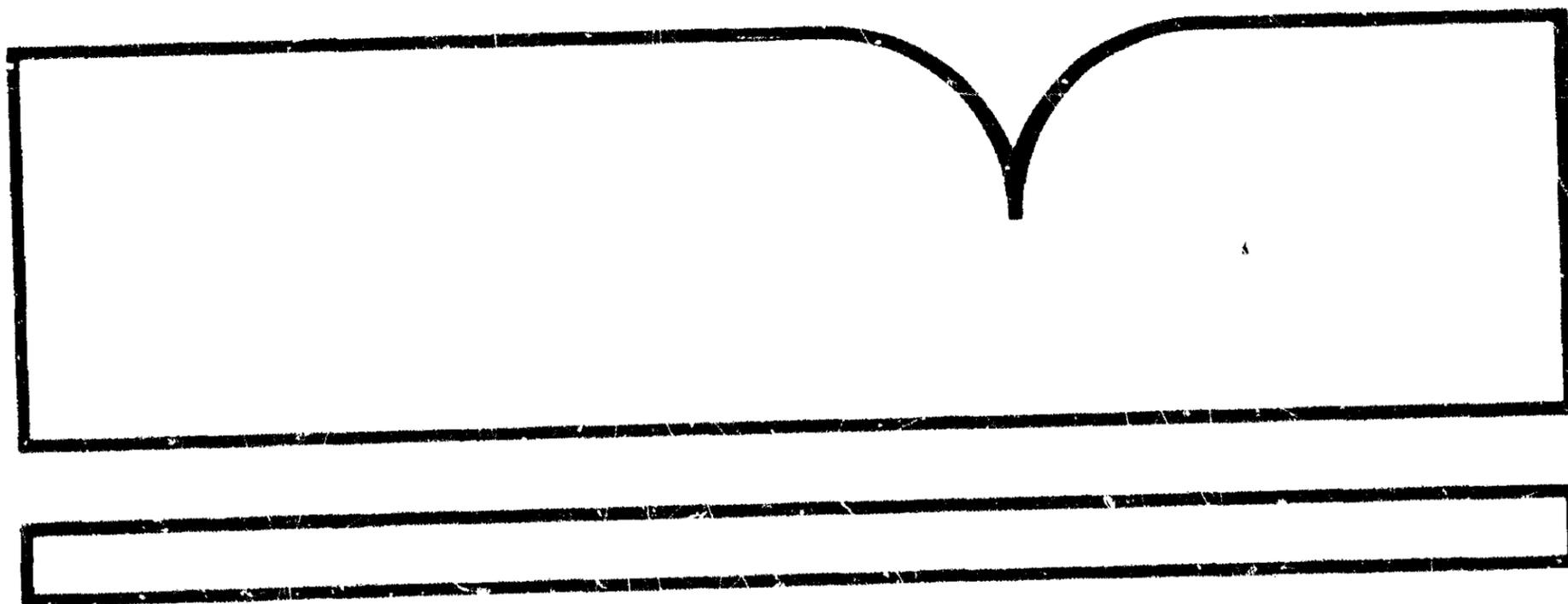


PB87-916205

Highway Accident Report - Charter
Bus/Tractor-Semitrailer Rear-End
Collision near Carney's Point
New Jersey, September 29, 1986

(U.S.) National Transportation Safety Board
Washington, DC

27 May 87



U.S. Department of Commerce
National Technical Information Service

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16. Abstract On September 29, 1986, a Leatherwood Motor Coach Corporation charter bus carrying 38 passengers was traveling northbound on I-295, a four-lane divided highway near Carney's Point, New Jersey, en route to Atlantic City, New Jersey. After passing three tractor-semitrailers in the left lane, the bus moved into the right lane and struck the rear of another slower moving tractor-semitrailer. The two vehicles continued forward and traveled northbound about 32 feet before coming to a stop. Two bus passengers were seriously injured, 5 bus passengers were moderately injured, and the busdriver and 31 bus passengers received minor injuries. The truckdriver was not injured. This report discusses several safety issues, including the inadequacies of the background investigations of commercial driver applicants by motor carriers and problems with the adequacy of the systems available for the exchange of data on driver accident and violation records. The National Transportation Safety Board determines that the probable cause of this accident was the busdriver's (inattention to his driving task and his misjudgment of the closing speed between the bus and truck in front of him. Contributing to the accident was the motor carrier's failure to adequately screen the busdriver's qualifications and background. Contributing to the severity of injuries was the high speed of the bus.					
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EXECUTIVE SUMMARY

On September 29, 1986, a Leatherwood Motor Coach Corporation charter bus carrying 38 passengers was traveling northbound on I-295, a four-lane divided highway near Carney's Point, New Jersey, en route to Atlantic City, New Jersey. After passing three tractor-semitrailers in the left lane, the bus moved into the right lane and struck the rear of another slower moving tractor-semitrailer. The two vehicles continued forward and traveled northbound about 432 feet before coming to a stop. Two bus passengers were seriously injured, 5 bus passengers were moderately injured, and the busdriver and 31 bus passengers received minor injuries. The truckdriver was not injured.

This report discusses several safety issues, including the inadequacies of the background investigations of commercial driver applicants by motor carriers and problems with the adequacy of the systems available for the exchange of data on driver accident and violation records.

The National Transportation Safety Board determines that the probable cause of this accident was the busdriver's inattention to his driving task and his misjudgment of the closing speed between the bus and the truck in front of him. Contributing to the accident was the motor carrier's failure to adequately screen the busdriver's qualifications and background. Contributing to the severity of injuries was the high speed of the bus.

The report concludes that more thorough background investigations should be conducted by motor carriers. The Safety Board issued a recommendation to the Federal Highway Administration to conduct a safety review of Leatherwood Motor Coach Corporation to ensure compliance with the Federal Motor Carriers Safety Regulations. The Safety Board also issued recommendations to the Leatherwood Motor Coach Corporation, the United Bus Owners Association, and the American Bus Association to conduct adequate preemployment screening on all busdriver applicants.

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C. 20594

HIGHWAY ACCIDENT REPORT

Adopted: May 27, 1987

CHARTER BUS/TRACTOR-SEMITRAILER
REAR-END COLLISION
NEAR CARNEY'S POINT, NEW JERSEY
SEPTEMBER 29, 1986

INVESTIGATION

The Accident

About 7:30 a.m. on September 29, 1986, bus No. 1055 departed the Leatherwood Motor Coach Corporation (LMCC) terminal in Beaver Heights, Maryland, on a chartered round trip to Atlantic City, New Jersey. The bus was scheduled to stop at 7:25 a.m. to pick up passengers at a hotel at Tyson's Corner, Virginia (about 25 miles), and then to proceed to passenger pickup points in Washington D.C., and Silver Spring, Maryland. Passengers reported that the bus was 20 to 40 minutes late arriving at each passenger pickup point.

About 9:30 a.m., the bus departed the last pickup point in the Washington metropolitan area with 38 passengers aboard. Bus No. 1055 proceeded east on Interstate 495 and then north on Interstate 95, through Baltimore, Maryland, over the Delaware Memorial Bridge, and to Interstate 295 (I-295) toward Carney's Point, New Jersey. The bus was scheduled to arrive in Atlantic City about noon. It was daylight, the weather was clear and dry with a temperature of about 76° Fahrenheit, the traffic was light, and there were no visibility problems.

Three tractor-semitrailer truckdrivers traveling north in the right lane on I-295 (milepost 4) stated that about 11:20 a.m., about a minute before the accident, the bus passed them at a high speed in the left lane; they estimated the bus' speed to be 65 to 75 mph. The truckdrivers did not notice any other vehicle in the left lane near the bus. One of the tractor-semitrailer was equipped with a tachograph and clock, and the tachograph chart showed that the truck had been traveling at 55 mph at the time.

The busdriver stated that, about 2 to 3 miles before the accident site, he passed one car using the left lane and that, about 1 1/2 to 2 miles before the accident site, he moved back into the right lane. He said that as he approached the rear of a tractor-semitrailer (milepost 5) he realized that the tractor-semitrailer was not going full speed. He said that he reduced the speed of the bus, but that the approach was so rapid he thought the tractor-semitrailer was either stopped or only going 5 to 10 mph. He said that as he applied the brakes, he saw one of the passengers in the front seat standing in the aisle facing rearward and that he put out his right arm to stop her from falling toward the windshield. Immediately afterward, the bus struck the rear of the slower moving tractor-semitrailer. After impact, the two vehicles stayed together and traveled about 432 feet before coming to a stop. (See figure 1.)



Figure 1.--View of accident site and postimpact tiremarks.

