



# National Transportation Safety Board

Washington, D. C. 20594

## Safety Recommendation

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Date: June 20, 1991

In reply refer to: H-91-22 through -25

Ms. Patricia B. Adduci, Commissioner  
Department of Motor Vehicles  
State of New York  
Empire State Plaza  
Albany, New York 12228

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About 5:40 p.m. on July 26, 1990, a truck operated by Double B Auto 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.<sup>1</sup>

The State of New York does not assess driving violation points for out-of-State traffic convictions. Therefore, the Double B truckdriver received no points on his New York license as a result of his New Jersey and Pennsylvania convictions.

Had New York assessed points for these driving violations, the truckdriver's license might have been suspended for longer than the 2 days it took to settle the New Jersey violation or the 10 days it took to settle the Pennsylvania violation. The Safety Board believes that New York should institute procedures to assess driving violation points for out-of-State driving violation convictions to ensure that a driver's complete record is considered when deciding whether to suspend or revoke the driving privilege. There also should be an automatic suspension of driving privilege pending

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<sup>1</sup>For 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)

an examiner's review, and any discussion during that review, with the rationale behind it, should be documented. The New York State Driver Improvement Program should also provide a limit on the number of times a driver's license can be suspended before it is revoked and establish a period of time before the driver may reapply for licensing.

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

Institute procedures to assess points for out-of-State driving violation convictions of New York-licensed drivers. (Class II, Priority Action) (H-91-22)

Institute procedures in the Driver Improvement Program to require an automatic suspension of driving privileges for persistent violators pending review by an examiner. (Class II, Priority Action) (H-91-23)

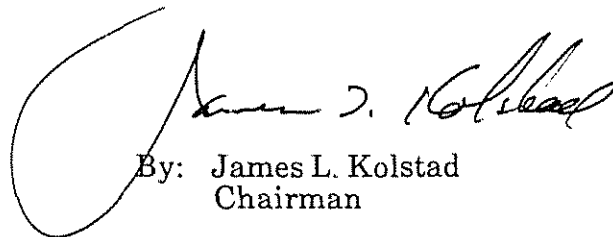
Institute procedures in the Driver Improvement Program to document decisions made by examiners and the rationale for actions taken after a formal review of a persistent violator's driving record. (Class II, Priority Action) (H-91-24)

Institute procedures in the Driver Improvement Program to require a limit on the number of times a driver's license can be suspended before it is revoked and establish a period of time before the driver may reapply for licensing. (Class II, Priority Action) (H-91-25)

Also, the Safety Board issued Safety Recommendations H-91-14 to the Double B Auto Sales, Inc.; H-91-15 through -21 to the West Virginia Department of Transportation; 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 recommendations in this letter. Please refer to Safety Recommendations H-91-22 through -25 in your reply.

KOLSTAD, Chairman, COUGHLIN, Vice Chairman, LAUBER, BURNETT, and HART, Members, concurred in these recommendations.



By: James L. Kolstad  
Chairman