

National Transportation Safety Board

Office of Highway Safety

Washington, DC 20594



HWY24MH005

MOTOR CARRIER FACTORS

Group Chair's Factual Report

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A CRASH

Location: Rushville, Schuyler County, Illinois
Date: March 11, 2024
Time: 11:29 a.m. CDT

B MOTOR CARRIER FACTORS GROUP

Group Chair	Michael S. Fox National Transportation Safety Board Washington, DC
Group Member	Trooper Willie T. Smith Illinois State Police Springfield, IL
Group Member	Trooper Brock Lewis Illinois State Police Springfield, IL
Group Member	Daniel Brown, Special Agent Federal Motor Carrier Safety Administration Springfield, IL

C SUMMARY

For a summary of the crash, refer to the *Crash Information and Summary Report*, which can be found in the NTSB docket for this investigation.

D DETAILS OF THE INVESTIGATION

This investigative report addresses the motor carriers involved in this crash. Vehicle 1 a 2020 Ford Transit with Micro Bird MG-II bus body, was operated by the Schuyler Industry School District No 5. This report documents the hiring practices, driver qualification, training, hours of service, drug and alcohol testing, bus maintenance procedures, and operations of the school district. Additionally, this report will discuss the operations of Vehicle 2, a 2001 Mack truck-tractor in combination with a 2001 Vantage dump semitrailer, identified as Beaird Transport, Inc. This report will briefly address the state and Federal oversight of both operations.

1.0 Schuyler-Industry School District

The Schuyler-Industry Community Unit School District No. 5 consisted of the following schools: Fulton County Schools, Hancock County Schools, McDonough County Schools, and Schuyler County Schools. The school district included grades pre-kindergarten to 12th grade, which represented 937 total students for school year 2023-2024. The Schuyler-Industry website is: <http://www.sid5.com> A boundary map of the school district is documented in Figure 1.

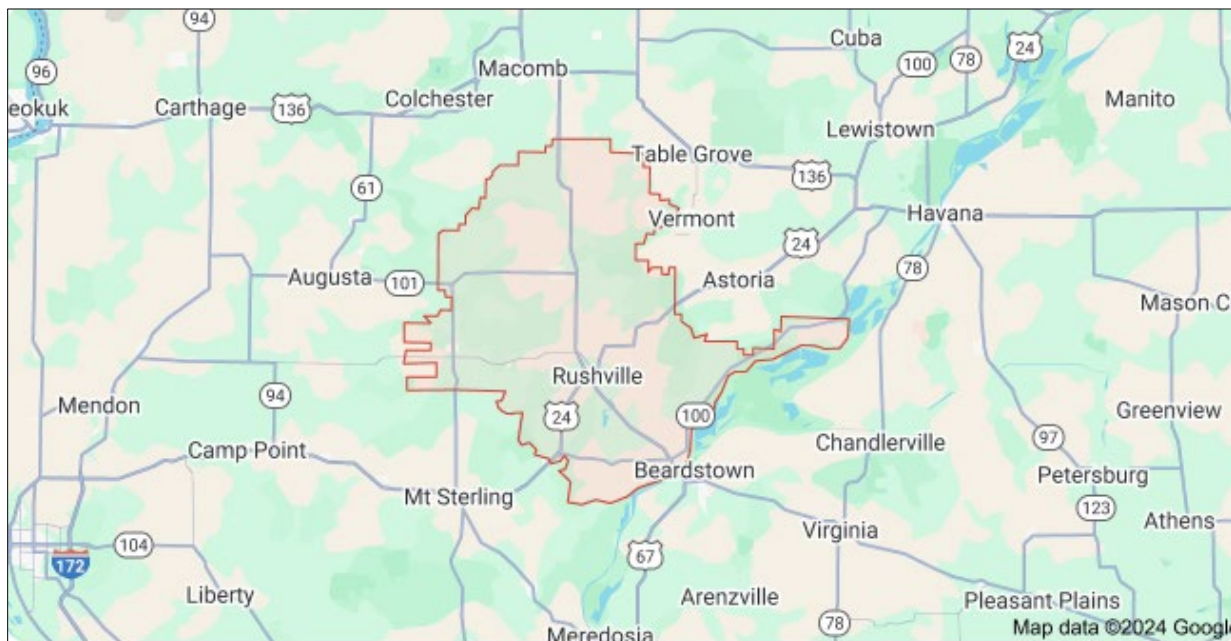


Figure 1. Schuyler-Industry Community Unit School District No.5 Boundary map.¹

2.0 School Bus Operations

The crash-involved school bus was operated by the Schuyler-Industry Schools also referred as Schuyler-Industry Community Unit School District No. 5 (school district). Operations for the school district buses were controlled by the Schuyler-Industry School Board, located at 740 Maple Ave, Rushville, IL 62681. At this location was the Superintendent of Schools, his staff, and the bus barn, where county school buses were garaged and maintained.

In Schuyler-Industry, the "school board" is the governing body of elected individuals responsible for making decisions and setting policies for the "school district," which is the entire educational institution encompassing all schools within the

¹ Retrieved from: [schuyler industry school district map - Google Search](#)

community; essentially, the school board oversees the operations of the school district. In Schuyler-Industry, the "Schuyler-Industry Community Unit School District 5" is the school district, and the elected "School Board" is responsible for managing its operations.

On March 13, 2024, NTSB, and FMCSA investigators, as well as the Illinois State Police (ISP) interviewed the superintendent of schools and the director of transportation.² The superintendent stated he had held the position for nine years and the transportation director for two years. The superintendent stated that he and the transportation director shared equal responsibility in school bus safety and bus driver oversight. On May 30, 2024, NTSB investigators conducted a follow-up interview with the superintendent and the director of transportation.³

The superintendent provided documents and information concerning school bus operations, safety practices, and school bus driver oversight which are highlighted in the sections below.

2.1 Drivers and Equipment

At the time of the crash, the school district employed 22 drivers, all of whom possessed commercial driver's licenses (CDLs) and operated 33 school buses.^{4,5} The school district operated the following types of school buses:

- 23 large buses - seating capacity ranging from 47 to 84.
- 10 small buses - seating capacity 25.⁶

² See Motor Carrier Attachment: School District Interviews.

³ Ibid.

Under 49 CFR 383.3 Applicability for CDL states (a) The rules in this part apply to every person who operates a commercial motor vehicle (CMV) in interstate, foreign, or intrastate commerce, to all employers of such persons, and to all States. CMV means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle is a—

- (1) Combination Vehicle (Group A)—having a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or
- (2) Heavy Straight Vehicle (Group B)—having a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or
- (3) Small Vehicle (Group C) that does not meet Group A or B requirements but that either—
 - (i) Is designed to transport 16 or more passengers, including the driver; or
 - (ii) Is of any size and is used in the transportation of hazardous materials as defined in this section.

⁵ 49 CFR 390.5 states *School bus* means a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary determines is likely to be significantly used for the purpose of transporting preprimary, primary, or secondary school students to such schools from home or from such schools to home.

⁶ The small buses were used during the mid-day routes.

