



# National Transportation Safety Board

Washington, DC 20594

## Highway Accident Brief

### Motorcycle and Pickup Truck Crash During “Toy Run” Group Ride, Augusta, Maine, September 10, 2017

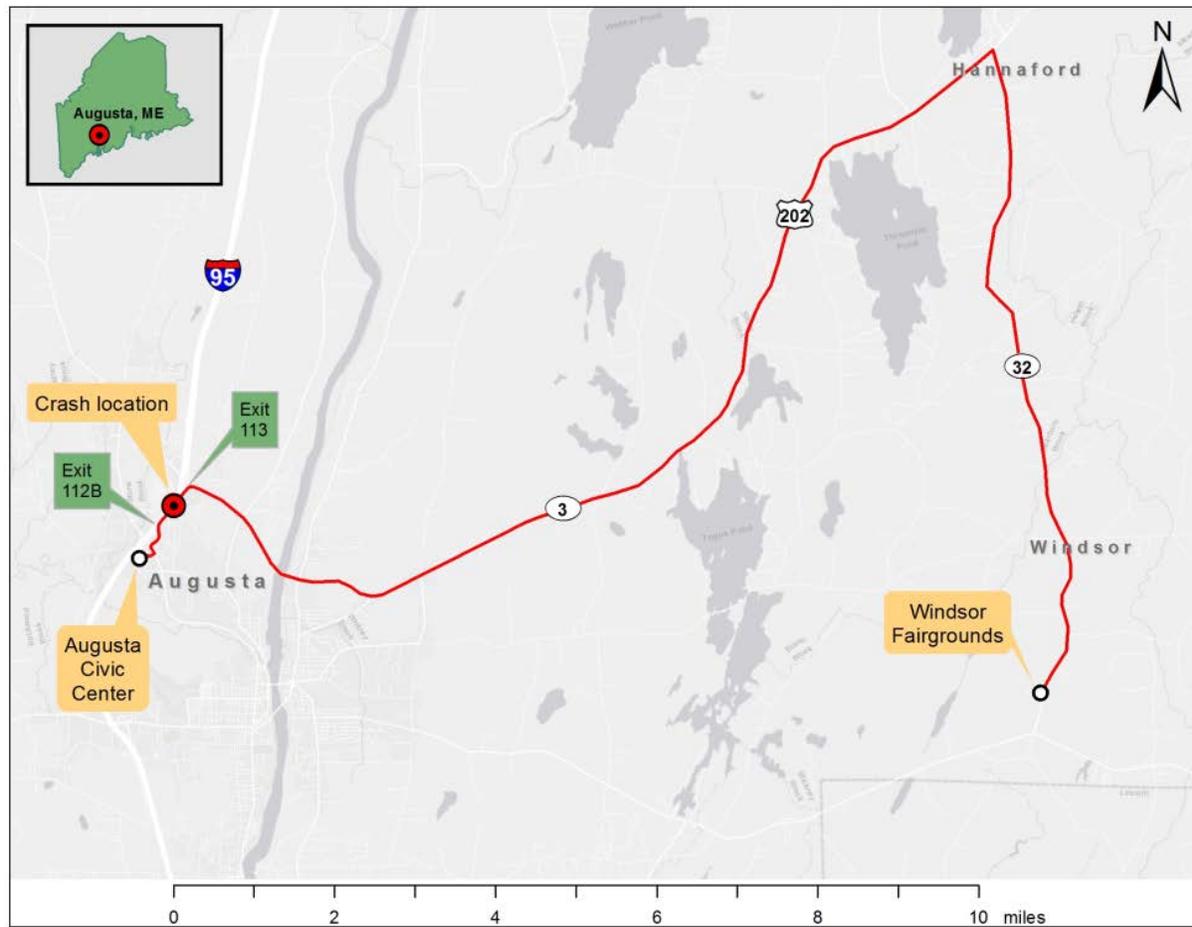
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<b>Accident Number:</b>	HWY17FH014
<b>Accident Type:</b>	Pickup truck collision with multiple motorcycles
<b>Location:</b>	Interstate 95 northbound, between exits 112B and 113, Augusta, Kennebec County, Maine
<b>Date and Time:</b>	Sunday, September 10, 2017, about noon, eastern daylight time
<b>Vehicle 1:</b>	2007 Harley-Davidson XL 1200 motorcycle
<b>Vehicle 2:</b>	2008 Ford F250 pickup truck
<b>Vehicle 3:</b>	2008 Harley-Davidson Dyna Low Rider motorcycle
<b>Vehicle 4:</b>	2003 Harley-Davidson Road King Classic motorcycle
<b>Vehicle 5:</b>	1992 Harley-Davidson XL 1200 motorcycle
<b>Vehicle 6:</b>	2003 Harley-Davidson Softail motorcycle
<b>Fatalities:</b>	2
<b>Injuries:</b>	7

