

H-266A

NATIONAL TRANSPORTATION SAFETY BOARD WASHINGTON, D.C.

ISSUED: September 9, 1981

Forwarded to:

Honorable Drew Lewis
Secretary
Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

SAFETY RECOMMENDATION(S)

H-81-55 through H-81-59

About 4:36 p.m., on February 18, 1981, a D&J Transportation Company commuter bus occupied by the driver and 23 passengers was southbound in the median traffic lane of I-95 near Triangle, Virginia. As the bus approached the Chopawamsic Creek bridge, it veered to the driver's right, traveled across the right traffic lane, an acceleration lane, and off the pavement. The right front of the bus struck and overrode a W-section guardrail 59 feet north of the Chopawamsic Creek bridge parapet. After the left front of the bus struck the north end of the parapet, the bus became airborne and vaulted about 84 feet horizontally before landing on its right front in the creek, about 25 feet below the highway surface. The bus came to rest on its right side, roughly perpendicular to and facing the bridge, in about 2 feet of water. Eleven bus occupants, including the driver, were killed and 13 passengers were injured. 1/

The D&J Transportation Company operates nine buses; eight are used in the daily operation (usually 5 days per week) and one is kept as a reserve vehicle. The company was incorporated under the laws of the Commonwealth of Virginia in October 1979 and is operated by the company president and her husband. The bus was registered in the Commonwealth of Virginia and had been inspected in accordance with the State inspection requirements on January 29, 1981, just 3 weeks before the accident. The president handled all administrative facets of the corporate operation; her husband was responsible for the operation and maintenance of the bus fleet. The company's operation was limited to commuter transportation of workers from designated points in Fredericksburg and Stafford County, Virginia, to the Pentagon and Crystal City in Arlington, Virginia, and to Cameron Station and DARCOM in Alexandria, Virginia, and return to the designated pickup-dropoff points. The operation is intrastate, and as such, the company and bus fleet are not subject to the Federal Motor Carrier Safety Regulations (FMCSR).

1/ For more detailed information, read: Highway Accident Report--"D&J Transportation Company Commuter Bus Run-off-Roadway, I-95 Near Triangle, Virginia, February 18, 1981" (NTSB-HAR-81-6).

The company employs 11 part-time drivers who drive in the mornings and evenings while working at full-time jobs during the day. Drivers are compensated on a daily basis. The president and her husband work together on the selection and hiring of drivers. Other than payroll records, no formal application forms or performance records are maintained. The company does not have any formal driving training, in-service training, or driver improvement programs. Drivers are not required to have a physical examination.

The Safety Board, with the cooperation and assistance of the National Association of Governors' Highway Safety Representatives (NAGHSR) and the United Bus Owners of America (UBOA), attempted to define the scope of intrastate commuter bus operations throughout the United States. On April 21, 1981, the NAGHSR mailed a questionnaire to its membership asking how many intrastate commuter bus operations are in existence in each state and what state agency or agencies are responsible for regulation and for the safe condition of buses used in these operations. As of July 21, 1981, responses were received from 38 States. Three States did not have any count of commuter operations and two States did not classify such operations. The survey indicates that the number of commuter operations in 35 States is 1,604 to 1,922. The number of buses in use was not reported.

Twenty-three States delegate regulation of the commuter bus industry to a single State agency such as the Public Service Commission (PSC), the Public Utilities Commission (PUC), the State Corporation Commission (SCC), or the Department of Transportation (DOT). The State Police or Department of Public Safety (DPS) is involved in commuter bus regulation in four States, and in each of those, responsibility is shared by another State agency. Four States reported that there was no State agency involved in the regulation of intrastate commuter bus operations. There are 66 such operations in three of those States; the fourth was one which had no figures on commuter operations. It appears that for the most part the functions of the State agencies are more in the direction of licensing and revenue collecting than in such safety related items as driver selection, hours of service, and vehicle safety inspection and maintenance.

Two States have recently deregulated intrastate bus operations, and two States reported pending legislation designed to enhance bus regulation. Three States reported that they use the Federal Motor Carrier Safety Regulations as part of the intrastate bus regulation. It was not determined how many States have regulations comparable to the FMCSR.

Presently, 25 of the 50 States have Periodic Motor Vehicle Inspection Programs (PMVI). Of the 38 States which responded to the NAGHSR questionnaire, 18 have PMVI programs.

