



National Transportation Safety Board

Washington, D.C. 20594

Safety Recommendation

Date: June 20, 1991

In reply refer to: H-91-14

Mr. Mark Subjeck
 President
 Double B Auto Sales, Inc.
 250 Lien Road
 West Seneca, New York 14224

About 5:40 p.m. on July 26, 1990, a truck operated by Double B Sales, Inc., transporting eight automobiles entered a highway work zone near Sutton, West Virginia, on northbound Interstate Highway 79 and struck the rear of a utility trailer being towed by a Dodge Aspen. The Aspen then struck the rear of a Plymouth Colt, and the Double B truck and the two automobiles traveled into the closed right lane and collided with three West Virginia Department of Transportation (WVDOT) maintenance vehicles.

Fire ensued, and the eight occupants in the Aspen and the Colt died. The Aspen, Colt, Double B truck, and two of the three WVDOT vehicles were either destroyed or severely damaged. The Double B truckdriver and one firefighter sustained minor injuries.¹

The Double B truckdriver reported that he rested in the cab of his vehicle for 7 1/2 hours the morning of the accident. His activities, as he reported them, indicate that he drove a total of 10 1/4 hours after he left Orange Park, Florida, at 10 p.m. the previous evening. However, the Safety Board questions whether the driving time could have been as short as 10 1/4 hours.

The total distance traveled, as determined by a West Virginia Public Service Commission (PSC) test run, was 689 miles. To travel this distance in 10 1/4 hours, the Double B truck would have had to average 67.2 mph over the entire trip. The Safety Board considers it unlikely that the Double B truck could have maintained this average speed under any circumstances.

In addition, because the Double B truckdriver reported that on several occasions he had pulled over to allow faster vehicles to pass in the hilly terrain, the Safety Board believes that the Double B truck could not have been driven over the route from Orange Park to the accident site as the same speed as an automobile. This indicates that it took the loaded Double B truck longer than the 11 hours 9 minutes it took the West Virginia PSC driver

¹For more detailed information, read Highway Accident Report--"Multiple Vehicle Collision and Fire in a Work Zone on Interstate Highway 79 near Sutton, West Virginia, July 26, 1990" (NTSB/HAR-91/01).

to travel the truck's route by automobile. The Safety Board, therefore, concludes that the Double B truckdriver drove more than the 10 1/4 hours reported. If the truckdriver made other stops as he stated, it is unlikely that he spent 7 1/2 hours sleeping or resting in the truck's cab the morning before the accident.

The Federal Motor Carrier Safety Regulations, (FMCSR) defines "on-duty" time as all time in or upon any motor vehicle, except time spent resting in a sleeper berth. The FMCSR minimum required dimensions for a sleeper berth are 75 inches long and 24 inches wide. Since the maximum interior length of the Double B truck cab was on 69 inches, the Double B truckdriver would be considered on-duty during this entire time.

The fact that on July 16, 1990, Double B executed a certificate finding the accident truckdriver fully qualified indicates that Double B was aware of the truckdriver's driving violations, convictions, and suspension record. In addition, a Federal Highway Administration review of Double B's safety compliance disclosed numerous violations, indicating that although Double B could have done so, it failed to properly oversee its drivers' activities, especially in the area of compliance with Federal hours of service rules. Double B officials should institute procedures, such as inquiring when a truckdriver calls in, to determine whether s/he is obtaining proper rest while on overnight or longer trips. In addition, Double B should audit drivers' expense claims to determine whether truckdrivers without sleeper berths use proper facilities to obtain the required off-duty time.

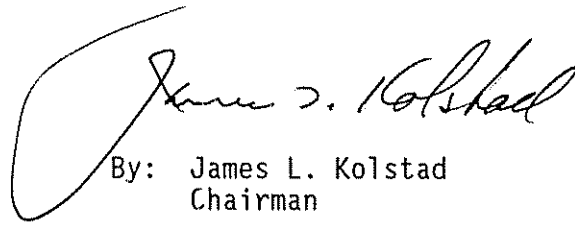
Therefore, the National Transportation Safety Board recommends that the Double B Auto Sales, Inc.:

Institute procedures to ensure that company drivers obtain required off-duty or sleeper-berth time in facilities that meet the requirements of the Federal Motor Carrier Safety Regulations. (Class II, Priority Action) (H-91-14)

Also, the Safety Board issued Safety Recommendations H-91-15 through -21 to the West Virginia Department of Transportation, H-91-22 through -25 to the State of New York, H-91-26 to the National Automobile Transporter's Association, and H-91-27 through -31 to the Federal Highway Administration.

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 action taken as a result of its safety recommendations. Therefore, it 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-91-14 in your reply.

KOLSTAD, Chairman, COUGHLIN, Vice Chairman, LAUBER, BURNETT, and HART,
Members concurred in this recommendation.



By: James L. Kolstad
Chairman