

**NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF HIGHWAY SAFETY
WASHINGTON, D.C.**

**MOTOR CARRIER FACTORS GROUP CHAIRMAN'S
FACTUAL REPORT**

A. CRASH INFORMATION & CRASH SUMMARY

Refer to the *Crash Information and Crash Summary Report* in the docket for this investigation.

B. MOTOR CARRIER FACTORS GROUP

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C. DETAILS OF THE MOTOR CARRIER FACTORS INVESTIGATION

This report documents the history of both carriers, driver employment, driver screening, hours of service and driving history of the drivers of both the 2013 Thomas Built school bus and the 2018 Freightliner utility service truck.

This report also includes the carriers' roadside inspection history, management safety practices and government oversight by the Federal Motor Carrier Safety Administration (FMCSA) and the State of Tennessee.

1. Motor Carrier History and Operations – Service Electric Corporation

Service Electric Company (SEC) has been in business since 1948 and according to the Federal Motor Carrier Safety Administration (FMCSA) Motor Carrier Management Information System (MCMIS), the carrier was issued USDOT number 391773. The carrier was registered as an interstate carrier of private property with a principal place of business located in Chattanooga,

Tennessee. The USDOT number has had active operating authority issued on May 01, 1990. According to the carrier's latest MCS-150¹, the carrier employed 1,143 drivers and operated 936 trucks.

SEC is an electrical contractor specializing in the construction and maintenance of electric transmission and distribution systems. SEC services include the construction and maintenance of transmission and distribution lines, substations, network underground and Underground Technical Services, Energized Services and Emergency Storm Restoration.² SEC is a subsidiary company of Quanta Services Incorporated of Houston, Texas.³

1.1. Hiring Process

The driver of the truck in this crash was employed by SEC as a mechanic. His duties included servicing and repairing vehicles used by the company. As part of his job, he was required to operate the utility service truck involved in this crash.

When SEC had an open position, it was advertised via word of mouth and on the company website. Once a person was referred, a time was scheduled for the applicant to come into the office. An application was completed, and prospective employees who would operate company vehicles would be vetted using a specific criterion. This criterion included:

- A negative pre-employment-controlled substance test,
- Submission of a Motor Vehicle Record (MVR),
- A copy of the driver's license,
- A copy of the DOT medical certificate (if applicable)

Once the candidate was accepted then new employee training was provided covering the following topics:

- Personal Protective Equipment,
- Defensive driving (2-hour course),
- A general safety orientation,

¹ Motor Carrier Identification Report – See Motor Carrier Attachment MCS-150 SEC

² [Home - Service Electric Company](#)

³ [About Quanta - Quanta Services](#)

- DOT/Safety Review
 - CDL rules
 - Inter/Intrastate issues
 - Restrictions

- Use of cellular phones

New commercial driver's license (CDL) holders were defined by SEC as drivers with less than 1-year CDL experience. These drivers are also required to watch an entry level driving video. The driver of the SEC vehicle in this crash was not classified as a new CDL driver when hired by SEC in 2019 due to his previous driving experience.

All newly hired employees that were required to operate a vehicle were provided with a 3-ring binder. This binder included safety protocols and procedures that are outlined in Section 1.2.

1.2. Management Safety Practices

SEC had an established policy and procedures package. These policies included: accident reporting, controlled substance and alcohol testing, use of safety belts, distracted driving, and a safe driving program. SEC did not have a formal fatigue management program but provided drivers training about fatigued and drowsy driving in its initial training and several times in its weekly safety topics.

Candidates who had driving responsibilities also had a one-time mandatory video-based training on distracted driving, CDL rules, cell phone usage.

SEC also had various programs to ensure safety. SEC utilized Telogis fleet management software to track vehicles, excessive speed and idling time, and route via GPS.⁴ SEC also utilized a "good catch" program. Employees were encouraged to report safety issues or potential safety issues. SEC representatives stated that companywide approximately 350 "good catches" were reported per year. Of these, 15 to 20 were related to safety operations in vehicles. There were no excessive speeds (greater than 75Mph) noted on the crash vehicle's telemetric data for the date of the crash.

