 900 series Flyer coach built by Flyer Industries Ltd., Winnipeg, Manitoba, Canada. It was powered by a V-8 diesel engine with an automatic transmission. After the accident, the bus was examined and road tested by the National Transportation Safety Board, San Francisco Police Department, and California Highway Patrol. The examination revealed that there were no preexisting mechanical defects that contributed to the accident.

The 53-year old busdriver held a valid medical certificate and a California Class 2 operator's license that entitled him to operate the type of bus he was driving at the time of the accident. A nationwide check of his driving record revealed that he had a stop sign violation in 1983 and a speeding violation in his private vehicle in 1985. In addition, he was involved in a traffic accident while driving a SamTrans bus in Palo Alto, California, on December 29, 1987. He was not charged with a violation by the police.

At the time of the January 19, 1988 accident, the busdriver was employed by the Western Greyhound Lines Company which is contracted to provide drivers and maintenance service for some of the SamTrans buses. The busdriver entered Greyhound's training program in August 1987 and was classified as a driver about 1 month later. He then started a 90-day probationary period that all new drivers must successfully complete. On November 30, 1987, before his probationary period ended, the busdriver was counseled by his supervisor regarding the busdriver's failure to follow run sheet (route) instructions, poor attendance, and lack of availability. He was told that if improvements did not occur, he would be expected to resign or be terminated. As a result of the counseling session, the busdriver agreed to an extended 30-day probation period. Western Greyhound does not report to SamTrans drivers whose probationary status is extended beyond the normal 90 days. The accident occurred during the extended probation period.

The accident busdriver had previously sought employment with other transit authorities. In September 1985, he applied for a driver's position with SamTrans, but because he scored below the cut-off level on a preemployment human relations skills test, he was not accepted. On June 29, 1987, he was hired as a part-time transit operator by the San Francisco Municipal Railway (MUNI) and was placed in their training program. On July 14, 1987, he was disqualified and released because he received four unsatisfactory road evaluations on July 3, 8, 10, and 13, 1987. The busdriver did not cite his employment with MUNI when he applied to Western Greyhound on August 3, 1987.

On December 1, 1987, the busdriver applied for a part-time position as a busdriver with the Santa Clara County Transportation District (SCCTD). He was rejected on December 21, 1987, because he failed a written preemployment examination. He did not list his MUNI driving experience on his SCCTD employment application; however, he did list his Western Greyhound experience.

The Safety Board conducted two field accident investigations in California in 1981 involving busdrivers in the MUNI system and the Southern California Rapid Transit District (SCRTD) in Los Angeles. In the February 1981 accident, a MUNI transit busdriver struck a left-turning gravel truck and injured himself and 73 bus passengers. The MUNI busdriver had two speeding citations and two accidents in the preceding 3 years. 1/

The May 1981 accident involved a SCRTD bus that went out of control and injured the busdriver and 24 of the 45 passengers. The occupants of the other vehicles involved in the accident were also injured when the out-of-control bus crashed through a median barrier guardrail and crossed oncoming traffic lanes before coming to rest off the highway. At the time of this accident, the SCRTD

1/ For more detailed information, read Field Accident Report No. LAX-81-FH-011.

busdriver had a .15 percent blood alcohol concentration. The SCRTD busdriver's driving record included a conviction for driving while intoxicated in March 1977, a speeding violation, and a traffic control violation in February 1981. <sup>2/</sup>

The Safety Board concluded that driver screening was an issue in both accidents. In these cases, however, the transit companies did not do thorough preemployment screening of the applicant driver's driving records. The companies did not determine whether these drivers had difficulties in training programs or safety problems with previous employers.

On May 30, 1986, an intercity charter bus operated by Starline Sightseeing Tours, Inc. went out of control on U.S. Route 395 near Walker, California. <sup>3/</sup> Twenty-one passengers died and 19 passengers and the driver were injured as a result of the accident. The Safety Board's investigation revealed that the busdriver in this accident did not meet preemployment qualifications with Federal Motor Carrier Safety Regulations or Starline Sightseeing Tours written policies to drive a vehicle in interstate commerce. In addition, the busdriver had been fired by a previous employer for operating a bus with a suspended California driver's license and failing to indicate this on the Starline employment application. At the time of the accident, he did hold a valid California Class 2 drivers license that enabled him to drive buses. Starline Sightseeing Tours gave the busdriver's previous employment background and driver license qualifications a less than thorough preemployment screening.