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### The Crash

About noon on Sunday, September 10, 2017, an estimated 3,000 motorcyclists gathered at the Augusta Civic Center in Augusta, Kennebec County, Maine, to participate in the 36th annual United Bikers of Maine (UBM) Toy Run, a charity event in which motorcyclists join in a group ride, bringing a toy to the gathering. From the civic center, the motorcyclists were first to travel north on Interstate 95 (I-95) between exits 112B and 113. They were to enter I-95 using the on-ramp north of exit 112B and to depart I-95 at exit 113. After leaving the interstate, the motorcyclists were to proceed east on Route 3/202 and then south on Route 32, reaching their destination at the Windsor Fairgrounds. (See figure 1.)



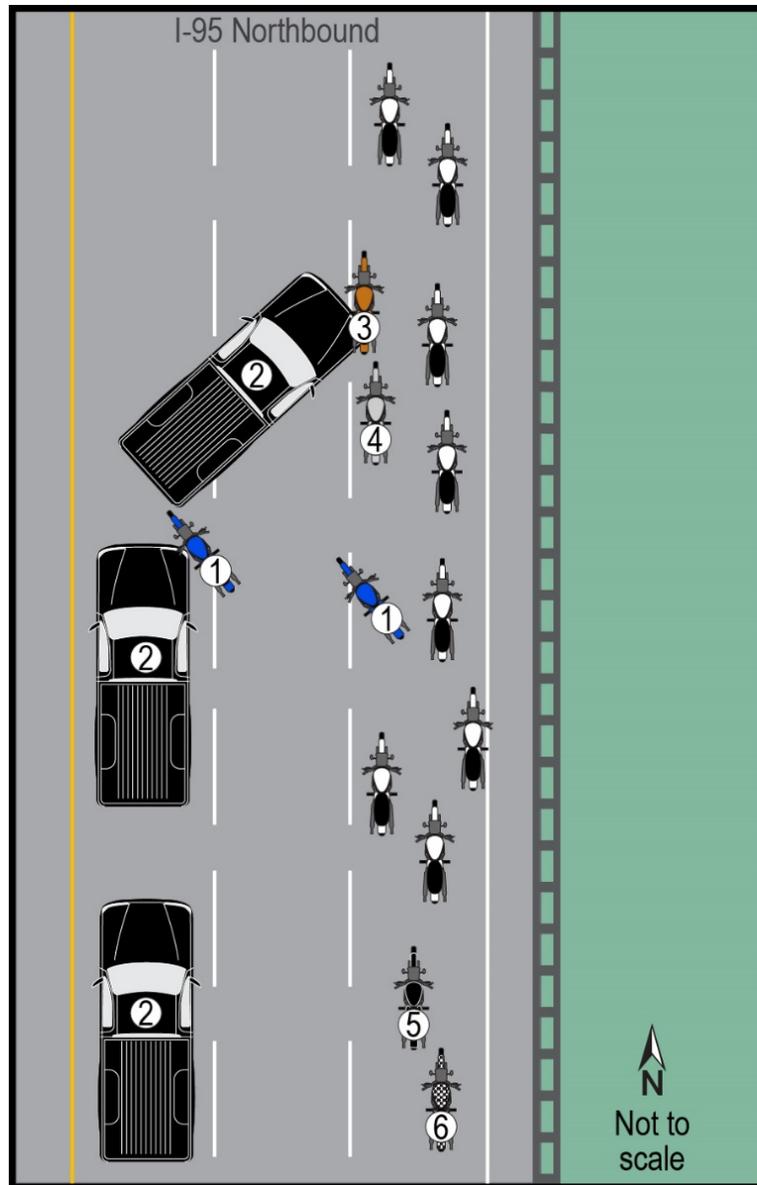
**Figure 1.** 2017 UBM Toy Run route.

As the UBM Toy Run began, the large number of motorcyclists merging onto the interstate caused a traffic queue on northbound I-95 between exits 112B and 113. The motorcycles were queued in a staggered formation. The distance between the exits is only about 0.5 mile and, in the northbound merge area, the roadway transitions from four to three lanes (left, center, and right lanes). At the crash location, the northbound roadway consisted of these three lanes. There was no traffic control, lane closure, or law enforcement presence on I-95 to provide warning, management, or protection for the queue of motorcyclists.

About 12:05 p.m., a 2007 Harley-Davidson XL 1200 motorcycle (vehicle 1), which was participating in the group ride, suddenly moved out of the right lane, traveled across the center lane, and entered the left lane in front of a 2008 Ford F250 pickup truck (vehicle 2), occupied by a 67-year-old male driver and a 99-year-old female passenger, which was traveling north on I-95. The motorcycle was carrying a 25-year-old male operator and a 26-year-old female passenger. Based on skid mark evidence, the pickup truck driver attempted an evasive maneuver but collided with the motorcycle at about mile marker 112.5, losing control of his vehicle, in part because the pickup truck had “collected” the Harley-Davidson XL 1200 motorcycle, causing the pickup truck to rotate clockwise. The pickup truck veered out of the left lane to the right and traveled across the center and right northbound lanes, striking four other motorcycles. (See figures 2 and 3 for an overhead view of the crash site and a diagram showing the initial stages of the crash.)