The accident truckdriver said that about 1/2 mile south of the accident site he and another company truck, which he had been following, pulled over at the Route 48 overpass for a rest stop. After a few minutes, they resumed their trip. The truckdriver stated that both trucks merged onto the road from the right shoulder and that there was no traffic at the time. He said that he was in seventh gear and traveling about 45 mph when the bus struck the rear of his truck. The truckdriver said that he applied the brakes after feeling the collision and that he had not seen the bus nor did he have any warning that he was about to be struck.

The Safety Board staff interviewed five passengers onscene and later sent questionnaires to all passengers. Nineteen passengers responded to the questionnaire. Sixteen passengers reported that the busdriver was traveling at a high speed at the time of the collision and some speculated that he may have been trying to make up time for being late. Several passengers described the busdriver in terms such as "friendly and happyish." Nine passengers complained that the busdriver was turning around and talking to the front row passengers throughout the trip and that he was not devoting his full attention to driving. Seven passengers stated that the busdriver was passing cars and changing lanes excessively; they also reported that he was smoking, eating, drinking, driving with one hand, and driving with his right foot in the aisle. One bus passenger reported that he talked to himself while he was maneuvering the bus and said such things as "Look out, now," "You all look out now, I'm coming over this way," "Oh, Oh. Move over," and "Oops, no, I'm going to come back over here." Immediately before the collision, two bus passengers heard the busdriver say, "Oh, Oh, Oh, Oh. . . ."

Nine passengers described the collision as extremely violent. When asked what could have been done to prevent the accident, 12 passengers stated that the busdriver should have devoted full time and attention to driving the bus and should have observed the speed limit.

Emergency Response

A motorist notified a toll collector on the Delaware Memorial Bridge about the accident; the toll collector then called a New Jersey State trooper. The New Jersey State Police at the Bellmawr station received the call about 11:30 a.m. At 11:33 a.m., unit No. 8 of the Carney's Point Fire Department and Rescue Squad (CPFDRS) was dispatched to a motor vehicle accident with multiple injuries. Upon arriving at the scene at 11:40 a.m., the captain directed the crew to begin triage and called the Salem County Fire Radio Control Center (SCFRCC) to establish unit No. 8 as the onscene command post and to request that the highway be closed. At that time, 15 bus occupants were outside the bus with minor injuries, and 24 occupants still remained inside the bus.

The captain called the SCFRCC to obtain additional ambulances and helicopters from the Delaware and New Jersey State Police. Shortly afterward, 4 fire trucks, 11 ambulances, 2 rescue units, 3 medic units, and 3 helicopters responded to the accident scene to assist the injured. The bus passengers were treated on the bus and then removed through the side windows by rescue personnel on ladders. It took about 2 hours to extricate the busdriver and the two right front seat passengers who were trapped due to the intrusion of crushed sheet metal.

Eighteen passengers and one Pennville firefighter, who had been overcome by heat, were taken to Salem County Hospital in New Jersey. Eighteen passengers were taken to Underwood Memorial Hospital in New Jersey. Two passengers were taken by helicopter to Christiana Hospital in Delaware. The busdriver was transported to Christiana Hospital by ambulance. The roadway was reopened at 2:46 p.m. (See figure 2.)

Driver - Laceration to Right Knee

1-A Concussion, Fractured Jaw, Contusions

1-B Concussion

2-A Abrasion on Forehead

3-A Laceration and Contusion on Forehead

3-B Trauma to Lip and Chin

4-A Contusion on Forehead

4-B 5" Laceration of Right Leg

5-A Fractured Nose

6-A Contusions on Right Eye and Arm

7-A Contusion on chin

7-B Fractured Nose

8-A Contusion on Forehead

8-B Contusion on Right Leg

9-A Contusion to Right Hand and Knee,
1" Laceration to Forehead

9-B Contusion on Right Knee and Femur

10-A Trauma to Neck and Left Knee

11-A Multiple Contusions

12-A Abrasion to Right Knee and
Musculoskeletal Contusion

Driver					
A	B		C	D	
M 41 AIS-1					
F 17 AIS 2	F 15 AIS 2	(X)	F 47 AIS 2	F 71 AIS 3	1
F 62 AIS 1			F 69 AIS 1	M 57 AIS-2	2
F 82 AIS 1	F 72 AIS-1		F 74 AIS-1	F 72 AIS 3	3
M 52 AIS 1	M 83 AIS-1		F 71 AIS 1	F 68 AIS-1	4
M 69 AIS 1				F 70 AIS-1	5
F 59 AIS 1			F 63 AIS 1		6
F 68 AIS-1	F 51 AIS 1		F 65 AIS 2	F 63 AIS 1	7
F 58 AIS 1	M 61 AIS 1		F 20 AIS-1	F 50 AIS 1	8
F 66 AIS 1	F 59 AIS 1		F 42 AIS 1	F 67 AIS 1	9
F 50 AIS 1			M 54 AIS-1	M 63 AIS-1	10
M 68 AIS 1			M 27 AIS-1	F 24 AIS 1	11
M 68 AIS 1			Restroom		12

1-C Fractured Right Ankle and Foot,
Fractured Left Ankle, Fractured
Pelvis

1-D Comminuted Fracture of Left Leg,
Contusion of Right Wrist, Nose
and Chest

2-C Trauma to Head and Left Knee

2-D Multiple Contusions

3-C Contusions to Both Knees and
1/4" Abrasion to the Forehead

3-D Fractured Right Femur

4-C Contusion of Left Eye

4-D Contusion on Forehead and Left
Shoulder

5-D Abrasion to Right Shin

6-C Contusion to Forehead

7-C Fractured Left Leg and Nose

7-D Trauma to Right Finger

8-C Multiple Contusions*

8-D Sprained Neck and Left Ankle

9-C Contusions to Both Knees and
Forehead

9-D Multiple Contusions and
Laceration to Face

10-C Contusion of Left Shoulder and
Knees

10-D Lacerated Lip and 1" Abrasions
to Both Knees

11-C Contusion to Left Eye

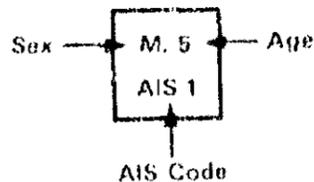
11-D Sprained Left Ankle

Legend

AIS* Severity Code

- 1 Minor
- 2 Moderate
- 3 Serious
- 4 Severe
- 5 Critical
- 6 Maximum Injury
Virtually Unsurvivable

*American Association for Automotive
Medicine Abbreviate Injury Scale



*Refused Treatment

(X) Location of standing passenger
during accident sequence.
(previously seated in 1c)

Figure 2.--Bus seating chart noting age, sex, injury, and seat location.

Injuries to Persons

	<u>Drivers</u>	<u>Passengers</u>	<u>Total</u>
<u>Fatally Injured</u>	0	0	0
<u>Nonfatally Injured</u>			
Serious (AIS-3)	0	2	2
Moderate (AIS-2)	0	5	5
Minor (AIS-1)	1	31	32
Uninjured (AIS-0)	1	0	1
Total	2	38	40

Vehicle Information and Damage

Tractor-Semitrailer.-- The 1980 Ford cabover 3-axle tractor was pulling a 1984 Albará box trailer loaded with general freight; it weighed approximately 58,500 pounds. The tractor was owned by the truckdriver, and the trailer was owned by Maher Container Terminal of Dundalk, Maryland, and leased to Bicentennial Transport of Baltimore, Maryland.

The tractor was equipped with a 300 HP Cummins diesel engine and a 9-speed manual transmission. Both tractor and trailer were equipped with air-mechanical service brakes. The tractor-semitrailer combination was about 50 feet long and 8 feet wide. The tractor had a wheelbase of 14.5 feet.

A postaccident inspection of the trailer revealed that the rear doors and lamp lenses were damaged and that the left rear inner tire was flat and had been ripped. (See figure 3.)

Also, the windshield of the tractor was cracked, and the left rear drive axle brake lining and drum were contaminated with oil deposits. Because the tractor-semitrailer was repaired immediately and put back to use, it was not available for a detailed mechanical inspection.

Bus No. 1055.--The 1983 Motor Coach Industries (MCI) MC-9, 3-axle coach, owned and operated by LMCC, was purchased new and delivered in March 1984. It was equipped with a 6-cylinder Detroit diesel engine, a 5-speed Eaton transmission, air suspension, and air brakes. The bus did not have cruise control or a tachograph; however, it was equipped with a governor. The maximum bus speed in fifth gear was about 70 mph at a maximum engine speed of about 2,150 rpm. The odometer showed a reading of 127,258 miles. The 47-passenger bus was equipped with a restroom and eight Goodyear Unisteel 12R.75 x 22.5 radial tires. All the tires were properly inflated and had adequate tread depth. Only the driver's seat was equipped with a lap belt. The bus was 40 feet long, 8 feet wide, and 11 feet high; it had about a 24-foot-long wheelbase. The net weight of the bus was about 28,000 pounds, and the gross weight was about 36,500 pounds.

