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# National Transportation Safety Board

Washington, D.C. 20594  
**Safety Recommendation**

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**Date:** January 13, 1988

**In reply refer to:** H-87-60

Mr. Ralph Webb  
Webb Tours, Inc.  
1900 Kendall Street, N.E.  
Washington, D.C. 20002

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On April 4, 1987, a 70-passenger double-decked sightseeing bus, operated by Spirit of '76 Tours, Inc. and carrying a driver and 65 passengers en route to Mount Vernon, Virginia, was traveling southbound in the right lane of the Mount Vernon Memorial Highway portion of the George Washington Memorial Parkway approximately 3 1/2 miles south of Alexandria, Virginia. About 7:15 p.m. e.s.t., the top of the bus struck the Alexandria Avenue arched stone overpass. The bus was estimated to have been traveling between 22 and 42 mph. As a result of the impact, the bus roof was sheared off rearward, exposing the upper seating level. One passenger was killed and 33 passengers were injured. <sup>1/</sup>

The 29-year-old busdriver lived in Washington, D.C., and was employed by the carrier as a full-time busdriver between April and August 1985 and then as a part-time busdriver (evenings and weekends) until the accident. He worked for the carrier approximately 10 to 20 hours each week while employed as a full-time maintenance worker for a company in Fairfax, Virginia. The busdriver had worked previously in various positions for car rental agencies, and in March 1985, he was hired by Tourmobile Sightseeing as a tour vehicle driver (low-speed tour tram) in the Washington, D.C., area before he was employed by the carrier. The busdriver indicated that he was in good health with no significant chronic or acute illnesses or ailments.

The busdriver applied for a busdriver position with the carrier on April 15, 1985, and was accepted for employment. He received training in the operation of the company's British double-decked, right-hand drive buses on a parking lot approximately 4 hours each day for approximately 2 weeks for a total of 40 hours. He then advanced to supervised on-the-road driving. The busdriver was provided with routing instructions and cautions (i.e., clearance limitations) without benefit of on-route familiarization training, including the route to Mount Vernon, Virginia, via the George Washington Memorial Parkway.

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<sup>1/</sup> For more detailed information, read Highway Accident/Incident Summary Report-- "Collision of Tour Bus with Bridge Overpass on the George Washington Memorial Parkway, Alexandria, Virginia, April 4, 1987" (NTSB/HAR-87/4/SUM).

The busdriver completed the carrier's employment application on April 15, 1985, indicating that he had resided for 8 years in Washington, D.C. At the time of employment, he should have obtained a Washington, D.C., driver's license with a 31C endorsement that is required for a person driving for-hire commercial vehicles registered in Washington, D.C. Instead, the busdriver had a driver's license issued by Virginia. This license was not endorsed to permit the busdriver to operate for-hire vehicles, nor was it endorsed to permit him to operate a passenger-carrying bus with more than 32 passenger seats. Consequently, he was not properly licensed to operate a for-hire bus either in Virginia or Washington, D.C. He did not complete the section of the application that asked for a driver license history including denials, suspensions, and revocations.

On December 22, 1986, the carrier requested a driver's license record check from the Washington, D.C., Department of Motor Vehicles. The response dated February 12, 1987, indicated that there was no record of the busdriver having been licensed or having any citations in Washington, D.C. In Maryland and North Carolina, however, the busdriver was under suspension. Maryland suspended his driving privilege in 1978 because he failed to appear to answer charges of speeding and improper vehicle registration. There was one of each of these violations on the Maryland record. Maryland notified North Carolina (the busdriver's State of residence at the time of the violations) of the suspensions, and North Carolina, under a reciprocal agreement with Maryland, suspended his license. In 1984, the busdriver satisfied the criterion for the Maryland registration violation, but the speeding violation suspension remained on the record at the time of the accident. Thus, the busdriver's privilege to operate a motor vehicle was suspended in Maryland and North Carolina at the time of the accident.

In October 1986, the Commercial Motor Vehicle Safety Act of 1986 (Public Law 99-570) became law. The act requires the Federal and State governments to establish and maintain a program that identifies and tracks commercial motor vehicle drivers and their records. The Safety Board believes that when the system becomes fully operational it will yield substantial safety benefits. The Safety Board believes that the act, if properly implemented, will be a useful tool that will permit the States and motor carriers to obtain information about driving records and accidents quickly and accurately to ensure that commercial vehicle driver licenses are only issued to those with clear records.

According to Federal Motor Carrier Safety Regulation (FMCSR) (49 CFR 391.15(b)), the loss of driving privileges would normally disqualify the busdriver from driving in interstate commerce. However, the busdriver was driving in a commercial zone and was exempt from meeting most of the FMCSRs, including the driver qualifications listed in Part 391. The FMCSRs in effect for a commercial zone pertain to accident reporting requirements, hours of service, and certain requirements covering hazardous materials. The busdriver's qualification file contained the Virginia and Washington, D.C., records, but did not contain records from Maryland and North Carolina.

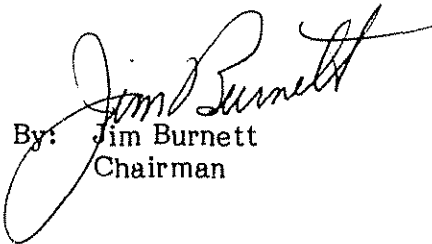
Therefore, the National Transportation Safety Board recommends that the Spirit of '76 Tours, Inc.:

Revise its hiring practices to ensure that applicant busdrivers are properly licensed and certificated to operate buses in conformance with the rules and regulations of the jurisdiction in which it operates.  
(Class II, Priority Action) (H-87-60)

Also as a result of its investigation, the Safety Board issued Safety Recommendations H-87-58 and -59 to the National Park Service and H-87-61 and -62 to the American Bus Association and the United Bus Owner's of America.

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 recommendation in this letter. Please refer to Safety Recommendation H-87-60 in your reply.

BURNETT, Chairman, and LAUBER, NALL, and KOLSTAD, Members, concurred in this recommendation. GOLDMAN, Vice Chairman, did not participate.

  
By: Jim Burnett  
Chairman