2.2 Hiring Practices

According to the superintendent, school bus drivers were recruited by word of mouth, through advertisements posted positions on the county website: [Schuyler-Industry Schools \(sid5.com\)](http://Schuyler-Industry Schools (sid5.com)) and through Facebook. School bus driver applicants must meet the minimum standards established by the state:

- Be age 21 or older.
- Possess a valid and properly classified Illinois driver's license or a valid license issued by Indiana, Michigan, Wisconsin, Iowa, Missouri, or Kentucky. The valid license must contain an "S" endorsement for School Bus.
- Possess a valid driver's license for three years immediately prior to the date of your application, which has not been revoked, suspended, cancelled, or disqualified.
- Pass an Illinois written school bus driver permit test (valid for one year) unless the applicant holds a properly endorsed CDL.
- Pass a behind-the-wheel exam (valid for 180 days) in the type of vehicle the applicant would be driving.
- Pass a physical examination (valid for 90 days), including drug and tuberculosis testing.
- Affirm under penalty of perjury that the applicant had not made a false statement or knowingly concealed a material fact in any application for a permit.
- Complete an initial classroom training course (valid for one year) administered by the Illinois State Board of Education. A refresher course must be taken prior to renewal.
- Not have been under an order of court supervision or convicted of two or more serious traffic violations in the 12-month period prior to the date of the application.
- Not have been under an order of court supervision or convicted of reckless driving, DUI or reckless homicide resulting while operating a motor vehicle within three years of the date of the application.
- Pass an Illinois specific and FBI criminal background check. Fingerprint results are valid for one year.⁷
- Consent in writing to the release of results of reasonable suspicion drug and alcohol testing by the employer of the applicant to the Secretary of State.
- Not have caused a fatal accident as the result of the unlawful operation of a motor vehicle.
- Not have been afflicted with or suffering from any mental disability or disease within the last five years.⁸

⁷ [Illinois State Police-approved vendor](#)

⁸ [School Bus Permit \(ilsos.gov\)](#)

Once the minimum qualifications have been met, the following steps are taken:

- Complete application form.
- Check of the applicants driving record (via IL Secretary of State's office).
- School bus driver fingerprint check to see if the applicant has a record of criminal convictions through both the IL specific criminal background check and Federal Bureau of Investigation fingerprint check.
- Conduct personal interview.
- Physical examination by a physician licensed in medicine.
- A determination of educational attainment. A school bus driver applicant should demonstrate the ability to follow detailed, written instructions and to record and report data accurately.

2.3 Safety Policies and Procedures

NTSB investigators requested copies of any/all safety policies and procedures that pertained to school bus drivers and school bus operations. The school district did not have any safety policies, safety manual, or driver handbook for school bus drivers or school bus operations. The superintendent did provide a copy of the Illinois School Board of Education (ISBE) Administrator Manual and the Bus Driver Training Manual for the State of Illinois, but could not produce any policies specific to the school district's school bus operations.^{9,10} The only document that the school produced was the Schuyler-Industry School District Instructions for Bus Riders.¹¹ This document represented the same information which was provided on the Schuyler-Industry School Districts website under the "Transportation" heading.¹²

The school district provided students with an electronic student handbook for high school, middle school, and elementary school that were available on the school district's website ([Schuyler-Industry Schools \(sid5.com\)](http://Schuyler-Industry Schools (sid5.com))). Per the superintendent, the students' parent or guardian were required to acknowledge receipt of the handbook. The elementary school's handbook consisted of 21 pages and was titled "Student - Parent Handbook 2023-2024." Page 10 of the elementary school handbook contained the only information that pertained to school bus transportation rules. See Figure 2.

⁹ See [Administrator's Manual for the Safe Transportation of Pupils Grades 12 and Below](#) for additional information.

¹⁰ See [Illinois Professional School Bus Driver Training Curriculum](#) for additional information.

¹¹ See Motor Carrier Attachment- School District Instructions for Bus Riders.

¹² Retrieved from: [SID5 Schools \(google.com\)](http://SID5 Schools (google.com))

BUS TRANSPORTATION

The district provides bus transportation to and from school for all students living 1.5 miles or more from the school. Parents may contact the director of transportation, Kevin Price, at 217-322-4311 ext. 725 to find out bus stops. Parents must, at the beginning of the school year, select one bus stop at which a student is to be picked up, and one stop at which a student is to be dropped off. Students are not permitted to ride a bus other than the bus to which they are assigned. Exceptions must be approved in advance by the building principal.

While students are on the bus, they are under the supervision of the bus driver. In most cases, bus discipline problems can be handled by the bus driver. In the case of a written disciplinary referral, student bus problems will be investigated and handled by administration.

Students are expected to follow all school rules while on the bus. Students may be suspended from riding the school bus for up to 10 consecutive school days for violating school rules or for engaging in other gross disobedience or misconduct. The school board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The district's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus.

BUS DISCIPLINARY PROCEDURES

Minor incidents will result in warnings and possibly denial of privileges at school. Repeated violations will result in suspension of bus riding privileges.

Major offenses will result in possible denial of privileges at school and/or suspension of bus riding privileges.

Figure 2. Bus Transportation and Bus Disciplinary Procedures.

Missing from the elementary school handbook was the language provided in the high school and middle school handbooks that covered bus conduct and the bus transportation rules. NTSB Investigators discovered that one of these rules were not followed during the review of the on-board videos taken from the crash-involved driver's morning and afternoon bus routes. See Section 3.8.1 for additional details.

The high school handbook consisted of 48 pages and was titled "Rushville-Industry High School Student /Parent Handbook 2023-2024." The handbook provided guidance and requirements for students that included academic requirements, classroom conduct, discipline, safety, and other general information. On pages 38-40 of the handbook contained a section called "Transportation" that addressed "Bus Conduct" and "Bus Transportation Rules."¹³ Some of those bus rules included:

- Stay away from the bus until it stops completely, and the driver signals you to board. Enter in single file without pushing. Always use the handrail.
- Take a seat right away and remain seated facing forward. Keep your hands, arms, and head inside the bus.

¹³ See Motor Carrier Attachment - School District Student/Parent Handbooks (Extracts)

- Always listen to the driver’s instructions. Be courteous to the driver and other students. Sit with your hands to yourself and avoid making noises that would distract the driver or bother other passengers. Remain seated, keeping your hands, arms, and head inside the bus at all times.
- Wait until the bus pulls to a complete stop before standing up. Use the handrail when exiting the bus.
- Never run back to the bus, even if you dropped or forgot something.

The middle school handbook contained similar information/guidance as the high school handbook. The middle school handbook also contained the identical content under the “Transportation” section concerning bus conduct and bus transportation rules and guidelines as the high school handbook.

2.4 Training Practices

To become a school bus driver in IL, the driver applicant must meet the minimum requirements as outlined in Section 2.2. Once those requirements are met, the school bus driver applicant must complete an 8-hour initial training conducted by Illinois School Board of Education (ISBE). According to ISBE documents, the crash involved school bus driver completed the initial training on March 22, 2023. School bus drivers are also required to complete annual refresher training. The school bus driver received refresher training on October 12, 2023.¹⁴

3.0 School Bus Driver

The 57-year-old school bus driver was originally hired February 7, 2023, to be a radio operator and school bus aide. During February and March 2023, the school bus driver received training in radio operations, bus aide duties, and school bus operations. On March 15, 2023, the school bus driver became a radio operator and in April 2023 she became a school bus aide. On March 22, 2023, the driver completed the School Bus Driver Training Course that was provided by the Hanock/ Fulton/ Schuyler / McDonogh Regional Office of Education (ROE).¹⁵ Because the driver did not hold a commercial driver’s license (CDL), the school district enrolled her in an entry-level driver training program (ELDT).¹⁶ Explanation of the ELDT program is found in Section 5.1. In April 2023, after the bus driver completed the driver training program, she received notification from the Illinois Secretary of State that her school bus application and certification was approved and valid until April 14, 2025.¹⁷ Missing from the school district’s driver qualification file / personnel file was her application for the school bus driver position. Contained in the school bus driver

¹⁴ See Motor Carrier Attachment: School Bus Driver Training Records.

¹⁵ Ibid.