Damage to the bus extended across the entire width and height of the front of the bus. Maximum penetration was located in the middle of the bus and extended rearward approximately 51 inches. The right side door was severely damaged and was not operable. (See figure 4.) Because the front brakes, steering wheel column, and attaching linkage were severely damaged during the collision, no meaningful mechanical inspection could be performed to determine their preimpact condition. The transmission was intact and was observed to be in the neutral position. The busdriver stated that the bus had "good braking power" and that it was "operating sufficiently."

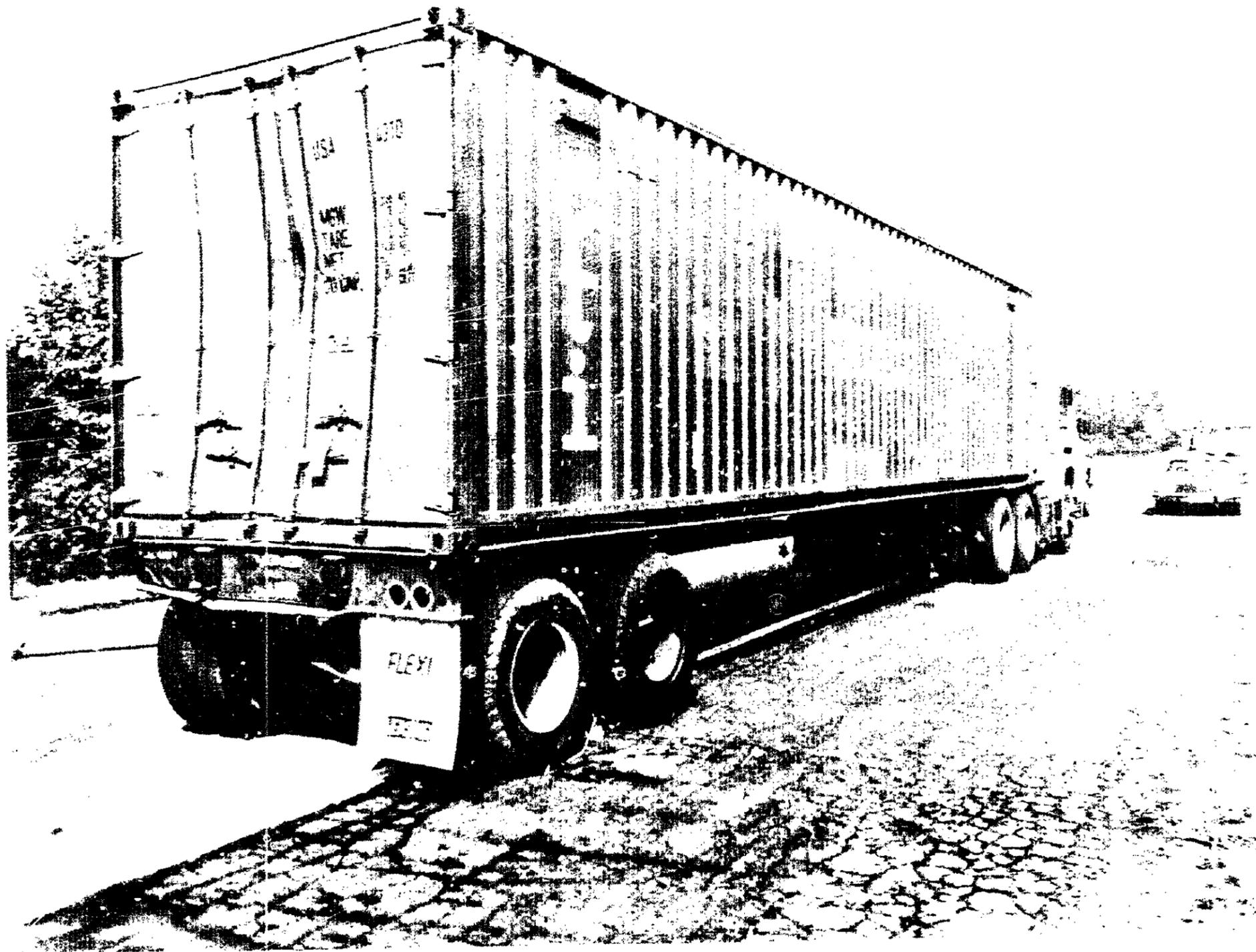


Figure 3.—View of damage to the rear of the tractor-semitrailer.

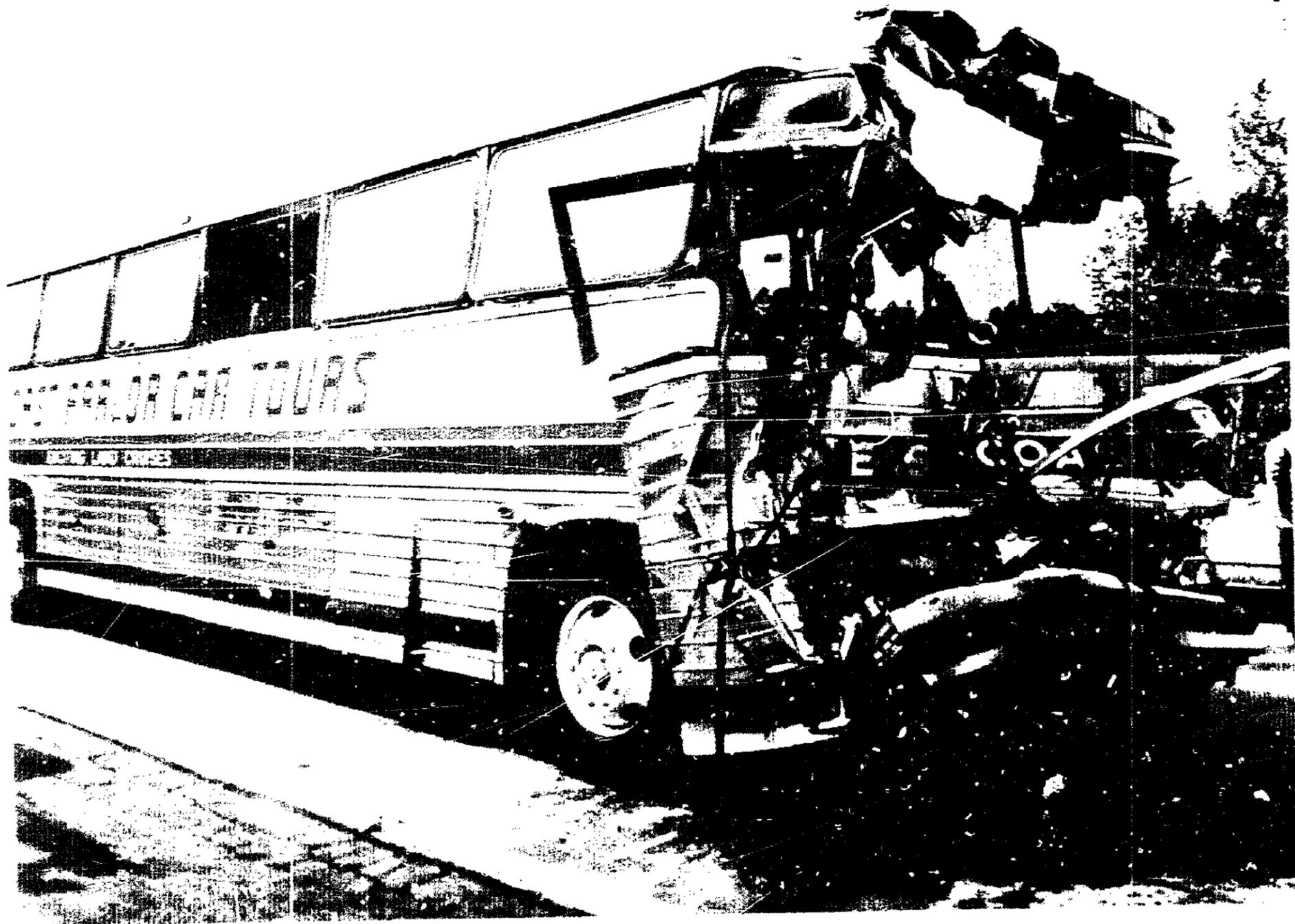


Figure 4.--Right front view of damaged charter bus.

There was a heavy tire print underneath the middle of the front bumper of the bus. No other marks, debris, or paint transfers were observed in this area.

Most of the seats in the bus were broken loose from their mountings. Emergency rescue personnel reportedly had moved many of the seats so they could treat injured occupants. Therefore, Safety Board investigators were not able to determine the exact number of seats that broke free during the collision.

