



National Transportation Safety Board

Washington, D.C. 20594

Safety Recommendation

Date: November 30, 1998

In Reply Refer To: H-98-49

Mr. Francis B. Francois
Executive Director
American Association of State Highway and Transportation Officials
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Recently, the National Transportation Safety Board has investigated transit bus accidents in Normandy, Missouri; Cosmopolis, Washington; New York, New York; and Nashville, Tennessee.¹ The Normandy, New York, and Nashville accidents exposed various operational deficiencies such as unqualified drivers, drivers with hazardous medical conditions, inadequate maintenance practices, and the operation of buses with mechanical defects. The Cosmopolis accident revealed that certain laws and school transportation safety operational practices are not applicable to transit operations.² Had these deficiencies been found during other types of bus operations,³ which fall under Federal and State government safety regulations, sanctions could have been imposed, such as assessing fines, taking the buses out of service, or suspending the company operations. However, no such Federal regulations are in place for transit buses. Of the four accident locations, only New York conducts some type of oversight of transit bus operations.

¹For more detailed information, read Highway Accident Summary Report—*Transit Bus Collision with Pedestrians, Normandy, Missouri, June 11, 1997* (NTSB/HAR-98/01/SUM); Highway Accident/Incident Summary Report—*Collision with a Pedestrian by a Utility Truck near Cosmopolis, Washington, November 26, 1996* (NTSB/HAR-97/01/SUM); and National Transportation Safety Board Accident Investigations—*Transit Bus Collision with Pedestrian in New York City, New York, October 2, 1997* (HWY98FH019) and *Transit Bus Collision with Multiple Vehicles in Nashville, Tennessee, August 31, 1998* (HWY98FH042).

²Laws that require traffic to stop for school buses that are loading or discharging students are not in effect for transit buses. A transit bus is neither painted yellow, equipped with stop arms or bars, nor required to have its driver ensure that children are safely out of the roadway after exiting the bus.

³Interstate motor coach or charter buses.

As a result of the Normandy, Missouri, accident in which four pedestrians were killed and three injured, the Safety Board held a public hearing on March 3 and 4, 1998, to determine the extent of transit bus safety oversight. During the public hearing, witnesses representing State and Federal government agencies testified as well as representatives from several transit agencies, member service organizations, and State associations. The participants in the hearing discussed transit agency self-regulation, the extent of Federal and State safety oversight, accident data, pupil transportation, and driver selection and qualification.

After the Safety Board conducted several accident investigations involving transit buses and held the public hearing on transit bus safety in March 1998, it found that substantial safety deficiencies and little Federal or State government safety oversight exist within the transit bus industry. The Safety Board understands that the Federal Government is spending \$6.34 billion to subsidize the operation of transit agencies;⁴ yet, its safety oversight of transit bus operations is essentially nonexistent. The public expects that transit bus operations, whether publicly owned or subsidized, are safe.⁵

Although safety programs at the Federal level are essentially nonexistent and the State programs vary, the American Public Transit Association (APTA) has developed two programs to provide for safe operations at its member transit agencies. However, these programs are not available to all transit agencies (only to APTA membership, which is less than 10 percent of all transit agencies) and have a fee associated with them.

APTA has drafted the Bus Safety Management Program (BSMP), a system safety program that will be applicable to transit bus operations, as well as the *Manual for the Development of Bus Transit System Safety Program Plans*. The BSMP is similar to the APTA rail rapid transit system safety program, on which the FTA State Safety Oversight of Rail Fixed Guideway Systems Program was modeled. The BSMP will help transit agencies set up a safety program in conformance with the *Manual for the Development of Bus Transit System Safety Program Plans*. APTA will then examine each system safety program on a triennial basis and evaluate whether the transit agency has: a system safety program plan that is in conformance with the APTA *Manual for the Development of Bus Transit System Safety Program Plans*; its system safety program plan fully implemented; and conducted an internal safety audit program to identify, track, and resolve safety program deficiencies. However, compliance with the safety oversight of operations will still be the responsibility of the individual transit agency even with the implementation of the BSMP.

In 1993, APTA conducted a survey of the hiring practices of various transit agencies because of concerns within the transit industry about the ratio of accident and employee-retention rates of newly hired drivers compared with experienced drivers. Over 100 agencies responded to the survey, resulting in the APTA conclusion that the then-existing recruiting and hiring

⁴Of this amount, over \$2.5 billion is provided for transit bus operations.

⁵For more detailed information, read Special Investigation Report—*Transit Bus Safety Oversight* (NTSB/SIR-98/03).

practices were extremely diverse. In December 1994, APTA published the final report *Bus Operator Selection System*⁶ (BOSS), which details a selection system that could be adopted by a transit agency and allow the recruitment of drivers who would be more likely to maintain stable attendance and employment records. In addition to employment stability, according to APTA, this system would also reduce the accident rates typically experienced with new operators, as has been encountered by those transit agencies that evaluated the system.

Since its inception, BOSS has been implemented at 31 agencies, including the New York City Transit Authority, and numerous agencies are in the process of implementing this selection system. According to APTA testimony at the public hearing, program start-up requires a major commitment on the part of the transit agency to internally probe its processes and to involve its human resource and operations people in preparing for implementation. Additionally, the BOSS program has a cost factor associated with it for the ongoing support of the consultant who developed it. APTA believes that because of these factors, the BOSS program will probably require time to be universally accepted and applied but eventually all APTA transit agency members will use the program.

At the public hearing, the Community Transportation Association of America (CTAA) voiced its concern that the BOSS program primarily addresses the problems facing the APTA membership. The CTAA emphasized that New York City alone hires about 1,200 bus operators annually and the rural transit network nationwide totals only between 6,000 and 7,000 bus operators. The number difference in hiring demands results in different training and recruitment needs for smaller rural transit systems. The typical CTAA member employs a total of six busdrivers, whose employment involves low turnover and wages.⁷ The CTAA also testified that because its members operate in rural areas, the labor market is limited and many of the operators believe that they are almost forced to hire the available drivers and then attempt to train them to be qualified safe bus operators.

While APTA has taken steps to ensure that uniform safety and qualifications will be applied to its member transit bus agencies, this only represents 10 percent of all transit agencies. Consequently, the Safety Board concludes that a model comprehensive safety program is not available for all transit bus agencies, only urban transit agencies that are members of APTA.

The National Transportation Safety Board, therefore, recommends that the American Association of State Highway and Transportation Officials:

Develop, in cooperation with the U.S. Department of Transportation, the American Public Transit Association, and the Community Transportation Association of America, a model comprehensive safety program(s). (H-98-49)

⁶APTA contracted Landy Jacobs, Inc., a human resource consulting firm based in State College, Pennsylvania, to develop this project.

⁷Approximately 10 percent of the CTAA's membership only pay their busdrivers minimum wage.

In addition, the Safety Board issued Safety Recommendations H-98-43 through -46 to the U.S. Department of Transportation, H-98-47 to the American Public Transit Association, H-98-48 to the Community Transportation Association of America.

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-98-49 in your reply. If you need additional information, you may call (202) 314-6441.

Chairman HALL, Vice Chairman FRANCIS, and Members HAMMERSCHMIDT, GOGLIA, and BLACK concurred in this recommendation.

By: Jim Hall
Chairman