



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-41

The Honorable Victor M. Mendez
Administrator
Federal Highway Administration
Washington, DC 20590

On November 5, 2013, the National Transportation Safety Board (NTSB) adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Railroad Administration, city of Midland, National League of Cities, National Association of Counties, National Association of Towns and Townships, United States Conference of Mayors, International City/County Management Association, and International Festivals and Events Association, including the following recommendation to the Federal Highway Administration:

H-13-41

Work with the Federal Railroad Administration to (1) include guidance in the *Manual on Uniform Traffic Control Devices* (MUTCD) for the installation of advance warning devices, such as movement-activated blank-out signs, that specifically use the word “train” to indicate the preemption of highway traffic signals by an approaching train, and (2) amend the MUTCD to indicate that preemption confirmation lights, while not intended to provide guidance to the general public, would be useful in providing advance information on train movements to law enforcement and emergency responders.

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-42

The Honorable Wes Perry
Office of the Mayor
City Council, City of Midland
Midland, TX 79701

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, National League of Cities, National Association of Counties, National Association of Towns and Townships, United States Conference of Mayors, International City/County Management Association, and International Festivals and Events Association, including the following recommendation to the city of Midland:

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

H-13-42

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.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-43

Mr. Tom Cochran
CEO and Executive Director
United States Conference of Mayors
1620 I St., NW
Washington, DC 20006

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, city of Midland, National League of Cities, National Association of Counties, National Association of Towns and Townships, International City/County Management Association, and International Festivals and Events

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

Association, including the following recommendation to the United States Conference of Mayors:
H-13-43

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.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-43

Ms. Jennifer Imo
Federal Director
National Association of Towns and Townships
1130 Connecticut Ave., Suite 300
Washington, DC 20036

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, city of Midland, National League of Cities, National Association of Counties, United States Conference of Mayors, International City/County Management Association, and International Festivals and Events Association, including the following recommendation to the National Association of Towns and Townships:

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

H-13-43

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.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-43 and H-13-44

Mr. Robert J. O'Neill
Executive Director
International City/County Management Association
777 North Capitol St., NE
Washington, DC 20002

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, city of Midland, National League of Cities, National Association of Counties, National Association of Towns and Townships, United States Conference of Mayors, and International Festivals and Events Association, including the following 2 recommendations to the International City/County Management Association:

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

H-13-43

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-13-44

With the assistance of the International Festivals and Events Association, National League of Cities, and National Association of Counties, develop and disseminate a list of key elements that state and local officials can use as a resource to create guidelines, standard operating procedures, or ordinances for the safe planning and operation of parades and other special events.

These safety recommendations are derived from the NTSB's investigation and are consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-43 and H-13-45

Mr. Matthew D. Chase
Executive Director
National Association of Counties
25 Massachusetts Avenue, NW
Suite 500
Washington, DC 20001

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, city of Midland, National League of Cities, National Association of Towns and Townships, United States Conference of Mayors,

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

International City/County Management Association, and International Festivals and Events Association, including the following 2 recommendations to the National Association of Counties:

H-13-43

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-13-45

Assist the International City/County Management Association in developing and disseminating a list of key elements that state and local officials can use as a resource to create guidelines, standard operating procedures, or ordinances for the safe planning and operation of parades and other special events.

These safety recommendations are derived from the NTSB's investigation and are consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-43 and H-13-45

Mr. Clarence E. Anthony
Executive Director
National League of Cities
1301 Pennsylvania Ave., NW
Suite 550
Washington, DC 20004

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, city of Midland, National Association of Counties, National Association of Towns and Townships, United States Conference of

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

Mayors, International City/County Management Association, and International Festivals and Events Association, including the following 2 recommendations to the National League of Cities:

H-13-43

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-13-45

Assist the International City/County Management Association in developing and disseminating a list of key elements that state and local officials can use as a resource to create guidelines, standard operating procedures, or ordinances for the safe planning and operation of parades and other special events.

These safety recommendations are derived from the NTSB's investigation and are consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: December 2, 2013

In reply refer to: H-13-45

Mr. Steven Wood Schmader
President & CEO
International Festivals and Events Association
2603 West Eastover Terrace
Boise, ID 83706

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

On November 5, 2013, the NTSB adopted its report concerning the November 15, 2012, highway–railroad grade crossing accident in Midland, Texas, in which a freight train collided with a parade float, resulting in 4 fatalities and 12 injuries.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, www.nts.gov, under report number NTSB/HAR 13/02.

As a result of this investigation, the NTSB issued 6 new recommendations to the Federal Highway Administration, Federal Railroad Administration, city of Midland, National League of Cities, National Association of Counties, National Association of Towns and Townships, United States Conference of Mayors, and International City/County Management Association, including the following recommendation to the International Festivals and Events Association:

¹ See *Highway–Railroad Grade Crossing Collision, Midland, Texas*, Highway Accident Report, NTSB/HAR 13/02 (Washington, DC: NTSB, 2013).

H-13-45

Assist the International City/County Management Association in developing and disseminating a list of key elements that state and local officials can use as a resource to create guidelines, standard operating procedures, or ordinances for the safe planning and operation of parades and other special events.

This safety recommendation is derived from the NTSB's investigation and is consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in this recommendation. Member WEENER also filed a concurring statement, which is appended to the accident report.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number. We encourage you to submit your response electronically to correspondence@ntsb.gov.

[Original Signed]

By: Deborah A.P. Hersman,
Chairman