¹⁶ See: [Entry-Level Driver Training \(ELDT\) | FMCSA \(dot.gov\)](https://www.fmcsa.dot.gov/entry-level-driver-training-eldt)

¹⁷ See Motor Carrier Attachment: Secretary of State School Bus Application Certification.

qualification/personnel file was documentation stating that the driver had a restricted payroll.¹⁸ NTSB investigators determined the restricted payroll was in place because the school bus driver was receiving Social Security disability benefits. According to school officials the school bus driver did not have any secondary employment.

3.1 School Bus Driver Qualification

After completing the ELDT program, the school bus driver was issued an Illinois CDL. According to the Commercial Driver's License Information system (CDLIS), the school bus driver held a valid Class B CDL with an issue date of August 2023, and expiration date of February 2027.¹⁹

The CDLIS report showed the driver had endorsements for passenger and school bus.²⁰ The CDLIS report further indicated that the driver had the following restrictions: "No manual transmission equipped commercial motor vehicle (CMV), no airbrake equipped CMV, and no Class A passenger vehicle."²¹

3.2 School Bus Driver Medical Certification

In the state of Illinois, school bus drivers are not required to obtain a DOT medical certificate to operate a school bus.²² In Illinois, school bus drivers must comply with a medical certification that meets the provisions of 92 Illinois Administrative Code §1035.20 which states:

All applicants for a school bus driver permit must demonstrate physical fitness to operate a school bus by undergoing a medical examination, including tests for drug and alcohol use, conducted by a medical examiner within 90 days prior

¹⁸ See Motor Carrier Attachment: Letter from school district for restricted payroll.

¹⁹ Classification of CDL class or group is defined under §383.91 Commercial motor vehicle groups.

(a) Vehicle group descriptions. Each driver applicant must possess and be tested on his/her knowledge and skills, described in [subpart G of this part](#), for the commercial motor vehicle group(s) for which he/she desires a CDL. The commercial motor vehicle groups are as follows:

(1) Combination vehicle (Group A)—Any combination of vehicles with a gross combination weight rating (GCWR) of 11,794 kilograms or more (26,001 pounds or more) provided the GVWR of the vehicle(s) being towed is in excess of 4,536 kilograms (10,000 pounds).

(2) Heavy Straight Vehicle (Group B)—Any single vehicle with a GVWR of 11,794 kilograms or more (26,001 pounds or more), or any such vehicle towing a vehicle not in excess of 4,536 kilograms (10,000 pounds) GVWR.

(3) Small Vehicle (Group C)—Any single vehicle, or combination of vehicles, that meets neither the definition of Group A nor that of Group B as contained in this section, but that either is designed to transport 16 or more passengers including the driver, or is used in the transportation of hazardous materials as defined in [§ 383.5](#).

²⁰ See: [eCFR :: 49 CFR 383.93 -- Endorsements](#).

²¹ Holding a "P" Endorsement means the CDL holder has the endorsement to transport passengers. For additional information see: [eCFR :: 49 CFR Part 383 Subpart F -- Vehicle Groups and Endorsements](#)

²² See: [eCFR :: 49 CFR Part 391 Subpart E -- Physical Qualifications and Examinations](#)

to the date of application for the permit. b) An applicant who, within 90 days prior to the date of application, has undergone a medical examination complying with subpart E of 49 CFR 391.41 (October 1, 2015) shall be exempt from the corresponding requirements of this Section, provided that the applicant submits to the Secretary of State a copy of the federal medical examiner's certificate (49 CFR 391.43, October 1, 2015) and/or a copy of the CCF form signed by the medical examiner.

School bus drivers are required to obtain a state medical certificate annually. The school bus driver had two state medical certificates on file with the school board. The first state medical certificate was issued on March 8, 2023, and the second state medical certificate was issued on February 15, 2024.

3.3 School Bus Driver Drug Testing

The school district had a DOT random drug testing program that was contracted with the Midwest Truckers Association Inc.²³ According to the school district's records, the school bus driver had two DOT drug tests on file. The driver had a DOT pre-employment drug test on March 7, 2023, and had a DOT random drug test on February 8, 2024. Both DOT drug test results were negative for marijuana metabolites, Cocaine metabolites, Opiate metabolites, Phencyclidine, and Amphetamines.²⁴

3.4 Hours of service

The school bus driver operated three daily routes Monday - Friday. The school district considered school bus drivers as salaried personnel and did not require the drivers to maintain a logbook, record hours in any manner, or punch a time clock although a time clock was available in the bus barn. The record the school district had regarding the bus driver's attendance / hours was the "radio check log" which was a form that recorded a daily radio check with the dispatcher who would place a check mark beside a corresponding bus number. The form did not indicate the drivers name, time in, time out, or total hours per day. For additional details, see Figure 3.

²³ See: [Member Services - Springfield, Illinois | Mid-West Truckers Association](#)

²⁴ See: [Overview of Drug and Alcohol Rules | FMCSA \(dot.gov\)](#)


Week of: <i>MARCH 11 - 15</i> 					
BUS	Monday	Tuesday	Wednesday	Thursday	Friday
51	✓			✓	✓
52	✓			✓	✓
53	✓			✓	✓
54	XX	XX	XX	XX	XX
55	XX	XX	XX	XX	XX
58	✓			✓	✓
59	✓			✓	✓
60	✓			✓	✓
61	✓			✓	✓
62	✓			✓	✓
63	✓			✓	✓
64					
65	✓			✓	✓
66					
67	✓			✓	✓
74					

Figure 3. Bus driver radio check log.

3.5 School Bus Driver's Routes and Schedules

As mentioned, the school bus driver operated three daily routes, a morning, mid-day, and afternoon route. For the morning route the driver operated school bus # 62 and picked up pre-kindergarten, elementary, middle school, and high school students. That bus route started between 6:00 am and 6:30 am and ended at approximately 8:00 am. Bus # 62 was identified as a 2022 65-passenger Thomas Built school bus. See Figure 4 for additional details. For the mid-day route, the school bus driver operated a smaller school bus that would start at 10:30 am and would end at 11:30 am. The bus used for the mid-day route was identified as bus # 89. Figure 5 depicts an exemplar school bus, similar to the bus involved in the crash. For the last route of the day, the school bus driver returned to operating bus # 62 and began her route at 2:30 pm and ended approximately 5:00 pm. From available information, NTSB investigators determined the driver was off duty on Saturday and Sunday March 9-10, 2024.



Figure 4. School bus #62 used for first route.



Figure 5. Exemplar school bus similar to the crash-involved bus.

3.6 Bus Route at the Time of the Crash

As mentioned, the school bus driver operated three bus routes. The school bus driver was operating bus # 89 when the crash occurred. The mid-day bus route started

at 10:30 am. During this route, the bus driver would transport the morning pre-K students back home and simultaneously pick up the pre-K students for the afternoon school session.

On the day of the crash, the mid-day bus route consisted of 14 student drop offs and pickups. Figure 6 shows the overview of several of the pickup and drop off locations for the routes. Students that were picked up are noted in blue and students that were dropped off are noted in yellow. The highlighted square area represents the route area located within the city limits of Rushville which has been enlarged and detailed in Figure 7. The numbers indicate the sequence of the route.

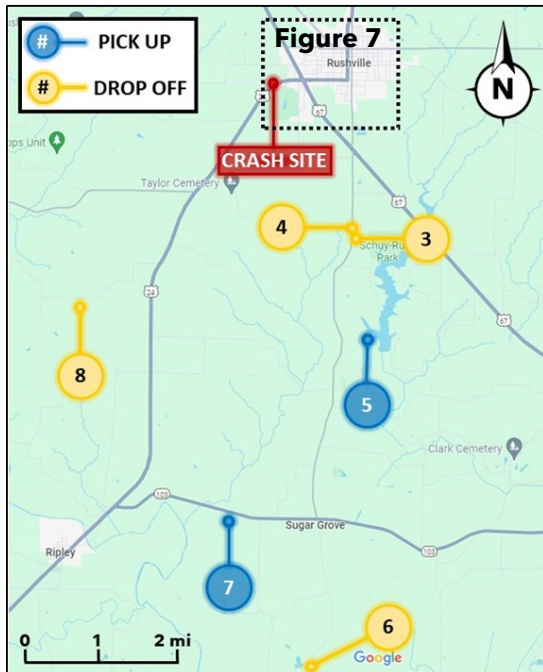


Figure 6. Showing student pick up and drop offs.

