

August 28, 2024

Mr. Vinn White
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

The attached letter from the NTSB Chair provides information about the August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus Williamsburg, Virginia December 16, 2022* (NTSB/HIR-24-05). The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendations by number (for example, Safety Recommendation H-24-19, reiterated Safety Recommendation H-22-4). We encourage you to submit your response to ExecutiveSecretariat@nts.gov. If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.



NTSB Executive Secretariat-LRM
Office of the Managing Director
National Transportation Safety Board
490 L'Enfant Plaza SW
Washington, DC 20594
Email: ExecutiveSecretariat@nts.gov

National Transportation Safety Board

Office of the Chair

Washington, DC 20594



August 28, 2024

Mr. Vinn White
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Deputy Administrator White:

This letter provides information about the National Transportation Safety Board's (NTSB) August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus, Williamsburg, Virginia, December 16, 2022*, NTSB/HIR-24-05. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- Inadequate safety culture of the truck motor carrier
- Need for federal requirements for commercial vehicle collision avoidance systems
- Inadequate safety management and oversight of the bus carrier

Accordingly, the NTSB makes the following safety recommendation to the FMCSA. Additional information regarding this recommendation can be found in the noted section of the report.

Revise the electronic logging device (ELD) requirements in Title 49 *Code of Federal Regulations* Part 395 to require ELD providers to create an audit log that includes:

- date,
- driver login time and who logged them in,
- names of anyone who edited the log,
- driver's license numbers, and
- active driver list changes. (H-24-19) (See section 2.3.1.)

In addition, the NTSB reiterates the following recommendation to the FMCSA:

Provide guidance to motor carriers to proactively use the onboard video event recorder information to aid in driver training and ensure driver compliance with regulatory rules essential for safe operation. (H-22-4)
(See section 2.3.3.)

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number (H-24-19 and H-22-4). We encourage you to submit your response to ExecutiveSecretariat@ntsb.gov. If your reply, including attachments, exceeds 20 megabytes, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

Sincerely,

[Original Signed]

Jennifer Homendy
Chair

August 28, 2024

The Honorable Glenn Youngkin
Governor of Virginia
State Capitol, 3rd Floor
Richmond, VA 23219

The NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in the other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable cause of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for any accident or event investigated by the agency. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The attached letter from the NTSB Chair provides information about the NTSB's August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus Williamsburg, Virginia December 16, 2022* (NTSB/HIR-24-05). The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendation by number (for example, H-24-20). We encourage you to submit your response to ExecutiveSecretariat@nts.gov. If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

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We are providing the following information to urge the Commonwealth of Virginia to act on the safety recommendation in this letter because we believe your office can help reduce the risk of future accidents. For more information about the NTSB and our recommendation process, please see the attached one-page summary.

This letter also includes information about our August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus, Williamsburg, Virginia, December 16, 2022*, NTSB/HIR-24-05. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- Inadequate safety culture of the truck motor carrier
- Need for federal requirements for commercial vehicle collision avoidance systems
- Inadequate safety management and oversight of the bus carrier

Accordingly, the NTSB makes the following safety recommendation to the Commonwealth of Virginia. Additional information regarding this recommendation can be found in the noted section of the report.

Provide new intrastate motor carrier licensees with management safety guidance to include, at a minimum:

- proper license class,
- drug- and alcohol-testing requirements,
- fatigue management,
- vehicle maintenance, and
- safe commercial vehicle operation. (H-24-20) (See section 2.5.2.)

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number (H-24-20). We encourage you to submit your response to ExecutiveSecretariat@ntsb.gov. For your convenience, please refer to additional [guidance on responding to our safety recommendations](#) on our website.

