



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: January 28, 2013

In reply refer to: H-12-65

Mr. Bill Graves
President and Chief Executive Officer
American Trucking Associations
950 North Glebe Road, Suite 210
Arlington, VA 22203

Mr. Jim Johnson
President
Owner-Operator Independent Drivers
Association
1 NW OOIDA Drive
Grain Valley, MO 64029

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in other modes of transportation—railroad, highway, marine, and pipeline. The NTSB determines the probable cause of the accidents and issues safety recommendations aimed at preventing future accidents. In addition, the NTSB carries out special studies concerning transportation safety and coordinates the resources of the federal government and other organizations to provide assistance to victims and their family members affected by major transportation disasters. We are providing the following information to urge the American Trucking Associations and the Owner-Operator Independent Drivers Association to take action on the safety recommendation being issued in this letter.

On December 11, 2012, the NTSB adopted its report on the Miriam, Nevada, highway-railroad grade crossing collision on June 24, 2011, in which a Peterbilt truck-tractor pulling two empty side-dump trailers and traveling north on US Highway 95 struck an Amtrak passenger train. The collision destroyed the truck-tractor and two passenger railcars. Four train passengers, the train conductor, and the truck driver were killed.¹ Additional information about this accident and the resulting recommendations may be found in the investigation report, which can be accessed at our website, <http://www.nts.gov>, under report number NTSB/HAR-12/03.

As a result of this investigation, the NTSB issued a total of 19 new recommendations to the Federal Motor Carrier Safety Administration, the National Highway Traffic Safety

¹ See *Highway–Railroad Grade Crossing Collision, US Highway 95, Miriam, Nevada, June 24, 2011*, Highway Accident Report NTSB/HAR-12/03 (Washington, DC: National Transportation Safety Board, 2012).

Administration, the Federal Highway Administration, the Federal Railroad Administration, the Nevada Highway Patrol, the Commercial Vehicle Safety Alliance, the Towing and Recovery Association of America Inc., the American Bus Association, the United Motorcoach Association, and John Davis Trucking Company, Inc., including the following recommendation to the American Trucking Associations and the Owner-Operator Independent Drivers Association:

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Inform your members of the circumstances of this accident and encourage them to conduct proper maintenance on brake systems with automatic slack adjusters and to install onboard brake stroke monitoring systems on their commercial motor vehicles.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov. If it exceeds 10 megabytes, including attachments, please e-mail us at the same address for instructions. To avoid confusion, please do not submit both an electronic copy and a hard copy of the same response.

[Original Signed]

By: Deborah A. P. Hersman
Chairman