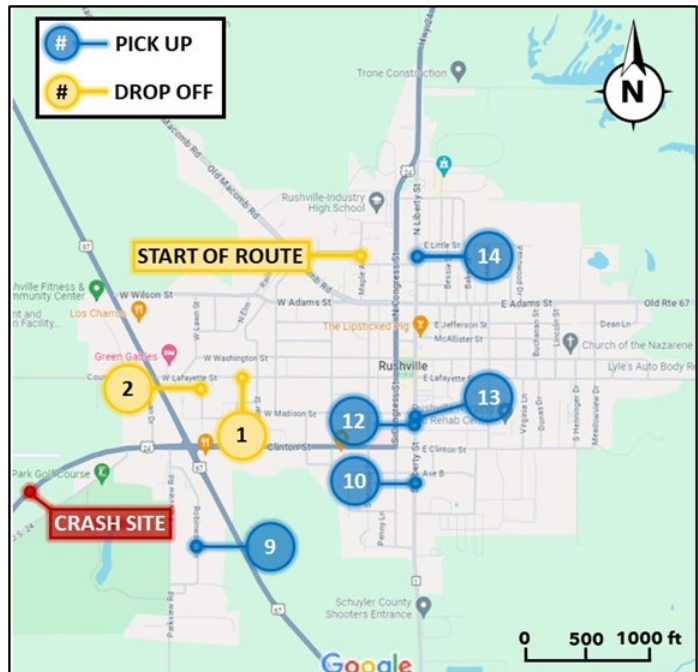


Figure 7. Students picked up and dropped off within the city of Rushville.

The driver also had several pickups (9 through 14), stop number 11 is beyond the boundaries of the map. The crash location is highlighted in red. On March 11, 2024, the school bus driver had completed her drop offs and pickups for the midday route and had been on-duty approximately 3 hours when the crash occurred.

3.7 School Bus Maintenance

The crash-involved bus was identified as a 25-passenger 2020 Ford Transit Chassis with Micro Bird MB-II bus body. The director of transportation produced a singular document which recorded several repairs and services, but could not produce any work orders, repairs, receipts for parts, or other records for vehicle maintenance.²⁵

²⁵ See Vehicle Factors Attachment: Micro Bird Maintenance Log.

The school district did not follow the recommended guidance for maintenance procedures outlined in the ISBE Administrator Manual for maintenance records.²⁶

Although not subject and not required, the school district's maintenance program would not have met the Federal requirements under §396.3 which states: "Every motor carrier and intermodal equipment provider must systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to its control."

The Illinois Department of Transportation conducted the last annual inspection for the crash-involved bus that was dated December 11, 2023. The director of transportation produced the last 30 days driver vehicle inspection reports (DVIRs) for the crash-involved bus. The school bus driver performed the last 11 pre-trip inspections of the crash-involved bus starting on March 1 to March 11, 2024. The driver was required to completed one DVIR per bus per day when operating a school bus. There were no (zero) defects noted on any of the DVIRs for the past 30 days. Per the DVIR for March 11, 2024, the day of the crash, the bus driver recorded 44,624 miles.

3.8 On-Board Recording

NTSB investigators asked the superintendent if the school bus was equipped with any driver behavior monitoring systems or GPS tracking systems. The superintendent responded that none of their buses had any driver monitoring system or GPS system but stated that all county school buses were equipped with a Radio Engineering Industries (REI) video recording system.²⁷ According to the superintendent, each bus was equipped with three internal cameras that recorded activity on board the bus; one located at the front of the school bus above the driver, (Figure 8), one at the rear of the school bus (Figure 9), and a third mounted to the left side and behind the driver's left side which monitored the driver and boarding area. See Figure 10 for additional details.

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²⁶ See Motor Carrier Attachment: ISBE Administrator Manual (See pages 29-30).

²⁷ For additional information see: [School Bus Surveillance Camera: High-Definition Bus Security Camera \(radioeng.com\)](https://www.radioeng.com)



Figure 8. Driver facing video camera.



Figure 9. Forward facing video camera mounted at rear of bus.



Figure 10. Camera mounted left side of driver (highlighted in the yellow oval).

The school buses were also equipped with an external camera that could record violators that failed to stop when the school bus "STOP" arm was activated. See Figure 11 for more details.



Figure 11. External camera for stop arm violators (highlighted in red oval).

NTSB investigators requested any/all data from the video recorder for the crash-involved school bus. The superintendent stated that the video system had a mounted hard drive in the crash-involved bus that did not have the capability to transmit data wirelessly. The REI system recorded all four camera video feeds. An REI hard drive recording system from an exemplar bus is shown in Figure 12.



Figure 12. REI hard drive recording system in exemplar school district school bus.

NTSB investigators asked the superintendent if there were any previous internal videos available for bus #89 that involved the crash-involved school bus driver, and he replied that there were none. The superintendent explained that the school had not received any complaints for the subject driver and as such, had never downloaded or reviewed any videos for the school bus driver. Because the REI hard drive unit on the crash-involve school bus received significant fire damage, the ISP was not able to download the video unit. NTSB investigators did however request and obtain five days of internal video for bus #62, the school bus operated by the crash-involved school bus driver for her morning and afternoon routes.

3.8.1 Review of Bus Videos

NTSB investigators reviewed the five days of internal videos from bus #62 which recorded the crash-involved school bus driver operating the morning and afternoon routes. According to the ISBE Administrators Manual, the video camera on a school

bus should be used as an aid to monitor the student and driver behavior. The manual further stated under the section Use of Video/GPS Monitoring Systems item #7:

“After video recording has been conducted, the recordings are to be stored at a secure location for a period of time designated by the local school district, unless a specific recording is being used in an ongoing action. The transportation supervisor or designee should periodically review randomly selected video recordings to ensure proper pupil conduct. If no incidents are reported within a period defined by local policy, the recordings can be recycled. If incidents are reported or if incidents are viewed during random selection, the video recordings are to be kept until final resolution and the time for any appeals has passed.”²⁸

A review of the internal video recordings taken from bus #62 indicated that the crash-involved driver had used her personal cell phone on multiple occasions while driving her routes. Additionally, investigators observed student passengers changing seat locations and moving about the bus while the bus was moving. For additional information on the bus video observations see the *Human Performance Group Chairman’s Factual Report* in the docket.

4.0 Illinois State Oversight

School bus safety was overseen by three state agencies – ISBE, Illinois Secretary of State, and Illinois Department of Transportation. Each state agency had a separate roll in school bus and school bus driver safety and oversight which are disused below.

ISBE provided a comprehensive pupil transportation program for statewide application. The program is conducted through the office of Funding and Disbursements – State Director of Pupil Transportation.²⁹ Examples of what the office provides includes the following:

1. A clear concise pupil transportation policy
2. Cost accounting system for all expenditures for pupil transportation
3. Promotion of the pupil transportation program
4. A manual or handbook for local pupil transportation supervisors, school administrators, and private contractors containing procedures for implementing the states pupil transportation program

²⁸ Retrieved from: [Administrator's Manual for the Safe Transportation of Pupils Grades 12 and Below \(isbe.net\)](#) page 22.

²⁹ Ibid.