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Sincerely,

[Original Signed]

Jennifer Homendy
Chair

cc: Patrick Harrison
Assistant Commissioner - Motor Carrier Services
Virginia DMV

August 28, 2024

Mr. Andrew Voveris
President
Triton Logistics Incorporated
525 Anderson Drive
Romeoville, IL 60446

The NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in the other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable cause of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for any accident or event investigated by the agency. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The attached letter from the NTSB Chair provides information about the NTSB's August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus Williamsburg, Virginia December 16, 2022* (NTSB/HIR-24-05). The details of this accident investigation and the resulting safety recommendation may be found in the attached report, which can also be accessed at <http://www.nts.gov>. For more information about NTSB and our recommendation process, please see the attached one-page summary.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter detailing the actions you have taken or intend to take to implement these recommendations. When replying, please refer to the safety recommendations by number (for example, H-24-21, H-24-22, and H-24-23). We encourage you to submit your response to ExecutiveSecretariat@nts.gov. If your reply exceeds 20 megabytes, including attachments, please e-mail us at the same address for instructions on how to send larger documents. Please do not submit both an electronic copy and a hard copy of the same response.

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August 28, 2024

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Triton Logistics Incorporated
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Dear Mr. Voveris:

The NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in the other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

We are providing the following information to urge Triton Logistics Incorporated to act on the safety recommendations in this letter because we believe your organization can help reduce the risk of future accidents. For more information about the NTSB and our recommendation process, please see the attached one-page summary.

This letter also includes information about our August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus, Williamsburg, Virginia, December 16, 2022*, NTSB/HIR-24-05. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- Inadequate safety culture of the truck motor carrier
- Need for federal requirements for commercial vehicle collision avoidance systems
- Inadequate safety management and oversight of the bus carrier

Accordingly, the NTSB makes the following safety recommendations to Triton. Additional information regarding these recommendations can be found in the noted sections of the report.

Implement a process to regularly verify the accuracy of drivers' records of duty status, such as by cross-referencing other information, such as payroll. (H-24-21) (See section 2.3.1.)

Implement a fatigue management program, based on the North American Fatigue Management Program, to educate your drivers and other employees about fatigue, its causes, and its countermeasures. (H-24-22) (See section 2.3.2.)

Implement a policy to proactively use onboard video event recorder information, including inward- and forward-facing video, to enhance driver training/coaching. (H-24-23) (See section 2.3.3.)

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement them. When replying, please refer to the safety recommendations by number (H-24-21 through -23). We encourage you to submit your response to ExecutiveSecretariat@ntsb.gov. For your convenience, please refer to additional [guidance on responding to our safety recommendations](#) on our website.

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Sincerely,

[Original Signed]

Jennifer Homendy
Chair

August 28, 2024

Mr. Collin Mooney
Executive Director
Commercial Vehicle Safety Alliance
99 M Street, SE, Suite 1025
Washington, DC 20003

The NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in the other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable cause of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for any accident or event investigated by the agency. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

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August 28, 2024

Mr. Collin Mooney
Executive Director
Commercial Vehicle Safety Alliance
99 M Street, SE, Suite 1025
Washington, DC 20003

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We are providing the following information to urge the Commercial Vehicle Safety Alliance to act on the safety recommendation in this letter because we believe your organization can help reduce the risk of future accidents. For more information about the NTSB and our recommendation process, please see the attached one-page summary.

This letter also includes information about our August 12, 2024, report *Rear-End Collision Between Combination Vehicle and Medium-Size Bus, Williamsburg, Virginia, December 16, 2022*, NTSB/HIR-24-05. The details of this accident investigation and the resulting safety recommendations may be found in the attached report, which can also be accessed at <http://www.nts.gov>.

As a result of this investigation, we identified the following safety issues:

- Inadequate safety culture of the truck motor carrier
- Need for federal requirements for commercial vehicle collision avoidance systems
- Inadequate safety management and oversight of the bus carrier

Accordingly, the NTSB makes the following safety recommendation to the CVSA. Additional information regarding this recommendation can be found in the noted section of the report.

Inform your members of the circumstances of the Williamsburg, Virginia, fatal crash caused by the truck driver's fatigue and the creation of fictitious driver accounts in the electronic logging device (ELD) system by the motor carrier that enabled drivers to operate their vehicles for hours in excess of federal regulations, the importance of comparing driver and employee information to ELD log information during enforcement interventions, and the potential consequences of falsifying ELD log information. (H-24-24) (See section 2.3.1.)