Highway Information

General.--Interstate 295 is a north-south highway which traverses the east side of the Delaware River and runs parallel to the New Jersey Turnpike from the Delaware Memorial Bridge to U.S. Route 130 south of Trenton. The accident occurred 5 miles north of the Delaware Memorial Bridge. Near the accident site, I-295 is a limited-access, four-lane divided highway with a large, grassy median strip. The two concrete 12-foot-wide northbound lanes are bordered on the right side with a 13-foot-wide asphalt shoulder, and on the left side with a 3-foot-wide asphalt shoulder. The highway is straight and level for several miles on the approach to the accident site with a posted speed limit of 55 mph.

Two dark 432-foot-long tiremarks were found in the right lane near the center line which led up to the rest position of the accident truck and bus. Lighter extraneous tiremarks, which were not related to this accident, covered the roadway.

Highway construction on I-295 began in 1965, and the highway was opened to the public in 1968. The original concrete pavement and the roadway and markings are in good condition. State Route 48 overpasses I-295 about 1/2 mile before the accident site and feeds onto I-295 via two ramps (on/off) with short transition lanes.

There were no skid data available for dry road conditions at the time of the accident. However, the New Jersey 1985 Skid Test inventory indicates average wet skid numbers of 46.6 and 50.4 in the vicinity of the accident site.

Accident History.--Between January 1982 and December 1984, 21 accidents in the area of the accident site resulted in 1 fatality and 5 injuries. Eight accidents were rear-end collisions, 2 were angle accidents, 8 involved fixed objects, and 3 involved overturned vehicles.

The accident rate within a 2-mile section of roadway, including the accident site, was calculated to be 0.48 accident per million vehicle miles (MVM). The average accident rate for I-295 in its entirety was calculated to be 0.81 accident per MVM. These accident data encompass accidents for all types of vehicles (trucks, buses, and passenger cars). The 1985 Average Daily Traffic Count (ADT) was 20,014.

Driver Information

Truckdriver.--The 25-year-old truckdriver was a resident of Baltimore, Maryland. He held a valid Class "A" Maryland license with no restrictions and a current medical certificate. A review of his motor vehicle driving record revealed that from April 1979 to April 1986, he received 13 traffic tickets, which included 6 speeding violations; 2 violations for failure to possess/display license; and one violation each for changing lanes improperly, failing to keep right of center, skidding/spinning wheels, displaying improper tags, and operating or riding a motorcycle without required equipment. In 1980 and 1981,

the truckdriver's license was suspended three times for failing to pay fines. The record did not indicate the type of vehicle the truckdriver was operating when he committed the violations. No prior accidents were listed on the truckdriver's employment record. A check was made through the National Driver Register (NDR), and no record on him was found.

The truckdriver had been off duty the 2 days before the accident. At the time of the accident, he had been on duty about 4 hours and was driving a load to Port Elizabeth, New Jersey, from Baltimore, Maryland. The truckdriver had been working for Bicentennial Transport since January 1986.

Busdriver.--The 41-year-old busdriver was a resident of Washington, D.C. He held valid driver's licenses issued by the District of Columbia and the State of Virginia. (Non-resident commercial drivers operating in Virginia are required by Virginia to hold a Virginia license.) There were no restrictions on either license. The only entry on his D.C. driving record was a pending suspension on April 6, 1970, for violation of financial responsibility laws, ^{1/} which was cleared on January 17, 1975. His Virginia driver's license was issued on August 24, 1985. It was suspended on March 31, 1986, for failure to pay a fine for a speeding violation, and it was reinstated on September 4, 1986, less than 1 month before the accident. (See appendix B.) The busdriver also held a current medical certificate, dated September 19, 1985.

A review of the State motor vehicle records revealed that the busdriver's driving privileges had been suspended in the State of South Carolina on December 9, 1983; the suspension is effective through December 9, 1988. He was suspended because he had been classified as a habitual offender ^{2/} for driving while under suspension. While holding a South Carolina driver's license, between November 1977 and December 1983, he had received seven tickets for violations, including two speeding violations, four driving under suspension violations, and a right-of-way violation involving an accident. His driving privileges had been suspended six times during this period for violation of financial responsibility laws and driving while his license was suspended. There was no record of the type of vehicle involved in the violations. The Safety Board contacted the NDR concerning the busdriver, and the NDR had no record of the busdriver's license suspensions.

During the 3 days before the accident, the busdriver shuttled attendees of a hardware convention between the Baltimore Convention Center and two hotels in Baltimore. On September 26, he worked from 5:45 a.m. to 8:15 p.m.; on September 27, from 5:30 a.m. to 10:45 p.m.; and on September 28, from 6:30 a.m. to 3:45 p.m. Although

^{1/} The Safety Board interprets (and uses in this report) the meaning of financial responsibility as not meeting the prescribed limits for insurance as required by the licensing State.

^{2/} A habitual offender, according to the South Carolina Motor Vehicle Administration, is a person who has had three major violations in a 3-year period. Major violations are considered as driving while intoxicated, driving while suspended, leaving the scene of a personal injury accident, reckless homicide, manslaughter, etc. When three such violations occur on one person's record, the computer automatically notifies the Driver Records Division and a solicitor or chief prosecutor is then notified. The solicitor then makes the decision on whether or not to take the violator to court. When a person is brought to court, the judge decides whether that person is to be deemed a habitual offender. After a 5-year period of suspension as a habitual offender, the person will then be re-examined.

the busdriver worked long hours, he had about 6 hours of interim time between trips each day when he was not on duty. He said that on the morning of the accident, he awoke at 5:30 a.m. He reported that he had received approximately 10 hours of sleep on the night before the accident and that he had slept his usual 8 hours on the 2 previous nights. He stated that he usually ate a hot meal at lunch and dinner.

The busdriver stated that on the day of the accident he reported for duty at the bus garage about 7:05 a.m. He had been scheduled to drive local charter pickups from National Airport until 9:30 p.m. However, his assignment was changed to the accident trip because the driver normally assigned to drive the trip was on leave. The accident busdriver said that during his pre-trip inspection of the bus, he checked the oil, tires, and lights; one brake light was out and a mechanic replaced it. He also said that he updated the logbook and departed the garage about 7:30 a.m.

The busdriver estimated that he had between 15 and 20 years of experience driving tractor-semitrailers and buses. Between March 1970 and September 1975, he had driven trucks during his 5-year enlistment in the Army, and between September 1975 and April 1979, he had been employed as a busdriver for Trailways Southeastern Lines, Inc., Columbia, South Carolina. He stated that he had worked for several other trucking and manufacturing firms in South Carolina before moving to the Washington metropolitan area. The busdriver also stated that, during an approximately 2-year period before the accident, he worked for six different companies in the Washington, D.C., area driving tanker trucks, tractor-semitrailers, and buses. However, in many cases, the busdriver was unable to provide details on the names, locations, and dates of his employment; thus, all of the positions he held could not be confirmed. A review of available records indicates that the busdriver had not held any one of these jobs for more than 4 months, and that he was released by the firms for a variety of reasons, including continually reporting for work late, failing to maintain equipment, and not reporting a minor bus accident to company officials. The busdriver was hired by LMCC in June 1986.

The busdriver stated that he had been involved in two previous accidents. On April 23, 1979, while driving a Trailways bus, he was involved in a minor rear-end collision with a car on a highway interstate off-ramp in Atlanta, Georgia. As a result of the minor property damage accident and various other cumulative violations, the busdriver was fired by Trailways. On April 28, 1985 while driving a car, the busdriver was involved in a right-angle collision with another car; the other driver was charged. The busdriver was treated for severe strain of the neck, back, and right knee. On October 2, 1985, his physician allowed him to return to light duty work, and on February 20, 1986, he was allowed to return to work as a truckdriver.

The busdriver had received 3 weeks of truck driving training while in the Army and 1 month of bus driving training while employed by Trailways. The busdriver did not receive any formal classroom training from LMCC; he was given 2 weeks of familiarization training, which includes sharing the driving on every route that LMCC runs with one of the experienced senior drivers.

The busdriver was not wearing his seatbelt at the time of the accident. On September 30, 1986, and October 1, 1986, the New Jersey State Police conducted toxicological tests on the busdriver's blood, which was drawn at the time the driver was admitted to the hospital, about 3 hours after the accident. The test results were negative for alcohol or other drugs. However, the test did not screen for marijuana or hallucinogens, including PCP (phencyclidine hydrochloride). The New Jersey State Police charged the busdriver with careless driving under Title 39: 4-97, which is a \$60 fine and a 2-point violation. The busdriver failed to appear on his court date on February 17, 1987,

and a "fail to appear" notice was mailed on May 19, 1987. This notice initiates a traffic warrant and the State of New Jersey will notify the Department of Motor Vehicles in the State of Virginia.

Safety Board investigators learned that on October 8, 1985, the busdriver had been arrested and charged with distribution of marijuana and PCP in the District of Columbia. On February 25, 1987, he was found guilty of distribution of marijuana, and he was sentenced to jail for 32 months on April 20, 1987.