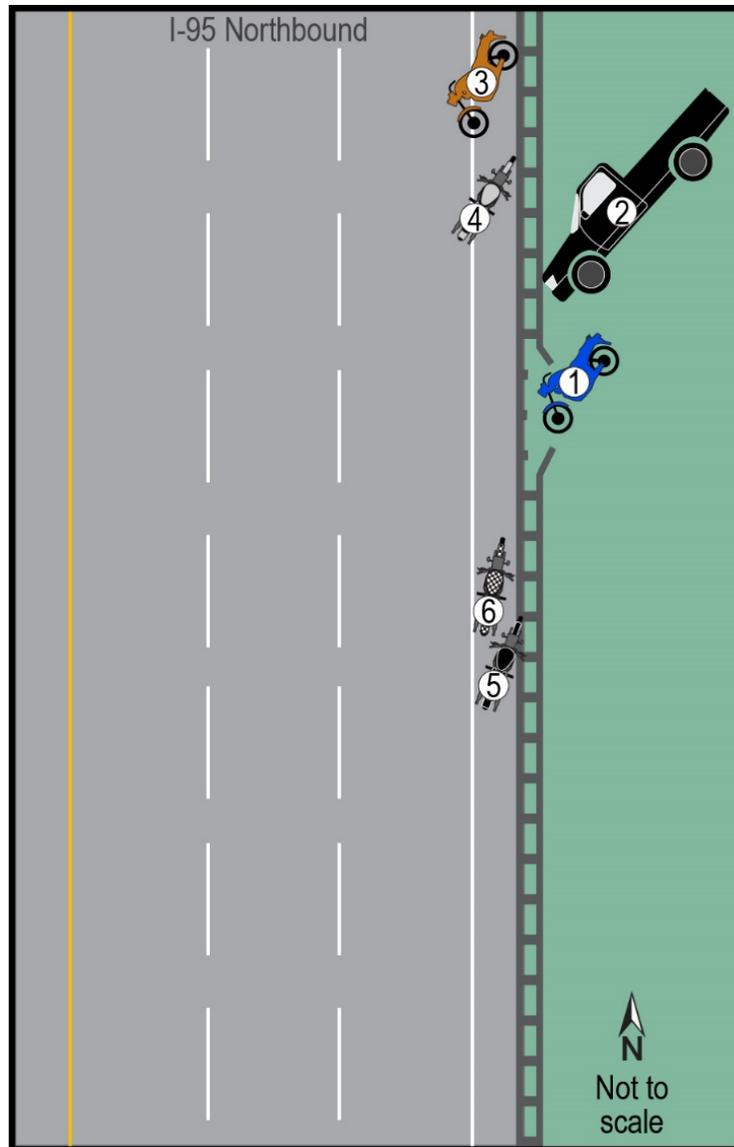


**Figure 2.** Overhead view of the crash site, showing the three northbound lanes of I-95 on the right. (Source: Google Earth modified)



**Figure 3.** Initial stages of the crash sequence, with vehicle 1 (2007 Harley-Davidson XL 1200 motorcycle) moving westward on northbound I-95 across two lanes and into the path of vehicle 2 (2008 Ford F250 pickup truck). After these two vehicles collided, the pickup truck veered across the center lane into the right lane and struck vehicle 3 (2008 Harley-Davidson Dyna Low Rider motorcycle). Three other motorcycles (vehicles 4–6) that were subsequently involved in the crash are also numbered. The exact positions of vehicles during the sequence could not be definitively determined, but this representation is consistent with witness recollections. (Adapted from Maine State Police diagram. For additional information, see the Collision Reconstruction Report and Photos 1–8 in the [NTSB public docket](#) for accident HWY17FH014.)

The pickup truck then went through the right guardrail, overturned, and came to rest on its passenger side. The 2007 Harley-Davidson motorcycle traveled through the guardrail and came to rest on its right side in a ditch beside the pickup truck. (See figure 4 for the final rest positions of the six vehicles involved in the crash.)



**Figure 4.** Final rest positions of crash-involved vehicles. (Adapted from Maine State Police diagram. For additional information, see the Collision Reconstruction Report and Photos 1–8 in the [NTSB public docket](#) for accident HWY17FH014.)

