



Loraine, Texas

June 9, 2002

Investigative Team

- James LeBerte - Motor Carrier Operations
- Mark Bagnard - Highway Factors
- Robert Accetta - Scene Documentation
- Burt Simon - Human Performance
- Hank Hughes - Survival Factors
- Ron Kaminski - Survival Factors
- Dr. Mitch Garber - Toxicology
- Joe Epperson - Metallurgy
- Dave Rayburn - Vehicle Factors / IIC



Report Development

- Debbie Curry - Editor
- Ed Pacchetti - Safety Recommendations
- Jennifer Bishop - Project Manager



Parties to the Investigation

- Federal Motor Carrier Safety Administration
- Texas Department of Transportation
- Texas Department of Public Safety
- Greyhound Lines, Inc.
- Consolidated Safety Services



Safety Issue and Proposed Recommendations Recipient

- Safety and management oversight of new entrant motor carriers
- Federal Motor Carrier Safety Administration







Vehicle Speeds

- Tractor-semitrailer traveling about 15 to 18 mph
- Greyhound bus traveling about 65 to 70 mph





Lighting Conditions

- Darkness
- No artificial highway safety lighting
- Only 2 percent of moon's visible disc was illuminated
- Greyhound bus was operating with low-beam headlights on



DelCar Semitrailer Lighting Inspection

- Defective wiring
- Burned-out fuse
- Shorted taillights



Busdriver and Witness Statements

- Busdriver stated semitrailer lights were not illuminated
- Witnesses on bus stated they did not see lights on semitrailer
- CB radio report of tractor-semitrailer operating without lights





Accident

- Absence of natural light
- Absence of artificial lighting
- Semitrailer's inoperative lighting equipment
- Lack of retroreflective sheeting
- High closure rate



Truckdriver Toxicology Results

- Benzoylcegonine found in blood and urine
- Evaluation indicates cocaine likely used within a few hours prior to the accident
- Driver impaired



Motor Carrier Safety



DelCar Trucking Company

- August 17, 2000
 - Registered with FMCSA
 - 2 tractors and 3 semitrailers
 - 4 drivers
- At time of accident
 - 13 tractors and 25 semitrailers
 - 19 drivers



DelCar Owner Experience

- Started as truckdriver in 1984
- Became owner/operator in 1991
- Felony drug conviction in 1999
- Some knowledge of driving rules
- Little knowledge of motor carrier operations safety regulations



DelCar Roadside Inspections

- 35% of vehicles with critical safety violations
National average 23%
- 17% of drivers with critical safety violations
National average 8%



DelCar Compliance Review

- No drug and alcohol testing program
- No driver qualification files
- Using drivers without current medical certification
- Hours-of-service violations
- No vehicle inspection and maintenance records
- Failure to require drivers to prepare vehicle inspection reports
- Operating without insurance



DelCar Compliance Review Results

- Unsatisfactory rating on June 18, 2002
- 60 days to improve rating or cease operation
- Operating authority revoked on August 18, 2002



New Entrant Safety Data

- Higher accident rates
- Worse scores in driver and vehicle safety evaluation areas
- More acute and critical violations
- Worse compliance with FMCSR_s
- Less oversight by FMCSA



Safety Status Measurement System (SafeStat)

- Used to evaluate a motor carrier's safety performance and compliance with regulations
- Safety evaluation areas
 - Driver
 - Vehicle
 - Safety management
 - Accident rate



SafeStat Score

- Scores above 75 in one area are deficient
- DelCar's scores
 - 92.69 in driver safety evaluation area
 - 79.23 in vehicle safety evaluation area
 - Not rated in accident rate and safety management safety evaluation areas
- Sum of scores in all areas determines overall score



SafeStat for New Motor Carriers

- 40,000 motor carriers granted authority each year
- New motor carriers not scored in all categories
- New motor carrier scores not high enough to warrant compliance review



New Entrant Motor Carrier Regulations Prior to January 1, 2003

- Application process
 - MCS-150
 - OP-1
 - \$300 application fee
- Authority granted with no further review



Current New Entrant Motor Carrier Regulations

- FMCSA educational materials
- Application process
 - MCS-150
 - OP-1
 - \$300 application fee
 - MCS-150A
- Safety review within 18 months



Current New Entrant Motor Carrier Application

Regulations

- Knowledge of regulations
- System in place to comply with regulations
- No drug possession felonies
- Safe operation

DelCar Applicant

- No knowledge of regulations
- No system to ensure compliance with regulations
- Drug possession felony
- No assurance of safe operation



Department of Defense

- 1992 prequalification program
- Knowledge test (25% fail)
- Prequalification inspection (40% fail)
- Those that pass granted authority
- All carriers that have failed had satisfactory ratings from FMCSA



New Entrant Motor Carrier Program

- Prior to beginning operation
 - Display knowledge and understanding of safety regulations
 - Have safety management system in place
 - Demonstrate ability to operate safely
- Safety assurance