Leatherwood Motor Coach Operations

LMCC is a medium-size motor carrier, authorized by the ICC to conduct operations as a common carrier of passengers with regular route authority between Washington, D.C., and North Beach, Maryland. The carrier also has a 48-State charter authority. LMCC provides transportation exclusively for East Coast Parlor Car Tours (ECPCT), a sales agency and a division of United States Travel Agency, Inc., which schedules routine runs in the Washington metropolitan area and charter trips throughout the country.

LMCC employs 31 full-time and 27 part-time busdrivers. There are six mechanics, four dispatchers, one clerk, one administrative assistant/payroll supervisor, one administrative operations supervisor, and one general manager. LMCC owns 32 intercity-type buses: 22 are MCI's and 10 are Eagles.

The company basically provides three types of services: scheduled trips, public tours, and charter trips. The scheduled trips include daily commuter runs, college shuttles, and daily trips to Atlantic City, New Jersey. Public tours are lengthy trips advertised by ECPCT and encompass eating, sleeping, and sightseeing arrangements. Charter trips are special trips which come about when either an individual or a group hire ECPCT to provide transportation service. There are 7 daily trips scheduled to Atlantic City on Monday through Thursday, 10 daily trips on Friday and Saturday, and 8 daily trips on Sunday each week during the entire year.

The major portion of the company's business is conducted between the months of April and October. Fifty percent of the company business consists of scheduled runs, and 50 percent consists of public tours and charter runs. There are two types of busdriver assignments: bid assignments for which drivers bid quarterly and are picked based on seniority, and extra board assignments which drivers are given as they come in each day.

Applications for busdriver positions are initially reviewed by the administrative operations supervisor to determine if the applicant is qualified, followed by a joint review by the administrative operations supervisor and the general manager. In compliance with Federal Motor Carriers Safety Regulations (FMCSR), applicants are required to complete a road test, a written examination, and a physical examination. A background investigation is completed by mailing out forms to previous employers to verify previous employment. A review of LMCC's records revealed that the motor carrier did not have any record of responses from the accident busdriver's previous employers.

LMCC requires applicants to have at least 1 year of over-the-road heavy truck or bus driving experience. New drivers are given 2 weeks of familiarization training. New drivers must accompany senior drivers to Atlantic City at least twice. LMCC does not conduct its own formal training; however, 2-day training sessions are provided by the United Bus Owners of America (UBOA) twice yearly at LMCC's facility. Drivers are encouraged to attend the UBOA training sessions and are paid during their attendance. The accident busdriver had received the familiarization training but had not attended the UBOA training.

Drivers are required to be knowledgeable of LMCC's Policies and Procedures Manual and FMCSR contained in 49 CFR, Qualification of Drivers. All busdrivers are required to sign a form stating that they acknowledge receipt of a copy of the FMCSR, and they must take a written examination on their knowledge of the FMCSR. LMCC's Policies and Procedures Manual deals mainly with rates of pay, health and life insurance, uniforms, and attendance. Only a short section of the Manual deals with the general conduct of coach operators. The only specific directive of the Manual states that: "insubordination, gambling, and the consumption of alcoholic beverages and drugs while on company property whether on duty or not results in immediate termination."

The busdriver's qualification file contained a copy of his D.C. driving record. On his employment application, the driver stated that he held a Virginia driver's license, but he did not indicate that his license had been suspended by the State. On the question, "Has any license, permit or privilege ever been suspended or revoked?" the busdriver checked "No." On the section on employment history for the past 3 years, the busdriver left blank the "Reasons for Leaving" space for each previous employer listed. Also, the "List of States operated in for last five years" and the "Other transportation experience and training courses" spaces were left blank.

Early in the investigation, there was some concern as to whether the route operated by the company could be driven round trip in compliance with Federal regulations governing limitations for maximum driving and on-duty time. Safety Board investigators interviewed the busdriver, followed the same route prescribed by the busdriver, drove from the LMCC terminal in Maryland to Tyson's Corner, Virginia, continued on to Atlantic City, New Jersey, and return to the LMCC terminal following the reverse route at a speed no greater than 55 mph. The trip took a total of 9.5 hours (5 hours up and 4.5 hours back) and was in compliance with the 10-hour maximum driving time regulation.

The driver's logbook and toll receipts were not found at the scene of the accident. However, Safety Board investigators were able to obtain copies of the busdriver's logs and pay records from the company and were able to reconstruct the busdriver's on-duty time from September 26 through September 29, 1986.

State and Federal Requirements for Hiring Commercial Drivers

The accident busdriver was engaged in interstate commerce and, thus, was subject to the Federal regulations governing commercial busdrivers and the State regulations in which he was licensed.

State.—The State criteria for persons applying for a commercial bus operator's license in the States of Virginia and South Carolina and the District of Columbia are not the same as the Federal requirements for drivers in interstate operations set forth in the FMCSR. (See next section for a discussion of these requirements.) Applicants for commercial driver's licenses in the States of Virginia and South Carolina must take a written test, a road test, and a vision test; and they must provide evidence that they have driven a commercial vehicle 500 miles. The District of Columbia does not require a special license to drive a truck or a bus; a driver of these vehicles is only required to hold the same type of driver's license required for passenger cars, or a "regular" permit. In the State of Virginia, a heavy truck or busdriver is required to apply for a Class H license endorsement which involves taking a road test in that particular class of vehicle and paying a higher fee.

At the time of application, the States of Virginia and South Carolina and the District of Columbia required out-of-state applicants to surrender their license(s). However, in the State of Virginia, a waiver could be granted if applicants could prove dual

residence or show that another State required that they be licensed where they live or work. The State of Virginia grants waivers orally and no longer keeps any documentation on waivers. Also, there are no records of out-of-state licenses that are collected.

The license application forms for all three jurisdictions contain the question "Has your privilege to drive ever been suspended or revoked or denied in another state?" On all of the applications, the accident busdriver answered "no" to the question. If applicants answer "yes" to the question, they must furnish a record of clearance from the State in which they were suspended.

Federal.--Busdrivers operating in interstate commerce are subject to the prescreening requirements set forth in 49 CFR Part 391, Subpart B. In summary, to be qualified, applicants must be at least 21 years old; read and speak the English language well enough to converse with the general public; possess a valid driver's license; successfully complete a road test administered by the carrier in the type of vehicle they intend to operate; be medically qualified to drive; and take a written examination administered by the carrier, which they are not required to pass. Applicants must also complete and provide to the motor carrier an application for employment. Federal regulations specify the information that the application must contain, including a list of the names and addresses of previous employers, a list of previous motor vehicle accidents, and a list of violations of motor vehicle laws and ordinances (other than parking violations)--for the 3-year period before the date of the application. The applicant is required to sign a statement that the information provided is complete and true.

Title 49 CFR 392.62, "Bus Driver; distraction," states: "No driver while driving a bus shall engage in any unnecessary conversation or other activities tending to distract his attention from the operation of such vehicle."

State and Federal Requirements for Motor Carrier Operations

State.--The Public Service Commission (PSC) grants operating authority to motor carriers operating buses intrastate within the State of Maryland. All motor carriers operating buses interstate are required to register their Interstate Commerce Commission (ICC) authority with the PSC. In addition, all motor carriers must comply with applicable vehicle registration, vehicle inspection, and driver licensing requirements. They also must maintain adequate records concerning driver qualifications, vehicle inspection, and maintenance as specified in the Annotated Code of Maryland.

Federal.--Motor carriers engaged in interstate commerce are subject to the requirements set forth under FMCSR Parts 390 through 399. In 1984, the State of Maryland adopted FMCSR Parts 390 to 398 into its vehicle law. ^{3/} Thus, failure to meet any of the adopted FMCSR is a violation of State law. Motor carriers must comply with all vehicle maintenance and equipment requirements specified in Parts 393 and 396, vehicle operation requirements set forth in Parts 390 and 392, and the limitations for maximum driving and duty time specified in Part 395.

Motor carriers must maintain for each driver a driver qualification file and a personnel file. (These files may be combined.) Part 391.51 of the FMCSR requires motor carriers to retain, among other things, a medical examiner's certificate (or a copy) of the driver's physical qualification to drive, a note relating to an annual review of the driver's driving record, a list of the driver's violations of motor vehicle laws and ordinances, the

^{3/} The Maryland Vehicle Law, 25-111, Motor Carrier Safety Inspections.

driver's employment application, the responses of State agencies and past employers to inquiries made at the time of the driver's application for employment, a certificate of the driver's road test, and a certificate of written examination and the questions and answers. In addition, Part 391.31 requires that a road test evaluation form be in the driver qualification file.

