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**NATIONAL TRANSPORTATION SAFETY BOARD**  
**WASHINGTON, D.C.**

ISSUED: May 16, 1978

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Forwarded to:

Honorable Karl S. Bowers  
Acting Administrator  
Federal Highway Administration  
Washington, D.C. 20590

SAFETY RECOMMENDATION(S)

H-78-40 through 44

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On May 12, 1977, a partially loaded Ford Construction Company flatbed truck towing a flatbed utility semitrailer fully loaded with a loader-backhoe tractor accelerated out-of-control while descending a curved, steep, long grade on U.S. 221 near Marion, North Carolina. The loader-backhoe tractor broke free of the semitrailer and collided with an oncoming van when the truck-semitrailer skidded out-of-control while attempting to negotiate a curve. Five occupants of the van were killed and three persons were injured. 1/

The capability to maintain control of truck-semitrailer speed while descending the grade was seriously degraded by inoperative semitrailer brakes. The inoperative semitrailer brakes were the result of inept maintenance performed by the construction crew. Inadequate company policies and procedures provided no significant methods to prevent or correct this type of maintenance. A Bureau of Motor Carrier Safety (BMCS) survey of the company's vehicle maintenance program revealed a serious lack of compliance with the letter or intent of Federal Motor Carrier Safety Regulations. Because of this finding, the BMCS should maintain strict surveillance of the company's compliance with these recommendations.

The Safety Board has issued a number of recommendations to the U.S. Department of Transportation and the Federal Highway Administration that are applicable to preventing unsafe vehicles of this type from operating on an interstate basis. The Safety Board notes that the BMCS has recently placed additional emphasis on vehicle inspections and terminal surveys and is currently seeking additional resources to expand

1/ For more detailed information on this accident read: "Ford Construction Company Truck-Semitrailer/Dodge Van Collision, U.S. Route 221, Near Marion, North Carolina, May 12, 1977," (NTSB-HAR-78-3).

these activities, which is responsive to the Safety Board's recommendations in this area. A recent Safety Board recommendation concerning enforcement of BMCS regulations is being reiterated in this letter to further emphasize its importance. This accident report is also the second report wherein the DOT and BMCS have been advised that some procedure is needed to inform BMCS of the identity of all carriers, vehicles and drivers under its jurisdiction. 2/ Formal recommendations regarding this matter are also included. The Safety Board will continue to vigorously seek the implementation of programs that will insure achieving the goals of these recommendations.

There were no escape routes provided for out-of-control vehicles along this downgrade. Escape routes seem unable to consistently compete with other safety improvement projects on a cost-benefit basis. Therefore, even though the geometric character of the grade may indicate a potential for out-of-control or runaway vehicle accidents, escape routes may not be provided. Specially funded Federal programs have been established for grade crossings, off-road hazard clearance and other similar projects. These programs insure some upgrading of locations where there is a potential for severe accidents but where improvements may not be justified in strict cost-benefit terms. The Safety Board believes that the feasibility of developing a similar approach for providing escape routes should be investigated.

In a previous accident report the Safety Board recommended that the FHWA establish a design policy that would prevent further construction of long and/or steep highway grades that have the potential for generating runaway vehicles unless escape routes were to be provided. 3/ The FHWA has developed preliminary standards regarding how to design escape routes, but to date, no design policy of the type recommended by the Safety Board has been established. The Safety Board continues to believe that such a design policy is necessary and will vigorously pursue its establishment.

As a result of these findings and recommendations, the National Transportation Safety Board recommends that the Federal Highway Administration:

Establish a procedure that will serve to identify all carriers, vehicles, and drivers under Federal Highway Administration jurisdiction. (Class II, Priority Action) (H-78-40)

2/ "Highway Accident Report -- Tractor-Semitrailer/Schoolbus Collision and Overturn, Rustburg, Virginia, March 8, 1977," (NTSB-HAR-78-1).

3/ "Highway Accident Report -- Francisco Flores Truck/Pickup Truck With Camper and Trailer Collision, U.S. Route 395, Bishop, California, June 29, 1974," (NTSB-HAR-75-5).