The 1981 MUNI and SCRTD and 1986 Starline Sightseeing Tours, Inc., accidents involved bus operators whose common characteristics were that they received inadequate preemployment screening. Their employers did not thoroughly check the applicant drivers' employment histories or driver records.

These investigations illustrate that more effective busdriver screening is an important safety measure that should be applied to candidates with questionable driving ability and safety records before they are considered for employment by transit bus systems. The Safety Board believes that drivers' histories and other preemployment examinations are frequently accurate predictors of an employee's performance. Consequently, the Safety Board also believes that procedures should be developed to ensure that driver training and employment histories are compiled and reviewed before an applicant is hired or enters a training program for transit busdrivers.

Various parts of the Commercial Motor Vehicle Safety Act of 1986 (CMVSA) and legislation being considered by the California Assembly address the driver screening issue. Provisions of the CMVSA address the need for commercial vehicle drivers to have only one license; the lack of State uniform licensing systems, knowledge, and skill examination standards; positive identification of commercial drivers; an information system to maintain and access driver license data; and penalties to remove unsafe commercial drivers from the road. The Safety Board previously commented to the Federal Highway Administration (FHWA) about the CMVSA, and

<sup>2/</sup> For more detailed information, read Field Accident Report No. LAX-81-FH-016.

<sup>3/</sup> Highway Accident Report--*Intercity Tour Bus Loss of Control and Rollover into the West Walker River, Walker, California, May 30, 1986* (NTSB/HAR-87/04).

it believes that if the legislation is fully implemented, it will improve commercial vehicle safety.

However, on April 14, 1988, the FHWA issued a Notice of Petition to waive six classes of vehicles, including transit buses from provisions of the CMVSA. The petition proposes exemptions from the commercial driver testing and licensing requirements for operators of vehicles within these classes. The Safety Board has responded to the petition and urged that it be denied with respect to transit busdrivers. Because of the uncertainty of the final disposition of the petition, it is imperative that California enact pending legislation to improve transit busdriver safety.

Transit authorities need to conduct more thorough applicant driver screening and background reviews to verify prior driving history beyond the normal driver license checks. That review should include obtaining data on any failed classroom or behind-the-wheel driver training, and any notification of rejection or termination from employment for safety reasons. Legislation now pending in the California Assembly would address standardized driver training and disclosure requirements for transit system operators and busdrivers that would enable prospective employers to detect and prohibit the hiring of operators who failed drivers' tests. The proposed legislation would also provide for an analyses of safety practices regarding driver training. Other pending State legislation deals with requiring driver training and certification training course content, instruction qualifications and certification, special licensing of transit busdrivers, accident reporting, transit bus and terminal inspection, and the creation of a transit system review task force.

The Safety Board believes that the CMVSA and proposed California State legislation, as a package, will be effective in improving commercial vehicle safety. Nevertheless, the Safety Board is concerned that problem drivers may still avoid California hiring authorities and may enter the transit system because there is no central location where the applicant's driver training and qualifications data may be retrieved for review or evaluated by prospective employers. A central repository of factual information on commercial busdrivers should be created. This central repository would contain safety-related employment and training history data and not the drivers' license information which could be obtained from California's State driver license files or the CMVSA's information system. The repository would contain information on employment history from applicants and in-service operators of commercial buses. It should also include any classroom or behind-the-wheel driver training attended by operators and pertinent data related to disciplinary actions by employers. This unique factual information could then be used by prospective employers to evaluate applicants for commercial driving positions.

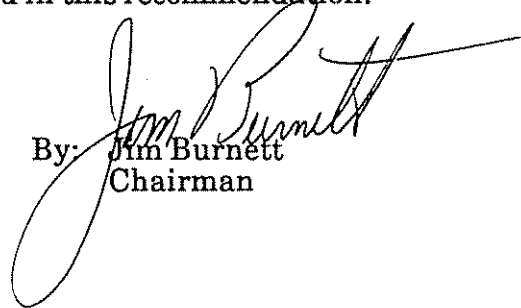
Therefore, the National Transportation Safety Board recommends that the State of California:

Establish an information system that will serve as a clearinghouse for employment history and training data on commercial operators of buses. (Class II, Priority Action) (H-88-29)

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 action taken as a result of its safety recommendations. Therefore, it would appreciate a response from you regarding action taken or contemplated with respect to the recommendation in this letter. Please refer to Safety Recommendation H-88-29 in your reply.

BURNETT, Chairman, KOLSTAD, Vice Chairman, and LAUBER, NALL, and DICKINSON, Members, concurred in this recommendation.

By:   
Jim Burnett  
Chairman