5. A comprehensive school bus training program for both pre-service and in service instruction, which includes classroom and behind-the-wheel instruction and documentation of completed said programs
6. Workshops, seminars, and /or conferences for all pupil transportation personnel

The Illinois Secretary of State (SOS) had the authority to grant, issue, deny, suspend, and revoke driving privileges, driver's licenses or driver permits. The responsibilities of the SOS included:

1. Responsible for the issuance of school bus driver permits to applicants who have met all requirements of the application and screening process, including fingerprint-based criminal background checks on current and future information obtained by the Illinois State Police and current FBI criminal background investigations. Individuals who possess a valid school bus driver permit issued prior to July 1, 1995, are exempted from the fingerprinting provisions outlined in the law as long as their permits remain valid and do not lapse or otherwise become invalidated.
2. Responsible for monitoring driving histories of school bus drivers and notifying the driver as well as the employer of the driver's eligibility to retain a school bus driver permit.
3. Processes vehicle titles, registers vehicles, issues license plates, and renewal stickers and maintains vehicle records for all types of passenger vehicles; trucks; buses; and commercial motor vehicles, including school buses and first division vehicles, in accordance with the Illinois Vehicle Code.
4. Responsible for notifying individuals of an opportunity for a hearing as well as conducting the hearing upon suspension, revocation, or denial of the issuance of a license, permit, registration, or certificate of title.
5. Required by law to approve the content of any training curriculum (written test, audio/visual training materials, procedures, grading scales, etc.) that may be used in conducting the initial classroom or refresher courses needed to obtain or reapply for a school bus driver permit.
6. Has the authority to conduct on-site inspections of records of certifications and all verifications used to obtain or reapply for a school bus driver permit. These records are to be held by the prospective, current, or previous employer for a period of two years.
7. Extended the Third-Party Certification program to the pupil transportation industry by reviewing, approving, and licensing third-party entities and safety

officers. Field representatives for the Commercial Driver Training Section conduct audits and monitor entities for compliance with state and federal rules and regulations involving commercial driver's licenses.

The Illinois Department of Transportation (IDOT) Division of Traffic Safety is governed by Illinois statutes, state of Illinois motor carrier safety regulations, and Federal Motor Carrier Safety Regulations (FMCSRs) when determining standards for school buses. IDOT is responsible for the following:

1. Administers the program requiring periodic safety inspections of Type I and Type II school buses in Illinois.³⁰
2. Conducts nonscheduled inspections of school buses, religious organization buses, and buses registered as charitable vehicles.
3. Establishes and enforces regulations for that govern the Illinois school bus brake inspection program and school bus driver pre-trip inspection requirements.
4. Sets minimum safety standards for the state of Illinois for the construction of Type 1, Type II buses, special education buses, and multi-function school activity bus.
5. Monitors drivers of commercial motor vehicles for state of Illinois according to the Federal Motor Carrier Safety Regulations.
6. Sets standards for the operation and maintenance of commercial motor vehicles for the state of Illinois to help prevent crashes and injuries.
7. Collects and compiles statistical data for the state of Illinois to be used to ensure safe pupil transportation in the state.

An overview of the three Illinois State agencies with their corresponding responsibilities of school bus safety and driver oversight is documented in Figure 13.

³⁰ Type A1, with a Gross Vehicle Weight Rating (GVWR) less than or equal to 10,000 pounds; and Type A2, with a GVWR greater than 10,000 pounds.

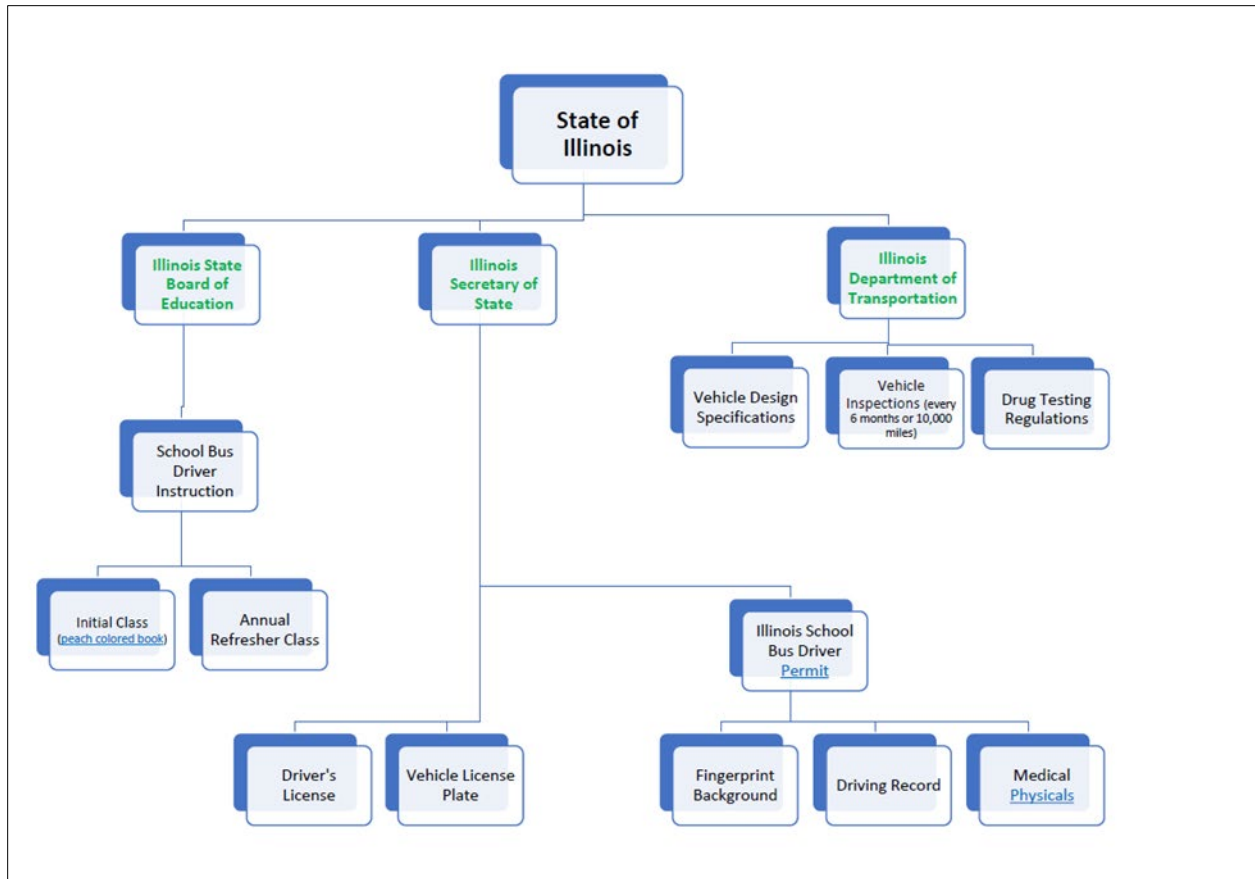


Figure 13. Illinois state agencies with school bus operations oversight. (Source ISBE)

4.1 Cell Phone Use on School Buses

The Illinois Professional School Bus Driver Training Curriculum has a section that addresses the use of a school bus radio or school bus equipped cell phone that states:

Radio or Cell Phone Usage: The radio is used to communicate between school, school transportation or contractor personnel/dispatchers and drivers.³¹ The driver has the radio as a working tool. **The two-way radio is not for personal use** [emphasis added]. NOTE: Each district needs to have a special code for a hostage and/or weapon situation suitable for use on either a two-way radio or cell phone. Some school buses are equipped with cell phones instead of two-way radios. These phones should also be treated as a working tool and not used to conduct personal business (625 ILCS 5/12-813.1).

³¹ See Motor Carrier Attachment: Illinois Professional School Bus Training Curriculum.