Establish a procedure that will serve to inform all carriers and drivers under Federal Highway Administration jurisdiction of their responsibilities in regard to the Federal Motor Carrier Safety Regulations. (Class II, Priority Action) (H-78-41)

Maintain strict surveillance of the Ford Construction Company's compliance with the provisions of the Federal Motor Carrier Safety Regulations. (Class I, Urgent Action) (H-78-42)

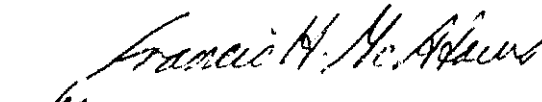
Investigate and report to the Safety Board on the feasibility of specially funded Federal programs to provide escape routes for out-of-control vehicles along already constructed grades where there is a potential for out-of-control accidents but where escape routes are not justified in strict cost-benefit terms. (Class II, Priority Action) (H-78-43)

Expedite action to establish a design policy that would prevent further construction of long and/or steep highway grades that have the potential for generating runaway vehicles without providing escape routes. (Class I, Urgent Action) (H-78-44)

The Safety Board also reiterates the recommendation that it made in Highway Accident Report NTSB-HAR-78-1:

Revise its enforcement policy which now precludes the filing of charges against drivers and carriers in violation of the Federal Motor Carrier Safety Regulations unless they have previously been served with a copy of the safety regulations to permit the filing of charges for violations under severe circumstances such as preventable, fatal highway accidents. (Class I, Urgent Action) (H-78-12)

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

  
for By: James B. King  
Chairman



NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

ISSUED: June 7, 1978

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Forwarded to:

Governors of all States  
(See attachment)

SAFETY RECOMMENDATION(S)

H-78-45

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On March 8, 1977, a tractor-semitrailer struck the rear of a Campbell County (Virginia) Public Schools schoolbus on U.S. Highway 29, near Rustburg, Virginia. Three of the 33 occupants of the schoolbus died in the collision. A copy of the National Transportation Safety Board's report of its investigation of this accident is enclosed.

At the time of the accident, the truckdriver held valid driver licenses from the States of Florida and North Carolina. He has been licensed in North Carolina since the early 1960's. A review of his driving record over the past 17 years, which included the operation of commercial vehicles, revealed that he had accumulated 38 traffic violation convictions in eight States, six driver license suspensions, and four highway accidents. Twenty-one of these traffic convictions, the suspensions, and the accidents occurred in North Carolina.

The National Highway Traffic Safety Administration Highway Safety Program Standard (HSPS) No. 5, Driver Licensing, requires that each State have a driver license program that allows each driver to hold only one license, which identifies the type(s) of vehicle(s) the driver is authorized to operate. HSPS No. 5 also suggests that each State identify problem drivers and act to reduce the frequency of their involvement in traffic accidents and violations through a driver improvement program. The Safety Board believes that a driving record such as that amassed by the truckdriver in the Virginia accident indicates a problem driver and that cases such as his should be dealt with as described in HSPS No. 5.

Also, Chapter 6 of the Uniform Vehicle Code (UVC), which several States have adopted, states:

No person shall receive a driver's license unless and until he surrenders to the department all valid licenses in his possession issued to him by this or any other jurisdiction--no person shall be permitted to have more than one valid driver's license at any time.

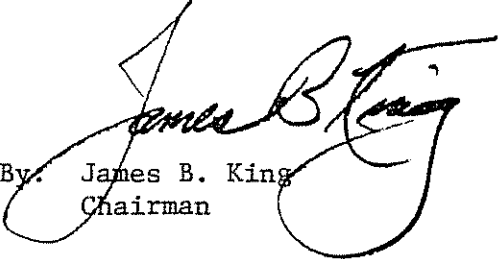
The State of Florida had issued this truckdriver a license, even though he held a valid North Carolina license.

We recognize that the implementation and conduct of driver improvement programs require a significant effort by each State. The removal of problem drivers from our highways is a positive step toward preventing highway traffic accidents and saving lives.

Therefore, the National Transportation Safety Board recommends that each State:

Review its driver licensing program(s) to insure that it conforms to the one-license concept and the driver improvement program suggested by Highway Safety Program Standard No. 5, Driver Licensing, and by the guidelines set forth in Chapter 6 of the Uniform Vehicle Code. (Class I, Urgent Action) (H-78-45)

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

By:   
Chairman

Attachment

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