



National Transportation Safety Board

Washington, DC 20594

Safety Recommendation

Date: July 12, 2012

In reply refer to: H-12-13 through -19;
H-09-15 and -16,
H-10-9, and H-08-13
(Reiterated)

The Honorable Anne S. Ferro
Administrator
Federal Motor Carrier Safety Administration
Washington, DC 20590

On June 5, 2012, the National Transportation Safety Board (NTSB) adopted its report concerning a March 12, 2011, accident, in which a motorcoach departed the roadway and collided with a vertical highway signpost, resulting in 15 fatalities and 18 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, <http://www.nts.gov>.

As a result of this investigation, the NTSB reiterated previously issued Safety Recommendations H-09-15 and -16, H-10-9, and H-08-13 to the Federal Motor Carrier Safety Administration (FMCSA) and H-99-47 and -48 to the National Highway Traffic Safety Administration (NHTSA). In addition, the NTSB issued 16 new recommendations, including 3 to NHTSA; 2 to the Federal Highway Administration; 3 to the American Association of State Highway and Transportation Officials; 1 to the American Bus Association, the National Motorcoach Network, and the United Motorcoach Association; and the following 7 recommendations to the FMCSA:

H-12-13

Develop and disseminate guidance for motor carriers on how to most effectively use currently available onboard monitoring systems and develop a plan to periodically update the guidance.

¹ *Motorcoach Run-Off-the-Road and Collision With Vertical Highway Signpost, Interstate 95 Southbound, New York City, New York, March 12, 2011*, Highway Accident Report NTSB/HAR-12/01 (Washington, DC: National Transportation Safety Board, 2012).

H-12-14

Upon completion of the field operational tests for onboard monitoring systems, determine whether test results indicate that such systems would reduce accidents or injuries, and, if so, require commercial motor carriers to use these systems to improve driver safety.

H-12-15

Revise 49 *Code of Federal Regulations* 391.23 to require that motor carriers obtain a 10-year driving history for all prospective commercial vehicle drivers.

H-12-16

Revise 49 *Code of Federal Regulations* 384.225 to require that states retain on the Commercial Driver's License Information System driver record all convictions, disqualifications, and other licensing actions for violations during the prior 10 years.

H-12-17

Include safety measurement system rating scores in the methodology used to determine a carrier's fitness to operate in the safety fitness rating rulemaking for the new Compliance, Safety, Accountability initiative.

H-12-18

Include in the safety fitness rating rulemaking for the new Compliance, Safety, Accountability initiative a structured process, such as the Safety Management Cycle, to be used by Federal Motor Carrier Safety Administration investigators and their state Motor Carrier Safety Assistance Program agents, as an audit tool for investigators to (1) identify the root cause of safety risks found during compliance reviews, and (2) deliver constructive guidance to motor carriers to ensure the promotion of safety management.

H-12-19

Include information regarding the Safety Management Cycle in your *Safety is Good Business* motor carrier website.

The NTSB also reiterated four previously issued recommendations to the FMCSA:

H-09-15

Implement a program to identify commercial drivers at high risk for obstructive sleep apnea and require that those drivers provide evidence through the medical certification process of having been appropriately evaluated and, if treatment is needed, effectively treated for that disorder before being granted unrestricted medical certification.

H-09-16

Develop and disseminate guidance for commercial drivers, employers, and physicians regarding the identification and treatment of individuals at high risk of obstructive sleep apnea (OSA), emphasizing that drivers who have OSA that is effectively treated are routinely approved for continued medical certification.

H-10-9

Require all motor carriers to adopt a fatigue management program based on the North American Fatigue Management Program guidelines for the management of fatigue in a motor carrier operating environment.

H-08-13

Develop and implement a plan to deploy technologies in commercial vehicles to reduce the occurrence of fatigue-related accidents.

These 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.

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 addressing the actions you have taken or intend to take to implement these recommendations. When responding, please refer to Safety Recommendations H-12-13 through -19, H-09-15 and -16, H-10-9, and H-08-13. We encourage you to submit your response electronically to correspondence@ntsb.gov. If your response includes attachments that exceed 5 megabytes, please e-mail us at the same address for instructions. To avoid confusion, please do not submit both an electronic copy and a hard copy of the same response.

Sincerely,

[Original Signed]

Deborah A.P. Hersman
Chairman