As a result of the crash, two motorcyclists died. One motorcyclist and the pickup truck passenger received serious injuries. The pickup truck driver and four motorcyclists received minor injuries.<sup>1</sup>

The posted speed limit in the vicinity of the crash site is 65 mph. The Maine State Police determined that the pickup truck was traveling about 56 mph and the motorcycle about 25 mph at the time of the crash.

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<sup>1</sup> The information available on injury severity was limited; consequently, the distinction between minor and serious injury is not precise.

## Highway Information

In the immediate vicinity of the crash site at mile marker 112.5, I-95 northbound consists of three lanes divided from the southbound lanes by an earthen median. At the crash site, the roadway has guardrails adjacent to the shoulders on both sides of the northbound lanes. A solid white 4-inch-wide line separates the paved shoulder from the right traffic lane. A solid yellow 4-inch-wide line separates the paved shoulder from the left traffic lane. The left shoulder contains rumble strips. The travel lanes are about 12 feet wide.

## Weather

At the time of the crash, the temperature was 60°F, with winds from the north-northwest at 16 mph. Visibility was 10 miles, with partly cloudy skies. No precipitation occurred the day before or the day of the crash, and the road surface was dry.

## Vehicle Operators and Passengers

### *Pickup Truck*

**Operator.** The 67-year-old male driver sustained minor injuries and was transported to the hospital, where he was treated and released.<sup>2</sup> He was wearing a lap/shoulder belt at the time of the crash, and the driver-side front air bag deployed. He held a Maine class C license.<sup>3</sup> Postcrash toxicological test results were negative for alcohol and other drugs.

**Passenger.** The 99-year-old female passenger, who was sitting in the front right seat, sustained serious injuries and was transported from the scene to the hospital. She was wearing her lap/shoulder belt. The passenger-side front air bag deployed during the crash.

### *2007 Harley-Davidson XL 1200 Motorcycle*

**Operator.** The 25-year-old male who operated the motorcycle that entered the path of the pickup truck sustained life-threatening injuries at the scene and was transported by ambulance to the hospital, where he died shortly after arrival. The Augusta chief medical examiner determined that the cause of death was blunt force trauma to the chest. Postcrash toxicological test results were negative for alcohol and other drugs. At the time of the crash, the operator was wearing a long-sleeved sweatshirt, a leather vest, and steel-toed boots. Although required by Maine law, he was not wearing a helmet.<sup>4</sup>

NTSB investigators interviewed the parents of the motorcycle operator. According to them, he had owned and operated numerous motorcycles. He first began riding a Honda

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<sup>2</sup> All of those injured in this crash were taken to the Maine General Medical Center.

<sup>3</sup> A class C license permits operation of passenger cars and light trucks.

<sup>4</sup> In Maine, motorcycle operators and their passengers are required to wear a helmet for 1 year after the operator receives a motorcycle endorsement/license. Motorcycle helmet laws are discussed later in this brief report.

100-cubic-centimeter (cc) dirt bike and then progressed to a Kawasaki sport bike.<sup>5</sup> His parents stated that he subsequently owned and operated several motorcycles, including a Yamaha V Star 800, Honda Shadow 650, and Harley-Davidson Sportster. He had purchased the Harley-Davidson motorcycle that he was riding in the UBM Toy Run in June 2017.

The operator’s Bureau of Motor Vehicles (BMV) records showed that he held a Maine class C license with a motorcycle endorsement; it had an issue date of June 2017 and an expiration date of August 2020. The BMV records show that he completed a 2-day Basic Rider Course on June 18, 2017, and received his motorcycle endorsement.<sup>6</sup> He had four points associated with his license.<sup>7</sup> The violations included the following convictions: driving to endanger, violation of seat belt law, excessive noise, and speeding (55 mph in a 35-mph zone).

The operator’s parents stated that their son was in good health at the time of the crash and was not taking any prescription drugs or over-the-counter medications. They stated that he went to bed about 11:00 p.m. on the night before the crash, and he woke at 8:00 a.m.

**Passenger.** The 26-year-old female passenger stated that she jumped from the motorcycle just before the crash. She sustained serious injuries, including a broken ankle, and was transported to the hospital and treated for her injuries. Although state law required that she wear a helmet, she was not wearing one.

### **Other Crash-Involved Motorcycles**

**2008 Harley-Davidson Dyna Low Rider.** The 58-year-old male operator of this motorcycle was pronounced dead at the scene. The Augusta chief medical examiner determined that the cause of death was multiple blunt force injuries. At the time of the crash, the operator was wearing a full-face US Department of Transportation (USDOT)-compliant motorcycle helmet, a leather jacket, blue jeans, leather gloves, and leather boots.<sup>8</sup> Postcrash toxicological test results were negative for alcohol and other drugs.