The training curriculum appendices did not state any prohibition on personal cell phone use. At the end of the training curriculum, however, were references to the Illinois Vehicle Codes that pertained to school bus operations. Illinois Statutes Chapter (IL ST CH) 625 §5/12-813.1 prohibits a school bus driver from using a cellular radio telecommunication device while operating a school bus except in the following situations:³²

- for the purpose of communicating with an emergency response operator, a hospital, a physician's office or health clinic, an ambulance service, a fire department, fire district, or fire company, or a police department regarding an emergency situation;
- to call for assistance in the event that there is a mechanical breakdown or other mechanical problem that impairs the safe operation of the bus or to communicate with school authorities or their designees about any other issue relating to the operation of the school bus or the welfare and safety of any passenger thereon. In no case may a cellular radio telecommunication device be used for anything not provided for in this Section, including but not limited to, personal use;
- or when the school bus is parked.

4.2 Training Records and District Policies

NTSB investigators obtained a copy of the crash-involved driver's training records. According to the driver's employee records, she was trained on school district policies as well as other training modules.³³ The school district's policies included:

- Prevention of and response to bullying, intimidation, and harassment
- Teen dating violence prohibited
- Harassment of students prohibited
- Students search and seizure
- Access to electronic networks

According to the school district's transcript, for the crash-involved driver, she received training for a variety of situations on or off the school bus that included: crisis response plan, code of ethics, recognizing child abuse, fire safety, first aid fundamentals, CPR, and other training topics.

None of documents obtained by the NTSB indicated the driver had ever received training on the Illinois state code pertaining to restrictions of cell phone use

³² For additional information see: [625 ILCS 5/12-813.1 \(ilga.gov\)](http://625.ilcs.gov/5/12-813.1)

³³ See Motor Carrier Attachment: School Bus Driver Training Records.

while operating a school bus.³⁴ The school district could not provide documentation nor acknowledgment by the driver she received explanation of the school district's cell phone policy. Additionally, NTSB investigators obtained a copy of her initial training test from the ROE which showed no questions pertaining to the prohibition of cell phone use on a school bus were part of the test.

5.0 Federal Oversight

It should be noted that school bus operations are typically not investigated by the Federal Motor Carrier Safety Administration (FMCSA) because they are exempt from the Federal Motor Carrier Safety Regulations (FMCSRs). Under 49 CFR 390.3 (f) *Exceptions* it states "unless otherwise specifically provided, the rules in this subchapter do not apply to— (1) All school bus operations as defined in §390.5, except for §391.15 (e) and (f), §392.15, §392.80, and §392.82 of this chapter." School bus operations are however required to adhere to the requirements of drug and alcohol testing (Part 382) and CDL (Part 383). An FMCSA investigator was present during the on-site visit with the school board and reviewed compliance with Parts 382 and 383. FMCSA determined that no violations were discovered.

5.1 Entry Level Driver Training (ELDT)

As mentioned in Section 3.0, the school bus driver obtained her CDL through the ELDT program. Oversight of the ELDT program is regulated by the FMCSA under 49 CFR §380.600 through §380.609. Under §380.603 Applicability the regulation states:

(a) The rules in this subpart apply to all entry-level drivers, as defined in this subpart, who intend to drive CMVs as defined in §383.5 of this chapter in interstate and/or intrastate commerce, except:

- (1) Drivers excepted from the CDL requirements under §383.3 (c), (d), and (h) of this chapter;
- (2) Drivers applying for a restricted CDL under §383.3(e) through (g) of this chapter;
- (3) Military personnel with military CMV experience who meet all the requirements and conditions of §383.77 of this chapter; and
- (4) Drivers applying for a removal of a restriction in accordance with §383.135(b)(7).

(b) Drivers issued a Class A CDL, Class B CDL, or a passenger (P), school bus (S), or hazardous materials (H) endorsement before February 7, 2022, are not required to comply with this subpart pertaining to that CDL or endorsement.

(1) Individuals who obtain a Commercial Learners Permit (CLP) before February 7, 2022, are not required to comply with this subpart if they obtain a CDL before the CLP or renewed CLP expires.

³⁴ Illinois State Code 625 §12-813.1

(2) Individuals who obtain a CLP on or after February 7, 2022, are required to comply with this subpart.

(3) Except for individuals seeking the H endorsement, individuals must complete the theory and BTW (range and public road) portions of entry-level driver training within one year of completing the first portion.

NTSB investigators held a meeting with the school's ELDT instructor and reviewed the curriculum and training records for the crash-involved driver. According to the FMCSA Training Provider Registry ([Find a Provider](#)) the school district's ELDT trainer was an approved trainer.

The crash-involved school bus driver successfully completed the ELDT program in April 2023.

6.0 Beaird Transport Inc.

The owner/operator of the combination vehicle was identified as Beaird Transport Inc. (Beaird). According to the FMCSA Motor Carrier Management Information System (MCMIS), the carrier was issued United States Department of Transportation (USDOT) number 1750062. The carrier was registered as an interstate "For-Hire", Private Property, motor carrier and was issued Motor Carrier number (MC #) 642624 and at the time of the crash held active operating authority.³⁵ Per MCMIS the carrier is authorized to transport general freight, building materials, machinery, non-hazardous liquids / gases, and grain. According to the IL SOS website, the carrier became incorporated on February 26, 2014.³⁶

6.1 Carrier Operations

Beaird's principal place of business (PPOB) was in Astoria, IL. The carrier was a family-owned business, and the owner/president were a husband / wife team. On March 16, 2024, the NTSB and FMCSA investigators and the ISP conducted a site visit and interviewed the owners at the carrier's PPOB.³⁷ Present during the interview was the carrier's attorney and a safety consultant out of Springfield, MO.

³⁵ Motor Carrier Number (MC) and Operating Authority: § 392.2: Applicable operating rules-Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration regulation must be complied with. For-Hire passenger carrying operations are required to register for operating authority and meet the minimum levels of insurance as required under §387.33.

³⁶ [Business Entity Search \(ilsos.gov\)](#)

³⁷ See Motor Carrier Attachment: Beaird Transport Interview Summary.

6.2 Carrier History

According to the owners, Beaird Transport (Beaird) began in 2008 when the owners purchased the previous carrier which was called "Astoria Ready Mix." Over the years the carrier switched to hauling rock, sand, and building debris. The president stated she was responsible for overall safety and operations. The vice president stated he was responsible for hiring drivers and fleet management. The owner's daughter-in-law was responsible for dispatch. The carrier stated they operated a seasonal business and would lay off drivers during the winter months.

6.3 Drivers and Equipment

According to the carrier's latest MCS-150, Beaird employed 19 CDL drivers.³⁸ The carrier owned the following CMVs:

- 3 - tandem dump trucks
- 34 - truck tractors
- 48 - semitrailers

It should be noted that the number of semitrailers included two non-Hazardous Materials (HM) cargo tanks and two low-boy equipment haulers. All the truck-tractors were day cabs, non-sleeper berth. The carrier reported an annual mileage of 796,545 miles.

6.4 Safety Culture

The carrier had several mechanisms to help foster safety culture. All drivers were provided a Beaird Transport Employee Handbook. The handbook provided policies and procedures for operational needs as well as safety related topics. The Beaird driver had acknowledged receipt for the handbook on March 31, 2020. The carrier also had contracted with a safety consultant CSA Advisors LLC. Each month CSA Advisors would send a safety briefing to the Beaird drivers that would require taking a short quiz. Recently CSA Advisors had become more involved assisting the carrier with fleet management and driver safety. NTSB investigators asked if Beaird had a safety plan or safety manual and they stated that they did not. NTSB investigators also asked if Beaird had any safety reward program. Beaird officials stated that they did not have a safety rewards program, however they did have an unwritten bonus program that was based on crashes, accidents, speeding tickets, missed work or customer complaints. NTSB investigators also asked if Beaird used any type of driver monitoring system or used any technology for inventory management and they stated that they did not have any system in place.