The FMCSR requires motor carriers to make an inquiry into the driver's driving record in each State in which the driver has held a motor vehicle license, and to conduct an investigation of the driver's employment record. These checks are to cover the 3-year period before the date of the employment and must be done within 30 days of the commencement of the driver's employment.

Federal and State Oversight of Motor Carriers

As of June 10, 1986, less than 200 passenger motor carriers were domiciled in the State of Maryland. As a result of the implementation of the Motor Carrier Safety Assistance Program (MCSAP), Maryland will begin auditing motor carriers within the State in July 1987. Neither the FHWA nor the State of Maryland has conducted safety reviews or compliance reviews on LMCC since its ICC authority was transferred from another company in August 1986.

Survival Aspects

None of the passengers were ejected from the bus. The busdriver and the two right front seat passengers were pinned inside the bus due to the intrusion of crushed sheet metal. The passenger seated in the right front window seat stated that immediately before the collision, her friend in the aisle seat had stood up to go to the restroom.

Most of the passengers reported that when the impact occurred they were thrown forward into the seatbacks in front of them. According to the passengers, the seatbacks, and, in particular, the ashtrays and the footrests caused many of their injuries. A few passengers were thrown into the aisle and onto the floor. All of the passengers sustained injuries, such as contusions, abrasions, and lacerations. Two passengers sustained fractured noses, and one passenger sustained a fractured nose and leg. One passenger sustained a concussion and another sustained a concussion and a fractured jaw.

All of the occupants except the three trapped in the front of the bus exited through the side windows, most with the assistance of rescue personnel. Some reported that it was difficult for the older passengers to jump 7 feet down from the window to the ground. It was also reported that someone had to hold the windows open to enable others to exit the bus.

ANALYSIS

The Accident

The weather, the highway, and the mechanical condition of the vehicles were not factors in this accident. There is no evidence to indicate that the busdrivers' performance at the time of the accident may have been influenced by preexisting medical conditions, or that he was fatigued at the time of the accident.

The bus struck the tractor-semitrailer in an offset rear-end collision with the front right half of the bus contacting the rear left half of the trailer. After the bus struck the truck, the left rear tires of the trailer were trapped underneath the front of the bus, causing two heavy black tire marks on the concrete roadway. Based on the tire marks on

the roadway and the onscene photographs, the bus and tractor-semitrailer were completely within the right northbound lane when the impact occurred and remained within the same lane throughout the accident sequence.

Based on the statements of the three truckdrivers traveling behind the bus and the maximum speed of the bus in fifth gear on a level surface, the Safety Board estimates that the bus was traveling between 55 and 70 mph when it struck the rear of the tractor-semitrailer.

The Busdriver

Postaccident interviews and Safety Board questionnaires that were completed by the passengers disclosed that the busdriver was "friendly and happyish" and engaged in considerable conversation, turning his head toward the passengers as he spoke. Passengers also noted that the driver, at different times throughout the trip, smoked, ate, drank, drove with one hand, placed his right leg in the aisle, and vocalized his driving intentions. Some passengers reported that the driver was speeding and that he frequently changed lanes.

The Safety Board believes that the busdriver was inattentive to his driving duties during the events preceding the accident. Although the busdriver applied the service brakes immediately before impact, his extensive interaction with passengers, particularly conversing and turning his head, indicates that he was not fully attentive to his driving duties. The driver stated that as he began braking to avoid the accident, he was "somewhat distracted" by the presence of a passenger standing in the aisle just to his right. The standing passenger was identified by witnesses as one of the individuals the driver was continually talking to during the trip. If, before perceiving the need to brake, the driver had been conversing with this passenger, while turning his head toward the right as the passenger stood, he may have become distracted and, therefore, may not have been fully aware of his closing speed with the tractor-semitrailer.

While applying the brakes, the driver stretched out his right arm to prevent the standing passenger from striking the windshield. This concern for the passenger may have further distracted the driver from taking some form of evasive action to avoid the collision.

A review of the busdriver's traffic violation record and criminal record tends to suggest that he may have had a casual attitude toward his responsibilities and duties. The busdriver's attitude was evident by his propensity to change jobs frequently over a short period of time and by his behavior during the events preceding the accident.

The New Jersey State Police tested the busdriver's blood for alcohol and other drugs; however, the test did not include illicit drugs, such as marijuana or hallucinogens. Safety Board investigators contacted other State law enforcement agencies and found that they do not routinely check for marijuana or hallucinogens when an operator is involved in an accident. The Safety Board believes that all commercial vehicle drivers involved in personal injury accidents should be tested for alcohol and other impairing drugs.

On March 23, 1987, the FHWA proposed a comprehensive rulemaking to establish a Federal alcohol intoxication standard for commercial motor vehicle operators. ^{4/} In its response to the proposed rulemaking, the Safety Board stated on May 22, 1987, that:

^{4/} FHWA Advanced Notice of Proposed Rulemaking, "Blood Alcohol Concentration Standard for Commercial Operators," OMCS Docket No. 128; Notice 87-04, 52 FR 9192, March 23, 1987.

The Board has long held the view that there is no level of alcohol or other impairing drugs in the body that can be presumed "safe." . . . The Safety Board has recommended to the . . . [FAA], the . . . [FRA], and the . . . [USCG] in their respective rulemakings on this issue that the alcohol threshold for air, train, and commercial marine crews should be zero percent, i.e., no measurable alcohol, not 0.04 percent as the railroad and aviation rules and the proposed commercial marine rule now specify. There should be a common, consistent level of zero percent blood alcohol concentration (BAC) specified for all commercial vehicle operators in all modes of transportation

* * * * *

When combined with the impairing effects of other potential stressors found in commercial highway operations, such as complex traffic response demands, fatigue, vibration, and noise, the presence of alcohol even at very low blood alcohol concentrations must be considered a clear and definite risk to safe commercial highway operations.

Therefore, the Safety Board strongly urges the FHWA to set the standard of intoxication at zero percent BAC--that is, to prohibit any person from performing or attempting to perform duties as a commercial vehicle operator with any measurable alcohol in his or her body.

If adopted, the standard will apply to commercial truckdrivers and busdrivers in both interstate and intrastate commerce.

Survival Aspects

The most seriously injured bus passengers were seated at the front of the bus where the impact occurred. The passenger in the right front aisle seat had stood up to go to the restroom just before the impact. Consequently, she sustained multiple, moderate injuries. The passenger seated in the right front window seat sustained serious injuries. Both passengers were trapped in the impact area where the sheet metal was crushed inward by the collision forces.

Even though there was substantial damage to the bus seats, most of the passengers received minor contusions and abrasions and generally remained near their seated areas during the collision. One passenger seated in the right third row window seat slid partially underneath the seat in front of her and sustained a fractured femur. If the passengers had been restrained with lap belts, this would not have prevented injuries occurring to their arms, legs, and faces. Thus, the Safety Board does not believe that the use of lap belts would have significantly reduced the injury severity of the driver and passengers on the bus.

Motor Carrier Preenployment Screening

The primary responsibility for determining if an applicant meets all requirements for a busdriver's position rests with the employing carrier. The carrier is required by Federal regulation to obtain and check the applicant's history of employment, history of violation of motor vehicle laws, and history of accidents within a 3-year period before the date of the application. These records are required to be kept at the carrier's principal place of business for the length of the driver's employment and for 3 years thereafter.

History of Employment.—Federal regulations require that the carrier contact and maintain a record of each of the driver's past employers during the preceding 3 years. The record should have included the name, address, and comments of each employer or representative and the date of the contact.

The Safety Board is not aware of any evidence which indicates that LMCC conducted a thorough background investigation of the busdriver's employment references. Had LMCC diligently contacted each of the previous employers listed by the driver, management would have had more information to use in deciding whether to hire the busdriver. Inquiries with the busdriver's previous employers would have disclosed that the driver was fired from a previous bus company and that he had worked no more than 4 months for six different companies in the Washington metropolitan area. These conditions should have alerted LMCC to make further checks into the busdriver's qualifications to see if there were any other irregularities which could have potentially disqualified the driver.

History of License and Traffic Violations.—The busdriver held licenses in the District of Columbia and the State of Virginia at the time he was hired. Although the busdriver omitted pertinent information about his Virginia and South Carolina licenses on his LMCC employment application, he did indicate that he had a valid license in the State of Virginia. However, the LMCC qualification file on the busdriver only contained a copy of the busdriver's traffic record for the District of Columbia. LMCC management said they were unaware of the discrepancy.

Although the FMCSR does not prohibit the possession of more than one license by commercial vehicle operators, it does require that the motor carrier obtain a copy of the traffic violation and accident history from each State in which a commercial operator is licensed to ensure that each license is currently valid. LMCC management did not meet this requirement and was in violation of FMCSR 391.11 and 391.23.