NTSB investigators interviewed the vehicle operator’s son. The son stated that his father rode motorcycles when he was a young man but sold his motorcycle and gave up riding when the son was born. The son stated that his father did not ride or own a motorcycle for over 25 years. The son stated that his father had recently (within the past 2–3 years) decided to resume riding motorcycles and purchased the motorcycle that he was operating at the time of the crash. The

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<sup>5</sup> In motorcycle terminology, the cc number represents the capacity of the vehicle’s combustion cylinder, which is related to engine size and power. The more cc’s the motorcycle has, the more horsepower it has. (See [www.dmv.org/how-to-guides/motorcycle-ccs.php](http://www.dmv.org/how-to-guides/motorcycle-ccs.php), accessed January 29, 2019.) In this brief report, the cc numbers generally appear without the “cc” abbreviation.

<sup>6</sup> Although the operator had owned several other motorcycles before June 2017, he obtained the motorcycle endorsement only after taking this course.

<sup>7</sup> The state of Maine issues demerit points on an operator’s license for each conviction or guilty plea for a moving violation. Accumulation of 6 points results in a warning letter; if 12 points are accumulated, the license is suspended. (See [www.dmv.org/me-maine/point-system.php](http://www.dmv.org/me-maine/point-system.php), accessed January 29, 2019.)

<sup>8</sup> Federal Motor Vehicle Safety Standard 218 (49 *Code of Federal Regulations* 571.218) establishes the minimum performance standards for motorcycle helmets. The purpose of the standard is to reduce deaths and injuries to motorcyclists and other motor vehicle operators and passengers resulting from head impacts. (See [one.nhtsa.gov/people/injury/pedbimot/NoMigrate/fmvss218.htm](http://one.nhtsa.gov/people/injury/pedbimot/NoMigrate/fmvss218.htm), accessed January 29, 2019.)

operator’s BMV records show that he held a Maine class C license with motorcycle endorsement; it had an issue date of August 2016 and an expiration date of July 2020. The records show that he completed a Basic Rider Course on August 23, 2016, and received a motorcycle endorsement. The records for this license also show two points and convictions for following too close and operating beyond restriction.

The operator’s son stated that his father was in good health and was not taking any prescription drugs. The son stated that he did not live with his father and had no knowledge of how much sleep his father had obtained the night before the UBM Toy Run.

**2003 Harley-Davidson Road King Classic.** The 50-year-old male operator received minor injuries and was transported to the hospital. He was not wearing a helmet. The operator held a Maine class C license with motorcycle endorsement. Postcrash toxicological test results were negative for alcohol and other drugs. The 15-year-old female passenger received minor injuries and was transported to the hospital and released. She was wearing a USDOT-compliant helmet.

**1992 Harley-Davidson XL 1200.** The 50-year-old male operator received minor injuries and was transported to the hospital. He held a Maine class C license with motorcycle endorsement. Postcrash toxicological test results were negative for alcohol and other drugs. The operator was not wearing a helmet. The 46-year-old female passenger received minor injuries and was transported to the hospital and released. She was not wearing a helmet.

**2003 Harley-Davidson Softail.** The 43-year-old male operator told police that he was not injured. He held a Maine class C license with motorcycle endorsement. He was not wearing a helmet at the time of the crash. Postcrash toxicological test results were negative for alcohol and other drugs. The 49-year-old female passenger told police that she was not injured. She was not wearing a helmet.

## **Vehicle Condition and Damage**

The Maine State Police conducted a postcrash inspection of all the involved vehicles (pickup truck and five motorcycles) and did not identify any mechanical issues related to the crash.

### ***Pickup Truck***

During the crash sequence, the 2008 Ford F250 pickup truck rotated clockwise. It hit the right guardrail on its driver side, rolled over, and came to rest on its passenger side. Damage from the collisions with the motorcycles and the guardrail included a dented and torn driver door, a dented front quarter panel on the driver side, and scrapes and scuff marks on the roof. The hood was scraped, and the rear window glazing was broken out.

### ***2007 Harley-Davidson XL 1200 Motorcycle***

Postcrash damage to the 2007 Harley-Davidson XL 1200 motorcycle included a cut front tire, a bent front wheel, twisted handle bars, and a dented fuel tank.

### *Other Crash-Involved Motorcycles*

**2008 Harley-Davidson Dyna Low Rider.** The 2008 Harley-Davidson Dyna Low Rider 1584 motorcycle sustained damage to its right side from sliding on the road surface. The handle bars were bent, the front and rear fenders were dented, and the foot pegs and fuel tank were scraped. The seat separated from the motorcycle body.

**2003 Harley-Davidson Road King Classic.** The 2003 Harley-Davidson Road King Classic 1450 motorcycle sustained damage to its left side from sliding on the road surface. The fuel tank was dented. The foot pegs and frame were scratched and dented.

**1992 Harley-Davidson XL 1200.** The 1992 Harley-Davidson XL 1200 motorcycle sustained damage to the rear fender as a result of the impact with the pickup truck. The tail light was broken, and the motorcycle had scratches on its left side.