³⁸ See Motor Carrier Attachment: Beaird Transport MCS-150.

6.5 DOT Drug Testing

Beaird contracted with Midwest Truckers Inc. as their DOT drug and alcohol testing provider. The carrier provided NTSB investigators a copy of the company's drug and alcohol testing policy. The Beaird driver acknowledged receipt of the drug and alcohol abuse policy on March 31, 2020.

7.0 Beaird Transport Driver

According to CDLIS, the 72-year-old truck driver held a valid IL Class A CDL with an issue date of February 19, 2019, and an expiration date of November 11, 2024. The truck driver's CDL showed he held Tank endorsement. The CDLIS report showed the driver had three convictions:

- 12/02/2014 -Seat belt not properly worn.
- 09/15/2015 -Speeding 15 mph or more above posted speed limit.
- 2/28/2019 - Prima Facie speed violation / driving too fast for conditions.

The CDLIS report also listed two accidents:

- 2/11/2019 - Incapacitating injury accident.
- 9/22/2020 - Incapacitating injury accident.

7.1 Driver Qualification

Beaird officials provided a copy of the driver's qualification (DQ) file. Beaird officials stated the truck driver came into the office On March 31, 2020, and filled out his application and other documents for his driver qualification file, however the driver did not officially start working for Beaird Transport until March 21, 2023. The DQ file contained an application for employment that was dated March 31, 2020. The DQ file also contained a copy of the driver's CDL and a copy of the driver's DOT medical certificate. The medical certificate showed an issue date of January 2024, and an expiration date of January 2026. According to the DOT medical certificate, the medical examiner (ME) was an Advanced Practice Nurse who held an IL state license and valid FMCSA National Registry status. The DQ file also contained a request for driving record as required under §391.23 and §391.25. The DQ file contained a SOS public abstract of the driver's driving record. The DQ file did not contain a background check or investigation and inquiries into previous employers and drug and alcohol testing history as required under §391.23. The DQ file also contained a copy of medical examiner national registry verification that was acknowledged by the driver on March 31, 2020. The DQ file also contained a copy of certification with driver license requirements, dated March 31, 2020. The DQ file also contained a copy of the driver statement of on-duty hours as required by 359.8(j)(2) which was acknowledged on March 31, 2020.

7.2 Drug Test Results

NTSB investigators requested DOT drug testing records for the truck driver. The carrier could not produce any DOT drug test results. According to the carrier's attorney, the truck driver filled out his paperwork on March 31, 2020. At that time, the driver was an owner/operator with his own truck and operating authority. After the truck driver filled out his paperwork, he decided that he would continue to operate under his own authority and did not officially start with Beard Transport until March 21, 2023. As such, there was a mix up with the driver's paperwork and he never received a DOT pre-employment drug test and the driver's name was never added to the Midwest Truckers DOT random drug testing pool and consequently Beard did not have any (zero) DOT drug tests on file for the truck driver.

7.3 Hours of Service

The carrier operated five days a week Monday - Friday. Per the carrier president, drivers were paid by the ton and paid weekly. The carrier operated locally using the 150-air-mile radius exemption.³⁹ As such, the carrier did not have and was not required to have electronic logging devices (ELDs). The carrier recorded hours of service (HOS) on their daily dispatch sheets and load tickets. The driver typically started at 6:30 am and ended each day between 3:30 pm or 4:00 pm. NTSB investigators used the dispatch sheets and load tickets to reconstruct the truck driver's HOS which are documented in Table 1. The truck driver was on-duty approximately 5 hours when the crash occurred.

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³⁹ **Short-haul operations** –

(1) **150 air-mile radius driver.** A driver is exempt from the requirements of §§ 395.8 and 395.11 if:

- (i) The driver operates within a 150 air-mile radius (172.6 statute miles) of the normal work reporting location;
- (ii) The driver, except a driver-salesperson, returns to the work reporting location and is released from work within 14 consecutive hours;
- (iii)(A) A property-carrying commercial motor vehicle driver has at least 10 consecutive hours off-duty separating each 14 hours on-duty;
- (B) A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off-duty separating each 14 hours on-duty; and
- (iv) The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:
 - (A) The time the driver reports for duty each day;
 - (B) The total number of hours the driver is on-duty each day;
 - (C) The time the driver is released from duty each day; and
 - (D) The total time for the preceding 7 days in accordance with § 395.8(j)(2) for drivers used for the first time or intermittently.

Table 1. Truck Driver's HOS.

Date	Time on-duty	Time off-duty	Hours
3/11/2024	6:30 a.m.	11:29 a.m. ⁴⁰	~5:00
3/10/2024	Off duty	-	0
3/09/2024	Off duty	-	0
3/08/2024	6:30 a.m.	3:00 p.m.	8:30
3/07/2024	6:30 a.m.	4:00 p.m.	9:30
3/06/2024	6:30 a.m.	3:30 p.m.	9:00
3/05/2024	6:30 a.m.	3:30 p.m.	9:00
3/04/2024	6:30 a.m.	3:30 p.m.	9:00
3/03/2024	Off duty	-	0
3/02/2024	Off duty	-	0
3/01/2024	2:00 p.m.	4:00 p.m.	2:00
3/29/2024	12:30 p.m.	4:00 p.m.	3:30
2/28/2024	6:30 a.m.	3:00 p.m.	8:30
2/27/2024	6:30 a.m.	3:00 p.m.	8:30
2/26/2024	6:30 a.m.	12:00 p.m.	5:30
2/25/2024	6:30 a.m.	3:00 p.m.	8:30

7.4 Vehicle Maintenance

According to Beard officials, the carrier employed four mechanics. Two of the four mechanics were certified mechanics. Beard officials stated their mechanics conducted all levels of maintenance on their fleet, from small repairs to total engine rebuild and transmission replacement. The combination unit involved in the crash was identified as a 2001 Mack truck-tractor identified as company unit # 123. The semitrailer was identified as a 39-foot 2001 Vantage dump semitrailer, identified as company unit #1201. The carrier provided a maintenance file for both vehicles. The Maintenance file for Unit 123 indicated it received its last annual Federal inspection of March 2023. The file listed various repairs and services. The maintenance file for Unit 1201 indicated its last annual Federal inspection March 2023. The carrier's maintenance records indicated the carrier met the minimum requirements for a systematic method of repairs and services required under §396.3.

8.0 Federal Oversight - Beard Transport

According to the FMCSA Motor Carrier Management Information System (MCMIS) the carrier's latest FMCSA MCS-150 was filed on February 13, 2024, and reflected annual milage of 796,545 miles.

⁴⁰ Approximate time of crash.

In 2010, the FMCSA introduced the Compliance, Safety, Accountability (CSA) system as an initiative to improve large truck and bus safety and ultimately reduce crashes, injuries, and fatalities related to CMVs. It introduced a new enforcement and compliance model that allows the FMCSA and its state partners to contact a larger number of carriers earlier in order to address safety problems before crashes occur. Along with CSA, the FMCSA also rolled out a new operational model called the Safety Measurement System (SMS), which replaced its predecessor, known as the SAFESTAT model. SMS uses motor carrier's data from roadside inspections, (including all safety-based violations), state-reported crashes, and the Federal Motor Carrier Census to quantify performance in the following Behavior Analysis and Safety Improvement Categories (BASICS).