At the time the busdriver was hired, his driving privileges had been suspended in the States of South Carolina and Virginia. FMCSR 391.15 states, "A driver is disqualified for the duration of his loss of his privilege to operate a commercial motor vehicle on public highways, either temporarily or permanently, by reason of the revocation, suspension, withdrawal, or denial of an operator's license, permit, or privilege, until that operator's license, permit, or privilege is restored by the authority that revoked, suspended, withdrew, or denied it." Although the busdriver's license was reinstated in the State of Virginia in September 1986, his license in the State of South Carolina will remain suspended until 1988. Thus, the busdriver was in violation of FMCSR 391.15 at the time he was hired and should not have been permitted to drive in interstate commerce. The Safety Board concludes that LMCC violated several Federal regulations which govern the preemployment screening of the busdriver and did not adequately check the busdriver's employment history or driver license records at the time he was hired.

The Safety Board was not able to determine why the busdriver was not listed in the NDR as having a suspended South Carolina driver's license. The data base of the NDR is not complete and current since the records put into the NDR are based on voluntary submission of revocations, suspensions, and conviction information. Policies regarding the submission of data and inquiries vary from State to State.

The exchange of accident and driver license information by States has been facilitated by the Uniform Violators Compact and the Driver License Compact. However, these systems are limited because neither has the full participation of all 50 States and the District of Columbia.

The Safety Board has long been concerned about the difficulties prospective employers and State licensing agencies have in obtaining complete and accurate records on the violations of motor vehicle laws by commercial drivers. The Board has previously concluded that one of the major reasons, in addition to those cited above, for the difficulties in securing a complete and accurate record is the multiple licenses and, thus, the multiple records of violations held by many commercial drivers.

In its 1980 safety study on detection and control of unsafe commercial drivers, 5/ the Safety Board found that many problem commercial drivers, in spite of their records of unsafe driving, continue to obtain and keep licenses in more than one State. Multiple licenses enable commercial drivers to spread traffic convictions among records and prevent authorities from knowing their complete traffic violation records.

In a more recent safety study on drivers of heavy trucks, 6/ the Safety Board expressed its support for a national driver license program which would encompass the "one-license" concept. In essence, all commercial drivers would be issued one license at a time by the State in which they reside. All traffic violations would be included in a single driver's record.

The study also said that the U.S. Department of Transportation (DOT) should determine how and where the license information on commercial drivers would be kept. The Board recommended that the DOT:

H-86-8

Develop a program under which the State and Federal authorities would jointly administer a National Driver License for commercial truck drivers. Such a program should implement the one-license/one-record concept, and a system should be developed that will keep track of the records of all individuals holding a National Driver License.

In response to the recommendation, the Secretary of Transportation stated on December 15, 1986, that:

The Commercial Motor Vehicle Safety Act of 1986 [see comments below] has subsumed the rulemaking and other DOT activities, as well as the Safety Board's recommendation. The Act not only mandates a single classified commercial vehicle driver's license, uniform national licensing standards, and an information system, but it also establishes a tight timetable for implementation, encourages State participation through highway funding sanctions, and provides for grants to help States set up the system.

On March 17, 1987, the Safety Board stated in a letter to the Secretary of Transportation that "in order to promote the safe operation of commercial motor vehicles on the Nation's highways, national standards for the issuance of classified commercial motor vehicle operator's license should be established. In that regard, we commend the DOT for its efforts in the areas of truck safety and single and classified driving licenses. With regard to our Safety Recommendations, we look forward to seeing the

5/ "Safety Effectiveness Evaluation of Detection and Control of Unsafe Interstate Commercial Drivers Through the National Driver Register, State Driver Licensing Policies, and the Federal Motor Carrier Safety Regulations" (NTSB-SEE-80-1).

6/ Safety Study--"Training, Licensing, and Qualification Standards for Drivers of Heavy Trucks" (NTSB/SS-86/02).

concepts addressed becoming a part of the Code of Federal Regulations through DOT's efforts to implement and enforce the Commercial Motor Vehicle Safety Act of 1986. . . ." Pending completion of the rulemaking action, Safety Recommendation H-86-8 has been classified as "Open--Acceptable Action."

The Commercial Motor Vehicle Safety Act of 1986 (P.L. 99-570) became law on October 16, 1986. The act requires the Federal and State governments to establish and maintain a program which identifies and tracks commercial motor vehicle drivers and their records. The Safety Board believes that when the system becomes fully operational it will yield substantial safety benefits. Briefly, the act:

- Prohibits commercial drivers from holding more than one license;
- Prohibits employers from allowing employees to operate commercial vehicles with suspended or revoked licenses;
- Requires that all commercial drivers be tested under minimum testing standards developed by the DOT;
- Requires that the DOT establish minimum uniform standards by which the States issue licenses; and
- Requires creation of a license information system which will serve as a clearinghouse of information on the licensing of commercial drivers.

The Safety Board believes that the act, if properly implemented, will be a useful tool which will permit the States and motor carriers to obtain information about driving records quickly and accurately to ensure that commercial vehicle driver licenses are only issued to those with clear records. If a driver applies for a license in another State, the provisions of the act should ensure that only those drivers who do not already possess a driver's license for the purpose of commercial driving are issued a new license.

In its investigation of a bus accident near Walker, California, on May 30, 1986, 7/ the Safety Board determined that:

The motor carrier did not adequately review the busdriver's previous employment background and driver license qualifications.

The motor carrier did not adequately monitor the busdriver's hours of service, traffic violation record, and accident history after the busdriver was hired.

As a result of its investigation, the Safety Board recommended that the FHWA:

H-87-36

Amend 49 CFR 391.11 and 391.15 to specify the number and type of violations of motor vehicle laws and the time interval in which they are committed that would result in qualification for or disqualification from driving a motor vehicle in interstate commerce.

7/ Highway Accident Report--"Intercity Tour Bus Loss of Control and Rollover into the West Walker River, Walker, California, May 30, 1986" (NTSB-HAR-87/4).

H-87-37

Provide access for the law enforcement community, the courts, and the motor carriers to the clearinghouse of license information on commercial drivers which will be established under the Commercial Motor Vehicle Safety Act of 1986.

When the license information clearinghouse becomes available, it will provide motor carriers with an efficient method for a rapid, nationwide review of driver traffic convictions and accident data. Due to the recency of the recommendation, the FHWA has not yet had time to respond.

Accident Data

The accident rate for the 2-mile section of I-295 was calculated to be 0.48 accident per MVM. This rate is low when compared to the average overall rate of 0.81 accident per MVM for all of I-295. Also, the relatively low overall rate includes accidents involving all types of motor vehicles (trucks, buses, and passenger cars) and does not address accident rates for specific types of vehicles.

Emergency Response

The emergency response was executed in a timely, orderly, and efficient manner. Emergency response personnel arrived about 7 minutes after being dispatched, established a command center, and began the onscene triage process. All injured persons received prompt medical attention and, including the three trapped occupants, were evacuated from the scene within 2 hours 40 minutes of the arrival of the first rescue unit.

CONCLUSIONS

Findings

1. The weather, the highway, and the mechanical condition of the vehicles were not factors in the accident.
2. There is no evidence to indicate that the busdriver's performance was impaired at the time of the accident by preexisting medical conditions.
3. The bus was traveling between 55 and 70 mph when it struck the rear of the tractor-semitrailer.
4. According to the truckdriver, the truck was traveling about 45 mph when it was struck by the bus.
5. The collision occurred in the right lane, and there were no visibility problems.
6. The busdriver was inattentive to his driving tasks at the time of the accident.
7. The busdriver, who had suspended licenses in the States of South Carolina and Virginia when he was hired by LMCC, was in violation of FMCSR 391.15 and should not have been permitted to drive in interstate commerce.
8. The busdriver misrepresented and omitted pertinent information on his employment application concerning his driver license status in the States of Virginia and South Carolina.

9. LMCC did not adequately check the busdriver's employment history or driver license records at the time he was hired and, thus, was in violation of several Federal regulations.
10. Most of the seriously injured passengers were seated at the front of the bus.
11. Lap belts probably would not have lessened the injury outcome for the passengers who sustained minor injuries.
12. The emergency response was executed in a timely, orderly, and efficient manner.
13. The Commercial Motor Vehicle Safety Act of 1986, if implemented properly, will permit States and motor carriers to obtain quick and accurate information on driving records or commercial vehicle operators.

Probable Cause

The National Transportation Safety Board determines that the probable cause of this accident was the busdriver's inattention to his driving task and his misjudgment of the closing speed between the bus and truck in front of him. Contributing to the accident was the motor carrier's failure to adequately screen the busdriver's qualifications and background. Contributing to the severity of injuries was the high speed of the bus.