**2003 Harley-Davidson Softail.** The rear fender of the 2003 Harley-Davidson Softail 1450 motorcycle was dented.

### **Motorcycle Laws in Maine**

#### *Licensing*

Any resident with a valid motorcycle permit or license is allowed to operate a motorcycle in Maine.

To earn a Maine motorcycle permit and pursue a motorcycle license, applicants must successfully complete a Basic Rider Course.<sup>9</sup> This 15-hour course combines classroom instruction with hands-on training, using the school’s motorcycles on a controlled range. Trained rider coaches lead the course, following the Motorcycle Safety Foundation curriculum approved by the BMV.<sup>10</sup> Students are taught about motorcycles and their controls, safety considerations, and riding techniques. The course also covers traffic strategies, braking maneuvers, protective apparel selection, and vehicle maintenance.<sup>11</sup>

At the end of the Basic Rider Course, students are given a written test and a motorcycle skills test. Those who pass only the written test are eligible to receive their motorcycle permit, and they may schedule a road test to obtain the motorcycle endorsement. Upon successfully completing the road test, they receive a motorcycle endorsement/license. Those students who pass both the written and motorcycle skills tests are eligible for a road test waiver. For those who receive the road test waiver, the motorcycle endorsement is added to their Maine driver license (class C). If

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<sup>9</sup> The motorcycle licensing process requires that applicants also meet the same standard provisions as applicants for other motor vehicle licenses, such as passing a vision test. (For more information about the licensing process, see [www.maine.gov/sos/bmv/licenses/mcllic.html](http://www.maine.gov/sos/bmv/licenses/mcllic.html), accessed January 29, 2019.)

<sup>10</sup> See [www.msf-usa.org/core.aspx](http://www.msf-usa.org/core.aspx), accessed January 29, 2019.

<sup>11</sup> Motorcycle license applicants younger than 18, but at least 16, years old must complete a general driver education course before enrolling in a Basic Rider Course.

the road test is waived, the operator may not carry a passenger for 60 days after the motorcycle endorsement/license is issued.

### **Helmet Use**

Maine is among the 28 states with laws requiring that some, but not all, motorcyclists wear a helmet.<sup>12</sup> Nineteen states and the District of Columbia require that all motorcyclists wear a helmet, a requirement known as a universal helmet law. Three states (Illinois, Iowa, and New Hampshire) do not have any laws requiring motorcycle helmet use.

In Maine, motorcycle operators and passengers in the following categories are required to wear a helmet:

- Persons under the age of 18 who operate a motorcycle or ride as a passenger.
- Persons operating a motorcycle on a motorcycle permit.
- Persons operating a motorcycle for the first year after receiving a motorcycle endorsement/license.
- The passenger of an operator who is required to wear a helmet.

The NTSB is an advocate for universal helmet laws. We believe that all states should require motorcycle operators and passengers to wear USDOT-compliant helmets.

### **UBM Toy Run History and Permit Process**

The purpose of the annual UBM Toy Run is to collect toys for underprivileged children in Maine. The 2017 event was the 36th annual UBM Toy Run.<sup>13</sup> There is no registration fee for participating in the event, and riders do not need to be UBM members; the only requirement is that each rider donate a toy. The motorcyclists involved in the crash were not UBM members.<sup>14</sup>

According to UBM officials, the annual Toy Run originally had a route that began at the Augusta Civic Center and ended at the Maine State House Park in downtown Augusta. Eventually, the event became too large for the downtown area. In 2005, the Augusta Police Department changed the route so that it went from Augusta to the Windsor Fairgrounds, about 11 miles outside of the city.

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<sup>12</sup> See [www.iihs.org/iihs/topics/laws/helmetuse/mapmotorcyclehelmets](http://www.iihs.org/iihs/topics/laws/helmetuse/mapmotorcyclehelmets) (accessed January 29, 2019) for more information.

<sup>13</sup> UBM officials estimated that the 2016 UBM Toy Run provided toys for about 800 families.

<sup>14</sup> It should be noted that 2,000–3,000 motorcyclists who have never ridden together as a group may not operate in the same disciplined manner as club riders or groups that may have been riding together for years. Although some motorcycle training schools offer instruction in group riding, Maine does not require such training, nor does such training typically address the challenges associated with large group runs and similar events.

Organizers of the 2017 UBM Toy Run applied for, and obtained, a parade permit through the Augusta Police Department.<sup>15</sup> Parade applications are vetted by city officials and require final approval by the chief of police. The cost of the permit is \$100 plus any overtime pay for law enforcement requirements.