1.1 CSA BASICS

- **Unsafe Driving** – Operation of CMVs by drivers in a dangerous or careless manner. *Example violations:* Speeding, reckless driving, improper lane change, and inattention. (Federal Motor Carrier Safety Regulations (FMCSRs) 49 CFR Parts 392 and 397)
- **Hours-of-Service (HOS) Compliance** – Operation of CMVs by drivers who are ill, fatigued, or in non-compliance with the HOS regulations. This BASIC includes violations of regulations pertaining to records of duty status (RODS) as they relate to HOS requirements and the management of CMV driver fatigue *Example violations:* false HOS RODS and operating a CMV while ill or fatigued. (FMCSR Parts 392 and 395)
- **Driver Fitness** – Operation of CMVs by drivers who are unfit to operate a CMV due to lack of training, experience, or medical qualifications. *Example violations:* Failure to have a valid and appropriate commercial driver's license (CDL) and being medically unqualified to operate a CMV. (FMCSR Parts 383 and 391)
- **Controlled Substances and Alcohol** – Operation of CMVs by drivers who are impaired due to alcohol, illegal drugs, and misuse of prescription or over-the-counter medications. *Example violations:* Use or possession of controlled substances/alcohol. (FMCSR Parts 382 and 392)
- **Vehicle Maintenance** – Failure to properly maintain a CMV and/or properly prevent shifting loads. *Example violations:* Brakes, lights, and other mechanical defects, failure to make required repairs, and improper load securement. (FMCSR Parts 392, 393, and 396)
- **Hazardous Materials (HM) Compliance** – Unsafe handling of HM on a CMV. *Example violations:* Release of HM from package, no shipping papers (carrier), and no placards/markings when required.

(FMCSR Part 397 and Hazardous Materials Regulations Parts 171, 172, 173, 177, 178, 179, and 180)

- **Crash Indicator** – Histories or patterns of high crash involvement, including frequency and severity based on information from state-reported crashes.

A carrier's measurement for each BASIC depends on the following:


- The number of adverse safety events (violations related to that BASIC or crashes).
- The severity of violations or crashes.
- When the adverse safety events occurred (more recent events are weighted more heavily).

After a measurement is determined, the carrier is then placed in a peer group (i.e., other carriers with similar numbers of inspections and carrier size). Percentiles from 0 to 100 are determined by comparing the BASIC measurements of the carrier to the measurements of other carriers in the peer group. A percentile of "100" indicates the worst performance.

The FMCSA established threshold levels that would require agency action. Unsafe Driving, HOS, and Crash BASICs were set at lower thresholds because of their inherent risk. Additionally, passenger and hazmat carriers have lower thresholds than all other carriers because of their inherent risk. Table 2 represents the thresholds set by the FMCSA that help prioritize agency intervention and resource management.^{41,42} Beard would fall under the "all other motor carriers' criteria."

Table 2. FMCSA BASICS Thresholds

BASIC	Passenger Carrier	HM Carrier	All other Motor Carriers
Unsafe Driving, HOS, Crash	50%	60%	65%
Driver Fitness, Drug & Alcohol, Maintenance	65%	75%	80%
HM	80%	80%	80%

On a carrier's SMS profile, which is publicly available on the Safer website, an alert symbol  is displayed in any designated BASIC where the carrier has exceeded the corresponding threshold.⁴³ At the time of the crash, the MCMIS Carrier Profile showed no BASICs in alert status. The carrier profile did reflect the Vehicle

⁴¹ Retrieved from: www.fmcsa.dot.gov.

⁴² FMCSA is undergoing an overhaul of SMS and has proposed changes to the thresholds in a Request for Comments titled, "Revised Carrier Safety Measurement System," published at 88 Federal Register 9954 on February 15, 2023.

⁴³ FMCSA BASIC information publicly available for passenger and Hazardous Material carriers only. See additional information at the FMCSA Safer website: <http://safer.fmcsa.dot.gov/CompanySnapshot.aspx>.

Maintenance BASIC at 50%, which was below threshold. For additional information see Figure 14.

Company Safety Profile					
Legal Name:		BEAIRD TRANSPORT INC			
Doing Business As:					
USDOT #:		1750062			
Report 2		BASICs Safety Information			
BASICs Date:		23-FEB-24			
BASIC	Percentile	Investigation Deficient	Investigation Deficient Date	On-Road Performance	Safety Assessment
Unsafe Driving				< 3 insp. w/ violations	
Hours-of-Service (HOS) Compliance				0%	
Driver Fitness				0%	
Controlled Substances and Alcohol				0%	
Vehicle Maintenance	50			Display Percentile	
Hazardous Materials (HM) Compliance				No HM Veh. insp.	
Crash Indicator				< 2 crashes	
Insurance/Other				Not Applicable	

Figure 14. Beaird Transport BASICs at time of crash.

According to MCMIS the carrier entered the New Entrant Safety Program March 19, 2008. The carrier had a New Entrant Safety Audit on June 19, 2009, and passed. Prior to the crash, the carrier had never had a FMCSA compliance review (CR). As a result of this crash, the FMCSA conducted a post-crash comprehensive CR. Identified on the CR included the following 10 violations:

1. §382.301(a)- Using a driver before the motor carrier has received a negative pre-employment-controlled substance test result.
2. §391.51(b)(2) - Failing to maintain inquiries into driver's record in driver's qualification file.
3. §382.305(i)(2) - Failing to ensure that each driver subject to random alcohol and controlled substances testing has an equal chance of being selected each time selections are made.
4. §382.601(b)(12) - Failing to provide employees a written policy on misuse of alcohol and controlled substances that meets requirements of 382.601.
5. §382.701(a) - Failing to conduct a pre-employment query.
6. §382.701(b)(1) - Failing to conduct annual query.
7. §391.51(b)(4)- Failing to maintain the responses of each State agency to the annual driver record inquiry required by 391.25(a).
8. §391.51(b) (5) - Failing to maintain a note relating to the annual review of the driver's record as required by §391.25(c)(2).
9. §391.23(m)(2)(iii) - Using a copy of a medical examiner's certificate as the proof of the driver's medical certification beyond 15 days after date of issuance.

10. §396.9(d)(3) - Failing to maintain completed inspection form for 12 months from the date of inspection at the carrier's principal place of business or where the vehicle is housed.

The CR resulted in a Conditional Safety Rating and enforcement action for \$5530.^{44,45}

9.0 Attachments

The following attachments are included in the docket for this investigation:

Motor Carrier Attachment: School District Interviews
Motor Carrier Attachment: School District Instructions for Bus Riders
Motor Carrier Attachment: Elementary Middle High School Handbook (Excerpts)
Motor Carrier Attachment: School Bus Driver Training Records
Motor Carrier Attachment: Secretary of State School Bus Application Certification
Motor Carrier Attachment: School District Letter of Restricted Payroll
Motor Carrier Attachment: ISBE Administrator Manual
Motor Carrier Attachment: Illinois Professional School Bus Driver Training Curriculum
Motor Carrier Attachment: Beaird Transport Interview Summary
Motor Carrier Attachment: Beaird Transport MCS-150
Motor Carrier Attachment: Beaird Transport CR

Submitted by:

Michael S. Fox
Senior Highway Accident Investigator

⁴⁴ Safety rating or rating means a rating of "satisfactory", "conditional", or "unsatisfactory" using the factors prescribed in 49 *CFR* 385.7 as computed under the Safety Fitness Methodology. **Safety Ratings:** (1) **Satisfactory** means a motor carrier has in place, functioning safety management controls to meet the safety fitness standards prescribed in 49 *CFR* 385.5. (2) **Conditional** means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standards that could result in occurrences listed in §385.5 (a) through (k). (3) **Unsatisfactory** means a motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences listed in §385.5 (a) through (k). (4) **Unrated** means that a safety rating has not been assigned to the motor carrier by FMCSA.

⁴⁵ See Motor Carrier Attachment: Beaird Transport CR.