RECOMMENDATIONS

As a result of its investigation of this accident, the National Transportation Safety Board made the following recommendations:

--to the Federal Highway Administration:

Conduct a safety review(s) of the Leatherwood Motor Coach Corporation with specific emphasis on checking the employment history and driver license records of its bus operators to determine if the company is in compliance with applicable Federal regulations. (Class II, Priority Action) (H-87-39)

--to the Leatherwood Motor Coach Corporation:

Implement the necessary procedures for gathering information on driver applicants concerning their employment history and driving license records in a timely fashion. (Class II, Priority Action) (H-87-40)

--to the United Bus Owners of America and the American Bus Association:

Inform your membership of the circumstances of the accident near Carney's Point, New Jersey, on September 29, 1986, and urge them to conduct thorough preemployment checks on all driver applicants, particularly concerning drivers' employment history and driver license records. (Class II, Priority Action) (H-87-41)

BY THE NATIONAL TRANSPORTATION SAFETY BOARD

/s/ JIM BURNETT
Chairman

/s/ PATRICIA A. GOLDMAN
Vice Chairman

/s/ JOHN K. LAUBER
Member

/s/ JOSEPH T. NALL
Member

/s/ JAMES L. KOLSTAD
Member

May 27, 1987

APPENDIXES

APPENDIX A

INVESTIGATION AND DEPOSITION

1. Investigation

The National Transportation Safety Board was notified of this accident about 4:30 p.m. on September 29, 1986, by the news media.

A Highway Accident Investigator was dispatched from the Safety Board's headquarters office in Washington, D.C. The investigator arrived onscene at 10 a.m. on September 30, 1986. Three other investigators from the headquarters office were later assigned to the investigation. Participating in the investigation were representatives of the Federal Highway Administration, the New Jersey Department of Transportation, and the Leatherwood Motor Coach Corporation.

2. Deposition

No public hearing was held in conjunction with the investigation. Depositions were taken on January 15, 1987, at the headquarters office in Washington, D.C.

APPENDIX B

BUSDRIVER'S LICENSE RECORDS



SOUTH CAROLINA

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

MOTOR VEHICLE DIVISION
P.O. BOX 1486
COLUMBIA, S.C. 29211

INTERNAL RECORD CHECK 11/19/86
FOR DEPARTMENTAL USE ONLY
LICENSE NUMBER 2403692 PAGE 1
NAME DAVIS-ANDREW COHEN
ADDRESS RT. 2 BX 37
REMBERT 29128
BIRTH DATE 07/01/45 SEX MALE
ISSUE DATE 12/01/83 DRIVE TRAIN NO
TYPE LICENSE CLASS 1
DRIVING STATUS POINTS-PENDING RELEASE
MANDATORY-SUSPENDED
MANUAL-SUSPENSION
SUSP POINT SUSPENSION
BEGIN 11/13/77 END 02/11/78
CAUSE 12/07/77 REINSTATED
SUSP POINT SUSPENSION
BEGIN 08/01/78 END 10/30/78
CAUSE 07/31/78 REINSTATED
SUSP POINT SUSPENSION
BEGIN 01/02/80 END 04/01/80
CAUSE 12/13/79
VIOL DRIVING UNDER SUSPENSION
DATE 07/02/80 TICKET R033114
POSTED 00/05/80 POINTS 8

LICENSE NUMBER 2403692 PAGE 2
SUSP FR INSTALLMENT DEFAULT
BEGIN 09/07/80 END 99/99/99
CAUSE 11/16/79
VIOL DRIVING UNDER SUSPENSION
DATE 08/12/81 TICKET 2021415
POSTED 10/02/81 POINTS 8
VIOL DRIVING UNDER SUSPENSION
DATE 02/18/82 TICKET 0449205
POSTED 03/11/82 POINTS 8
VIOL DRIVING UNDER SUSPENSION
DATE 06/29/82 TICKET C032712
POSTED 09/16/82 POINTS 8
ACC DATE 11/16/79 NUMBER 098611
MOVING VIOL. INDICATED - PD
VIOL NO RIGHT OF WAY
DATE 11/16/79 TICKET M048729
POSTED 12/07/79 POINTS 4
VIOL SPEEDING 064MPH IN A 050MPH ZONE
DATE 10/10/79 TICKET G200846
POSTED 11/08/79 POINTS 4
SR26 FILE 12/30/83 01/14/84



SOUTH CAROLINA

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

MOTOR VEHICLE DIVISION
P O BOX 1468
COLUMBIA S C 29216

LICENSE NUMBER 2403692 PAGE 3
VIOL SPEEDING - 10 MPH OR LESS
DATE 12/01/83 TICKET H092526
POSTED 01/19/84 POINTS 2
SUSP FINANCIAL RESP
BEGIN 01/14/84 END 99/99/99
CAUSE 01/14/84
SUBJ HABITUAL OFFENDER
BEGIN 12/09/83 END 12/09/88
CAUSE 12/09/83
END INQUIRY

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS
BUREAU OF MOTOR VEHICLE SERVICES
301 C STREET, N.W.
WASHINGTON, D.C. 20001

DRIVER'S RECORD

PAGE 1

DAVIS, ANDREW COHEN
4455 FONDS ST NE
WASHINGTON, DC 20019

DATE OF BIRTH: 07-01-45 SEX: M
HGT: 6-01 WGT: 175
SOCIAL SECURITY NO: 248-76-0198

PERMIT RECORDS

ACCORDING TO THE INFORMATION AVAILABLE AS OF 03-19-87, THE ABOVE NAMED
INDIVIDUAL'S OPERATOR PRIVILEGE STATUS IS LEGAL AND DC PERMIT STATUS
IS VALID.

* REGULAR DC 248760198 EXPIRES: 06-17-90 IS VALID.

PERMIT RESTRICTIONS FOR INDIVIDUAL ARE:

NONE

INDIVIDUAL HAS FOLLOWING SPECIAL LICENSES AND/OR PRIVILEGES:

NONE

TRAFFIC RECORDS

ACCORDING TO THE INFORMATION AVAILABLE AS OF 03-19-87, THE FOLLOWING
RECORDS ARE ON FILE IN THE TRANSPORTATION SYSTEMS ADMINISTRATION FOR
DAVIS, ANDREW COHEN

04-06-70 SUSPENSION PENDING AGAINST: DC PERMIT AND TAGS
REASON: SR UNKNOWN 00-03066 ISSUED BY: SAFETY RESP DIV
01-17-75 RELEASE: CLEARED

PAGE 1 OF 1

LAST LINE, LAST PAGE

TOTAL POINTS = 0

UK

*** DEPARTMENT OF MOTOR VEHICLES, VIRGINIA ***

TRANSCRIPT OF RECORD

DATE 03/23/87 REQUESTED BY: UNRESTRICTED PAGE 1 OF 2

RC NO. D01793-95178-774435 DEMERITS 8

DL NO. 248-78-0198 SAFE DRIVING PTS 0

BALANCE MINUS 8

DAVIS, ANDREW, COHEN BIRTH DATE 07/01/43 SEX M

845 19TH ST NE WGT 180 HGT 6-01 EYES BR HAIR BR

WASHINGTON DC, DC 20002 DIST COLUM

DRIVER LIC STATUS - LICENSED

CHAUFFEUR ENDR STATUS - LICENSED

LIC ISSUE 08/24/84 EXP 07/31/86 CL CLASS A RESTR 0

NO. 248-78-0198

CONVICTION 03/26/85 OFF 02/05/85 DIS CT PR WILL CO

NO STATE CORPORATION COMMISSION AUTHORITY

CONVICTION 07/11/85 OFF 06/21/85 DIS CT HENRICO CO

DEMERITS 4 SPEEDING 10-19 MPH ABOVE SPEED LIMIT

SUSPENSION 08/21/85 TERM 01/06/86 FAIL TO PAY FINE DMV ORDER

CONVICTION 07/11/85 DIS CT HENRICO CO CONTL ENDS 01/06/86

ORDER MAILED - ACCEPTED, NOT BY ADDRESSEE 08/23/85

COMPLIED WITH THIS ORDER 01/06/86

*** DEPARTMENT OF MOTOR VEHICLES, VIRGINIA ***

TRANSCRIPT OF RECORD

DATE 03/23/87

REQUESTED BY: UNRESTRICTED

PAGE 2 OF 2

RC NO. D01793-95178-774435

CONVICTION 01/19/86 OFF 12/10/85 DIS CT FAUQUIER C

DEMERITS 4 SPEEDING 10-19 MPH ABOVE SPEED LIMIT

SUSPENSION 03/31/86 TERM 09/04/86 FAIL TO PAY FINE DMV ORDER

CONVICTION 01/19/86 DIS CT FAUQUIER C CONTL ENDS 09/04/86

ORDER MAILED

COMPLIED WITH THIS ORDER 09/04/86

LIC ISSUE 09/04/86 EXP 07/31/93 DL CLASS ABH RESTR 0

NO. 248-78-0198