Following this crash, the Augusta Police Department told NTSB investigators that it did not have standard operating procedures for managing the UBM Toy Run. It did, however, have a planning document for the traffic control detail for the event, which outlined a traffic control contingent consisting of one sergeant and ten police officers. The police officers were posted in marked police vehicles at various intersections and congested sections along the Toy Run route.<sup>16</sup> White and orange police barricades, as well as barricades displaying “ATTENTION: DETOUR” signs, were located along the route. One Augusta Police Department motorcycle officer was designated as the lead vehicle in the Toy Run.

According to Augusta Police Department representatives, in the past, the department has coordinated the event with the Maine State Police, which provided a state trooper to monitor the I-95 segment of the route. Generally, the Maine State Police posted a trooper in the gore area of the on-ramp to I-95, just past exit 112B. For the 2017 event, however, the Augusta Police Department did not notify or coordinate with the Maine State Police. As a result, no state trooper was posted on I-95 for the run.

During the planning of the 2017 UBM Toy Run, the Augusta Police Department did not coordinate with the state police to close lanes or provide traffic control on I-95 to accommodate the riders. Moreover, a permit from the Maine Department of Transportation (DOT) is required for any interstate closure longer than 20 minutes and was required in this case.<sup>17</sup> Had a permit been issued, it would have required a traffic control plan addressing the following elements:<sup>18</sup>

- Specifics concerning trained personnel to oversee on-site and detour traffic control.
- Detour signs that direct motorists from the closure and back to the standard route.

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<sup>15</sup> Although the UBM Toy Run is not a parade, as a group ride, it shares some features of a parade (slower-moving vehicles on a roadway, involvement of many participants, association with a celebration/commemoration, etc.). The Augusta Police Department uses its “parade” permit in connection with many types of events that are not specifically parades, such as this group ride.

<sup>16</sup> No Augusta police officers were posted on the I-95 portion of the route; only state troopers have jurisdiction on the interstate highways.

<sup>17</sup> Given the number of motorcycle participants in the event, the UBM Toy Run would most likely have required a lane closure on I-95 for about 1 hour. Although the Maine DOT had never been asked to issue a permit for this annual event, it would most likely have denied a permit request, because lane closures are rarely authorized on the interstate.

<sup>18</sup> For specific language, see Maine DOT brochure on Special Event Road Closures 2015 (brochure is listed under “Brochures and Guides” at webpage [www.maine.gov/mdot/publications](http://www.maine.gov/mdot/publications), accessed January 29, 2019).

- Changeable message signs for closures lasting longer than 60 minutes and on roads with an average annual daily traffic volume of more than 10,000 vehicles per day.
- Adherence to Federal Highway Administration guidance for temporary lane closures.<sup>19</sup>

## Safety Issues

The NTSB has previously investigated crashes that have involved poor planning for the routing of special events on streets and highways. For example, on November 15, 2012, in Midland, Texas, a freight train collided with a parade float at a highway–railroad grade crossing, resulting in 4 fatalities and 12 injuries. The NTSB determined that the probable cause of the crash was the failure of the city of Midland and the parade organizer to identify and mitigate the risks associated with routing a parade through a highway–railroad grade crossing.<sup>20</sup> As a result of the investigation, the NTSB issued the following safety recommendations:

To the city of Midland:

Include in your city ordinances a requirement that all organizations create a safety plan as part of the city’s event and parade approval process, to include, at a minimum, the following elements: route selection, mitigation of unavoidable hazards, lines of communication among event participants, notification of railroads or other entities with control over possible hazards, development of operating and emergency procedures, and a safety briefing for vehicle operators. (H-13-42)<sup>21</sup>

To the United States Conference of Mayors, National Association of Towns and Townships, International City and County Management Association, National Association of Counties, and National League of Cities:

Encourage your members to require, as part of the parade and special event approval process, that organizations create a written safety plan, which, at a minimum, addresses the following elements: risk mitigation and contingency planning, with provisions for communication among event participants and other stakeholders; safety briefings for event participants and other stakeholders; driver and vehicle screening; safe float operation; and notification of railroads or other entities with control over possible hazards. (H-13-43)<sup>22</sup>

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<sup>19</sup> See *Guidelines for Temporary Traffic Control in Work Zones*, US Department of Transportation, Federal Highway Administration, March 2009.

<sup>20</sup> *Highway–Railroad Grade Crossing Collision, Midland, Texas, November 15, 2012*, Highway Accident Report NTSB/HAR-13/02 (Washington, DC: NTSB, 2013).

<sup>21</sup> The status of this recommendation is “Open—Await Response.”

<sup>22</sup> The status of this recommendation is as follows: United States Conference of Mayors, “Open—Await Response”; National Association of Towns and Townships, “Open—Await Response”; International City and County Management Association, “Closed—Exceeds Recommended Action”; National Association of Counties, “Closed—Acceptable Action”; and National League of Cities, “Closed—Acceptable Action.”

