

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: April 12, 1984

Forwarded to:

Mr. John A. Passidomo
Commissioner
Department of Motor Vehicles
State of New York
Empire State Plaza, Room 510
Albany, New York 12228

SAFETY RECOMMENDATION(S)

H-84-9

On April 5, 1983, a 2-ton flatbed truck, loaded with a farm plow and towing another farm plow, was traveling southbound on a two-lane, two-way rural highway near Holmesville, New York. An adult passenger bus, with 20 persons on board, was following the flatbed truck at a distance of about 100 feet. As both vehicles entered a 3,820-foot-radius right curve, the towed plow suddenly separated from its hitch attachments and veered left into the opposing northbound traffic lane. A northbound tractor car-carrier semitrailer struck the plow, rupturing the tractor's left front tire. As a result, the driver lost control of the vehicle, and the vehicle veered left across the highway centerline and collided head-on with the bus. The busdriver and four bus passengers were killed. The truckdriver of the car carrier and 9 bus passengers were hospitalized with various degrees of injury. Six bus passengers were treated and released. 1/

The manufacturer of the plow equipped the plow with a slow-moving vehicle (SMV) emblem to warn operators of vehicles approaching from the rear and urged that this emblem be kept clean. State law requires that a SMV emblem be displayed on the rear of farm equipment that is operating at speeds of 25 mph or less on public highways. The Valley Supply Company, Inc., the company towing the plow at the time of the accident, stated that the plow did not display the SMV emblem at the time of the accident. Although the farm plow was being towed at a speed in excess of its design speed, the farm plow was not required by state law to have an SMV emblem on the rear since it was being towed on the public highway at a speed above 25 mph.

Section 375.1 of the New York State Vehicle and Traffic Law (VTL) requires every trailer which is operated on public highways after January 1, 1971, to be attached to the towing vehicle so as to prevent the wheels of such trailer from being deflected more than 6 inches from the path of the towing vehicle's wheels. In addition, every trailer, except semitrailers, shall be attached to the towing vehicle with a device that is approved by the State, as required by State law. The dolly and quick coupler device involved in this accident were not approved by the State, as required by State law, and the combination of the device and the farm plow in tow did not meet the maximum deflection requirement established in Section 375.1 for trailers.

1/ For more detailed information, read: Highway Accident Report--"Valley Supply Company Truck Towing Farm Plow, Anchor Freight Inc. Car-Carrier Truck New York State Association for Retarded Children Bus Collisions and Fire, State Route 8, near Holmesville, New York, April 5, 1983" (NTSB/HAR-84/01).

Given the size of the farm equipment, the design of the dolly, and the type of hitch attachment, the owner/operator should have secured the plow and dolly to the truck to preclude separation in transit. A fairly easy approach would have been to attach safety chains between the plow and the dolly and between the dolly and the flatbed truck. This safety practice is a recommended procedure established in SAE J 697a for users of full trailers or converter dollies. Safety chains probably would have kept the plow in its own lane or at least minimized its intrusion into the opposing lane.

Section 375.29a of the New York State VTL requires each dolly that is used by a tow truck operator for transporting inoperable motor vehicles to be secured with safety chains or cables. However, the law as written does not apply to a dolly used for transporting implements of husbandry (i.e. farm equipment) or off-highway use vehicles. Section 375.29a should be amended expressly to require the use of safety chains, cables, or other redundant devices with any dolly that is used to transport any vehicle on a public highway that is incapable of being towed on its own wheels.

As a result of its investigation of this accident, the National Transportation Safety Board recommends that the New York State Department of Motor Vehicles:

Seek amendment of Section 375.29a of the New York State Vehicle and Traffic Law to require the use of safety chains, cables, or other redundant devices with any dolly that is used for transporting a vehicle on public highways that is incapable of being towed on its own wheels.
(Class II, Priority Action) (H-84-9)

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" (P.L. 93-633). The Safety Board is vitally interested in any actions taken as a result of its safety recommendations, and the Board would appreciate a response from you regarding action taken or contemplated with respect to the recommendations in this letter.

BURNETT, Chairman, and BURSLEY and GROSE, Members, concurred in these recommendations. GOLDMAN, Vice Chairman, and ENGEN, Member, did not participate.


By: Jim Burnett
Chairman