To assist you in fulfilling this recommendation, we are attaching a "sample article" covering the Williamsburg crash that addresses the safety issue area identified in the recommendation. Please feel free to use this article (or parts of it) in your communications to members. If you would like to discuss the article or this recommendation, please contact Ms. Ellen Lee, project manager for the Williamsburg investigation, at Ellen.Lee@ntsb.gov, or by calling (202) 549-4737.

The NTSB is vitally interested in this recommendation because it is designed to prevent accidents and save lives. We would appreciate a response within 90 days of the date of this letter, detailing the actions you have taken or intend to take to implement it. When replying, please refer to the safety recommendation by number (H-24-24). We encourage you to submit your response to ExecutiveSecretariat@ntsb.gov. For your convenience, please refer to additional [guidance on responding to our safety recommendations](#) on our website.

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Sincerely,

[Original Signed]

Jennifer Homendy
Chair

Sample Article - Commercial Vehicle Safety Alliance

Preventing ELD Fraud, HOS Violations, and Driver Fatigue

Encountering slow-moving or stopped traffic is a common occurrence for commercial motor vehicle drivers. Well-rested and attentive drivers can easily navigate an unexpected slowdown, but this can be a hazardous situation for fatigued drivers. Fatigued drivers are susceptible to performance errors including slowed reaction time, reduced vigilance, lack of sustained attention, poor lane-tracking ability, and impaired cognitive processing. Any action that enables drivers to exceed the hours-of-service (HOS) limits, including falsifying drivers' electronic logging device (ELD) log information, encourages fatigued and drowsy driving, which can be just as dangerous as impaired driving. The National Transportation Safety Board (NTSB) wants to inform enforcement officials about novel means that certain carriers have used to falsify logs and the potential life-threatening consequences of falsifying ELD log information.

Multivehicle Crash Involving ELD Falsification

The NTSB investigated a December 16, 2022, collision in Williamsburg, Virginia, in which a tractor-trailer combination vehicle crashed into a slow-moving medium-size bus on a highway. Three bus passengers died and many more were injured. Although the truck driver had a clear line of sight while approaching the bus, there was no attempt to brake or evasively steer prior to the crash. We found that the truck driver's poor performance was due to fatigue.

The NTSB determined that the truck driver had limited sleep opportunity in the days leading to the crash. In addition, he had exceeded federal HOS limits multiple times. The driver's ELD showed a driver/codriver arrangement, and he told the Virginia State Police that he had dropped off his codriver at a truck stop just before the crash. However, the available evidence demonstrated that there was never a codriver in the truck and all the driving hours belonged to the crash driver. The NTSB found that the motor carrier created fictitious driver accounts in the ELD system, using driver license numbers that did not match real drivers. Doing so enabled drivers to operate their vehicles for hours beyond those allowable by federal regulations, leading to the drivers driving in a fatigued condition, as occurred with the crash-involved driver. Further, the motor carrier intentionally modified the license number of the alleged codriver after the crash, likely attempting to hide the presence of the fictitious ELD account.

What Can CVSA Inspectors/Law Enforcement Do?

Compare driver and employee information to ELD log information during enforcement interventions. ELDs suggesting a driver/codriver arrangement require

additional scrutiny when only a single driver is present at an inspection. Falsifying ELD log information have serious consequences including drivers operating vehicles for hours in excess of federal regulations and in a fatigued state which can lead to crashes and injuries.

What Can Regulators Do?

The NTSB recommends that the Federal Motor Carrier Safety Administration revise the ELD requirements in Title 49 Code of Federal Regulations Part 395 to require ELD providers to create an audit log that includes date, driver login time and who logged them in, names of anyone who edited the log, driver's license numbers, and active driver list changes. A data entry tracking history in ELD software can increase accountability and transparency and can deter motor carrier personnel from making false entries aimed at circumventing HOS regulations.

Additional Information?

Additional information about the Williamsburg, Virginia crash, including the final report, *Rear-End Collision Between Combination Vehicle and Medium-Size Bus, Williamsburg, Virginia, December 16, 2022*, can be found on the NTSB website at [www.nts.gov](https://www.nts.gov/highway-investigation-reports/hir-24-05), highway investigation report [HIR-24-05](https://www.nts.gov/highway-investigation-reports/hir-24-05).