

NATIONAL TRANSPORTATION SAFETY BOARD
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Forwarded to:

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Director, Division of Motor Vehicles
Department of Law and Public
Safety
25 South Montgomery Street
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SAFETY RECOMMENDATION(S)

H-78-27 and 28

About 11:55 a.m. on July 6, 1977, a truck, with a gross weight of 52,000 pounds, struck an automobile at the intersection of U.S. Route 206 and County Road Route 616 near Vincenttown, New Jersey. The truck-driver and six of the seven occupants of the automobile were killed.

The National Transportation Safety Board's investigation of the accident revealed that the truckdriver was exceeding the speed limit. The truck's brakes were in good condition, but there was no evidence of preimpact braking.

The truckdriver had been issued a New Jersey "basic driver license" which allows operation of all vehicles except motorcycles, omnibuses, schoolbuses, and certain other vehicles that weigh more than 18,000 pounds. He had been driving for his employer, a private intrastate carrier, intermittently for more than 5 years. During that time he was convicted of driving while under the influence of an intoxicating liquor, had his operator license suspended, and was involved in two accidents. During the 3 years before his employment, he had been convicted of careless driving, speeding, and driving while impaired. His employer was not required to and had not checked his driving record either before hiring him or during his employment.

Federal Motor Carrier Safety Regulations require employers operating motor vehicles in interstate commerce to check a prospective driver's driving record for the previous 3 years and to annually review his driving record. New Jersey has no such law for employers operating intrastate. Had the employer been required to check the driver's record and thus been made aware of his convictions, he might not have hired him.

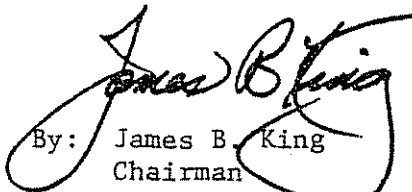
The operation of the various types, sizes, or combinations of motor vehicles requires different skills, and applicants for driver licenses should be tested in the vehicles in which they will drive. At the time of this accident, the State of New Jersey did not have a license classification system for truckdrivers. An amended driver licensing law, which became effective on September 1, 1977, in New Jersey, still allows persons with a basic operator's license to drive all trucks unless their operation is prohibited by other regulations. This does not adequately protect the public. The ability to drive an automobile does not necessarily qualify a person to drive a heavy truck. This is recognized in the National Highway Traffic Safety Administration's Highway Safety Program Standard No. 5 which recommends that a vehicle classification plan include classed licenses for single vehicles weighing more than 24,000 pounds. Possibly, had the truckdriver been required to pass a test in the type of vehicle he was driving, he may have been a more responsible and defensive driver.

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

Develop and implement a classified driver licensing system, which conforms to the National Highway Traffic Safety Administration Highway Safety Program Standard No. 5, "Driver Licensing."
(Class II, Priority Action) (H-78-27)

Develop and implement regulations that require employers to make preemployment investigations and inquiries into the driving record of each truckdriver it employs. The requirements should be similar to those found in 49 CFR 391.23 and 391.25 of the Federal Motor Carrier Safety Regulations. (Class II, Priority Action) (H-78-28)

KING, Chairman, McADAMS, HOGUE, and DRIVER, Members, concurred in the above recommendations.


By: James B. King
Chairman