

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: December 14, 1983

Forwarded to:
Honorable Ray A. Barnhart
Administrator
Federal Highway Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

SAFETY RECOMMENDATION(S)

H-83-68

On February 24, 1983, an empty dump truck, traveling north on State Route 96, a two-lane rural highway near Willow Creek, California, suddenly veered left across the centerline and collided head-on with a southbound schoolbus loaded with 37 occupants. The truckdriver and one schoolbus passenger seated directly behind the schoolbus driver were killed; the schoolbus driver and 30 passengers were injured. 1/

Available medical records indicate that the truckdriver had several medical problems. He was admitted to a hospital in 1965 after complaining of loss of memory and dizziness. The diagnosis was schizoid personality, convulsive disorder, and anxiety reaction. He was referred to a psychiatrist for treatment. From 1966 to 1972, he periodically suffered from the loss of vision. The diagnosis was renal glycosuria (an abnormally large amount of sugar in the urine), and he was advised to have frequent small meals which had high protein contents. He later reported to his doctor that eating five or six candy bars per day prevented passing out spells. Following an episode of loss of vision in 1978, the truckdriver was referred to the Humboldt County Mental Health Clinic in Eureka, California. Several electroencephalograms were performed as a result of his passing out spells, but the test results were normal.

In 1972, the truckdriver was treated for a lower abdominal muscle strain with an associated diagnosis of hypoglycemia (low blood sugar). Symptoms of hypoglycemia are characterized by sudden onset and include faintness, inability to concentrate, sweating, weakness, nervousness, hunger, sometimes mental confusion, and visual disturbances and unconsciousness. Medical records also showed that between 1972 and 1982 he had a left exploratory tympanotomy and stapes mobilization, suffered from hypoglycemia, had an appendectomy and was treated for hemorrhoids, proctitis, bursitis, and a cyst. He had a hemorrhoidectomy in 1982.

There is no record of the truckdriver having reported any of the above medical problems either on his employment application, dated July 1980, or during his medical examination performed for his truckdriver's license renewal in March 1981. 2/ However, he did advise his immediate supervisor of his hypoglycemia problem. Under the "Health and History" section on the medical examination form, the truckdriver checked "no" for

1/ For more detailed information, read Highway Accident Report--"Collision of Humboldt County Dump Truck and Klamath-Trinity Unified District Schoolbus, State Route 96 near Willow Creek, California, February 25, 1983" (NTSB/HAR-83/05).

2/ The medical certification examination was in compliance with 49 CFR 391.41-49.

the following items: seizures, fits, convulsions or fainting, nervous stomach, suffering from any other disease, psychiatric disorder, and any other nervous disorder. Although the medical examination was performed by a licensed medical doctor, none of his previous medical conditions were noted on the medical examination form.

The truckdriver did not properly advise his employer of all his medical problems. The truckdriver had two medical examinations between 1980 and 1982; a preemployment physical examination before beginning work with Humboldt County, and another routine physical examination which was performed in conjunction with his driver's license renewal. Neither examination uncovered any of the truckdriver's previous medical problems. Although the truckdriver knew of at least two of his medical problems, there is no record of the truckdriver having reported any of his medical problems during these two examinations. By failing to volunteer this information, the truckdriver hampered the examining physician's ability to diagnose his medical problems accurately and their possible bearing on the truckdriver's ability to work and drive.

A review of Federal Motor Carrier Safety Regulation (FMCSR) 49 CFR 391.43 indicates that there are also no provisions in these regulations prohibiting the falsification or omission of medical information in connection with the medical certification physical examination. The health history section of the examination report requires the applicant to answer certain questions. It is not apparent that the applicant must provide answers that are true and complete. The Safety Board believes that the Federal Highway Administration should consider revising the FMCSR to add therein a provision, similar to 14 CFR 69.20(a), 3/ which relates to the medical certification of airmen, prohibiting false, fictitious or fraudulent statements on interstate commercial drivers' medical certificates of physical examination.

As a result of its investigation of this accident, the National Transportation Safety Board recommends that the Federal Highway Administration:

Revise Federal Motor Carrier Safety Regulation 49 CFR 391.43 to incorporate a provision, similar to that specified in 14 CFR 67.20(a) for airmen medical certification, which will prohibit the falsification or omission of medical information in connection with a medical certification physical examination. (Class II, Priority Action) (H-83-68)

3/ Code of Federal Regulations, Title 14, Part 67, Section 67.20(a):

Applications, certificates, logbooks, reports, and records: Falsification, reproduction, or alteration.

(a) No person may make or cause to make-

(1) Any fraudulent or intentionally false statement on any application for a medical certificate under this part;

(2) Any fraudulent or intentionally false entry in any logbook, record, or report that is required to be kept, made, or used, to show compliance with any requirement for any medical certificate under this part;

(3) Any reproduction, for fraudulent purpose, of any medical certificate under this part;

(4) Any alteration of any medical certificate under this part.

(b) The commission by any person of an act prohibited under paragraph (a) of this section is a basis for suspending or revoking any airman, ground instructor, or medical certificate or rating held by that person.

BURNETT, Chairman, GOLDMAN, Vice Chairman, McADAMS, BURSLEY, and ENGEN, Members, concurred in this recommendation.


By: Jim Burnett
Chairman