The UBOA sent questionnaires to its membership of about 700. As of June 12, 1981, 94 responses had been received. About one-third of the companies responding (32) indicated that they were engaged in commuter transportation. About 3 percent of the reported annual bus mileage was used in commuter transportation. The number of buses used in commuter transportation was not specified, but 57 percent of the reported buses in use were highway coaches. The average age of buses in use was reported to be 8.8 years. Twenty-seven of the 32 companies engaged in commuter transportation stated that they expected an increase in ridership in 1981.

No information is available to permit an assessment of the representation of intrastate commuter buses in accident statistics. The Fatal Accident Reporting System (FARS) is the only existing record that represents an entire accident population; i.e., all

fatal accidents occurring in the United States. The FARS uses five classifications for buses: School Bus, Cross Country, Transit, Other, and Unknown. Body style, entry-exit doors, and seat characteristics are the criteria by which a bus is classified, and the classification is independent of usage or ownership. The data source for the FARS is police accident reports, but presently there are no known police report forms which separately classify intrastate commuter buses.

The National Accident Sampling System (NASS), when fully operational, would probably be a statistically viable instrument to extrapolate the representation of commuter buses in accident statistics. At present, NASS uses the same bus classification as FARS. Data for NASS are gathered by federally supported teams and changes in data criteria would present substantially less logistical problems than for FARS. However, if the sampling was small, no statistically reliable extrapolation could be made.

In addition to the lack of accident statistics, no exposure data are available with respect to commuter buses. This absence would limit the utility of accident statistics, if they were available. The figures reported by the UBOA do not permit an accurate assessment of bus exposure data and accident involvement or comparison with other types of bus operations and overall accident statistics. The Department of Transportation should conduct a more comprehensive survey in an attempt to obtain a complete population of commuter bus data from each of the 50 States.

Twenty-seven of the 32 companies involved in commuter operations expect an increase in ridership this year. The Safety Board is concerned that, as an emerging public transportation alternative, its rate of growth coupled with the lack of designated oversight responsibilities in areas of driver qualification, hours of service, operation, and equipment maintenance and inspection will create an unacceptable level of risk to the system users as well as to other users of the highway facility. There should be designated, at both the Federal and State level, a single agency within the various departments of transportation, commerce, or public safety with oversight responsibilities to monitor system performance and provide whatever regulation proves necessary.

Accident records, such as the FARS and NASS as well as those at the State level, play an important role in monitoring the representation of commuter buses in accident statistics. Exposure data relating to passenger miles driven and total miles of operation should be gathered and analyzed to enhance the utility of accident statistics.

Available statistics seem to indicate that commuter buses are not, at present, overrepresented in accident statistics pertaining to bus accidents. However, the Safety Board believes that this facet of mass transportation should be monitored to see that conditions do not change. The National Highway Traffic Safety Administration (NHTSA) could play a leading role in monitoring the accident statistics and exposure growth and in encouraging each State to monitor commuter transportation within its borders. States could be encouraged to evaluate the commuter bus operations, the regulations of those operations, and the safety aspects each year.

Therefore, as a result of its complete investigation of this accident, the National Transportation Safety Board recommends that the Department of Transportation:

Establish a separate vehicle classification for commuter buses for the collection of accident data and development of safety statistics. (Class II, Priority Action) (H-81-55)

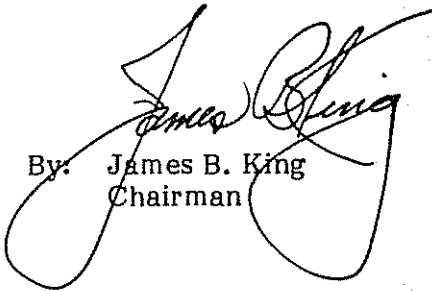
Institute a program for gathering and analyzing exposure data for the commuter bus industry. Parameters that should be included are: number of carriers, number of buses, miles traveled, rider population, and age of buses in service. (Class II, Priority Action) (H-81-56)

Survey the States to determine which state agency or agencies are responsible for the regulation of commuter intrastate buses and define the orientation of the regulation in each state; i.e., revenue or safety. (Class II, Priority Action) (H-81-57)

Evaluate the effectiveness of State regulation of commuter buses in terms of safe operation, driver qualification, hour of driver service, inspection of vehicles, vehicle maintenance, recordkeeping, and other appropriate criteria. (Class II, Priority Action) (H-81-58)

Explore the feasibility of encouraging the placement of responsibility for commuter bus regulation and safety with a single State agency and designating a single agency within the U.S. Department of Transportation to provide technical guidance. (Class II, Priority Action) (H-81-59)

KING, Chairman, DRIVER, Vice Chairman, and McADAMS, GOLDMAN, and BURSLEY, Members, concurred in these recommendations.



By: James B. King
Chairman