As a result of the Midland, Texas, investigation, the National Association of Counties, in consultation with other groups, created guidelines for parades to be used when creating a safety plan.<sup>23</sup>

Important lessons were learned from the Midland crash investigation. Parade organizers should have created a comprehensive safety plan and a detailed route plan that evaluated all potential safety risks along the route. Additionally, communication with all stakeholders should have been better coordinated and executed.

In the case of the 2017 Augusta crash, event organizers and local authorities similarly failed in planning and communication. Appropriate risk assessment, involving all stakeholders, most likely would have resulted in the rerouting of the Toy Run event, so that it did not involve the interstate. Had the route remained unchanged, effective traffic control countermeasures could have been applied to increase safety. However, the Augusta Police Department did not coordinate, or even communicate, with the Maine State Police, and event organizers did not request authorization from the Maine DOT for lane closures to enable the UBM Toy Run to proceed more safely onto I-95. Had the through lane (or lanes) been separated from the lane (or lanes) being used for the Toy Run with barrels or other barriers, such as those used for a work zone, motorcycle-riding participants would have been physically prevented from entering the flow of highway traffic. At the very least, changeable message signs (as part of a comprehensive traffic management plan) could have warned other road users of the Toy Run event and imposed a significantly lower temporary speed limit for highway traffic.

In general, before authorizing the Toy Run, the Augusta Police Department gave insufficient consideration to the inherent hazards of introducing a motorcycle run consisting of slow-moving traffic onto an interstate with traffic operating at highway speeds; the merging of such dissimilar traffic streams without significant protective countermeasures is generally unsafe. In this case, the speed differential between the pickup truck and the crash motorcycle—with the pickup truck traveling in the left lane at 56 mph, more than double the 25-mph speed of the crash motorcycle, traveling in the right lane within the Toy Run queue—gave the pickup truck driver little warning of, or time to react to, the unexpected lane encroachment by the motorcycle. In addition, once this initial collision took place and the pickup truck lost control, the numerous slow-moving and essentially unprotected motorcyclists were in its immediate path, due to their participation in the Toy Run. Using secondary roadways with lower speed limits for the event route or at least providing additional oversight, including a traffic plan, and imposing adequate temporary traffic control countermeasures would have been far more likely to result in a safe event. Therefore, the NTSB concludes that the event organizers and the Augusta Police Department put the 2017 UBM Toy Run participants and other highway motorists at risk by routing the motorcycle run onto an interstate highway without developing an appropriate safety plan or providing appropriate traffic control measures.

The NTSB recommends that the city of Augusta, Maine, include in its city ordinances a requirement that all organizations seeking city approval to conduct a parade or special event involving roadway use create a safety plan that includes, at a minimum, the following elements:

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<sup>23</sup> See [www.naco.org/sites/default/files/documents/Parade%20Safety%20Guidelines.pdf](http://www.naco.org/sites/default/files/documents/Parade%20Safety%20Guidelines.pdf), accessed January 29, 2019.

safe route selection, acquisition of all required permits, and hazard mitigation. The NTSB further recommends that the UBM include in its group motorcycle riding event procedures a requirement to create a safety plan that includes, at a minimum, the following elements: safe route selection, acquisition of all required permits, and hazard mitigation.

### **Probable Cause**

The National Transportation Safety Board determines that the probable cause of the Augusta, Maine, crash was the motorcycle operator’s unsafe maneuver in moving in front of the pickup truck. Contributing to this crash was the failure of the city of Augusta Police Department and the Toy Run event organizer, United Bikers of Maine, to identify and mitigate the risks associated with routing a group ride onto an interstate without providing supplemental traffic control or state police oversight.

### **Recommendations**

#### **To the city of Augusta, Maine:**

Include in your city ordinances a requirement that all organizations seeking city approval to conduct a parade or special event involving roadway use create a safety plan that includes, at a minimum, the following elements: safe route selection, acquisition of all required permits, and hazard mitigation. (H-19-1)

#### **To the United Bikers of Maine:**

Include in your group motorcycle riding event procedures a requirement to create a safety plan that includes, at a minimum, the following elements: safe route selection, acquisition of all required permits, and hazard mitigation. (H-19-2)

## **BY THE NATIONAL TRANSPORTATION SAFETY BOARD**

**ROBERT L. SUMWALT, III**  
Chairman

**EARL F. WEENER**  
Member

**BRUCE LANDSBERG**  
Vice Chairman

**JENNIFER HOMENDY**  
Member

**Report Date: April 3, 2019**

For more details about this accident, visit the [NTSB public docket](#) and search for NTSB accident ID HWY17FH014. Accident dockets include such information as police reports, photographs, driver and witness statements, data on previous crashes, highway engineering reports, and timing of traffic signals.

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The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties . . . and are not conducted for the purpose of determining the rights or liabilities of any person.” 49 *Code of Federal Regulations*, Section 831.4. Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report. 49 *United States Code*, Section 1154(b).

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