Every Thursday, SEC conducted companywide safety calls. Some of the topics that had been recently covered before the time of this crash were: driving tips, current incidents and general weekly safety tips related to the power and construction industry.

By utilizing fleet management software, SEC produced a worst 10 drivers of the week list. This considered incidents of speeding and hard braking events. Once the list had been assembled, supervisors would evaluate and counsel the employee to improve employee performance. The driver in this crash had never been on this list. At the time of the crash SEC had been in a trial

⁴ [Telogis GPS Fleet Management Software | Verizon Connect](#)

process with Lytx for 5 months evaluating driver performance the vehicle in this crash was not equipped with a Lytx system.⁵

Drivers were also required to read and acknowledge both a SEC and Quanta code of conduct. These codes of conduct had numerous safety messages and guidance. The Quanta section on vehicle use covered licensing, adherence to traffic laws, safe parking, route planning and cell phone use. SEC's conduct manual covered the controlled substance/alcohol policy and vehicle use.

2. Federal Oversight – Federal Motor Carrier Safety Administration

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses.

The FMCSA was established as a separate administration within the U.S. Department of Transportation (USDOT) on January 1, 2000, pursuant to the Motor Carrier Safety Improvement Act of 1999. FMCSA is headquartered in Washington, DC and employs more than 1,000 people in all 50 States and the District of Columbia, all dedicated to improving the safety of commercial motor vehicles (CMV) and saving lives.⁶

2.1. CSA and SMS

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 that are related to CMVs. It introduced an enforcement and compliance model that allows the FMCSA and its state partners to contact a larger number of carriers earlier to attempt to address safety problems before crashes occur. Along with CSA, the FMCSA also rolled out an operational model called the Safety Measurement System (SMS), which replaced its predecessor, known as the SAFESTAT model. SMS uses a 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).

2.2. CSA BASICS⁷

- **Unsafe Driving** — Operation of CMVs by drivers in a dangerous or careless manner. *Example violations:* Speeding, reckless driving, improper lane change, and inattention. (FMCSR 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*

⁵ [Video Telematics and Fleet Management Solutions | Lytx](#)

⁶ <https://www.fmcsa.dot.gov/mission>

⁷ CSA Methodology retrieved from www.fmcsa.dot.gov

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 safety event group based on the number of safety events (e.g., inspections, violations and crashes) in which they have been involved. Percentiles from 0 to 100 are then 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 1** represents the thresholds set by the FMCSA that help prioritize agency intervention and resource management.⁸ SEC was classified as an all-other carrier under this criterion.

Table 1. BASIC thresholds.⁹

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

On a carrier’s SMS profile, which is publicly available on the SAFER website for passenger and hazardous materials carriers, an alert symbol is displayed in any designated BASIC where the carrier has exceeded the corresponding threshold.¹⁰ This is also referred to as having an “alert” in a BASIC. At the time of the crash SEC displayed no alert in any of the BASICs.

The carrier was not subject to FMCSA’s New Entrant Program with a New Entrant safety audit because it was in service prior to the implementation of the program. Since obtaining its USDOT number, the carrier has had 5 compliance reviews (CRs)/Safety Reviews prior to the crash and a postcrash review.

2.3. Intervention Selection Rules¹¹

2.3.1. Vehicle Maintenance BASIC Requiring Investigation

All carriers whose vehicle maintenance BASIC requires investigation must be investigated onsite.

2.3.2. Carriers with fewer than 2 BASICs Requiring Investigation

Offsite Investigations are the recommended intervention type for carriers with two or fewer BASICs requiring investigation unless the carrier otherwise requires an Onsite Investigation.

2.3.3. Carriers with more than 2 BASICs Requiring Investigation

An Offsite or Onsite Focused Investigation may be conducted on non-HM carriers with up to five BASICs or HM carriers with up to six BASICs (excluding the Vehicle Maintenance BASIC), requiring investigations unless an Onsite Comprehensive Investigation is otherwise required.

⁸ Retrieved from www.fmcsa.dot.gov.

⁹ Retrieved from <http://csa.fmcsa.dot.gov/FAQs.aspx>.

¹⁰ 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>.

¹¹ Excerpts from FMCSA Memorandum (MC-ECS-2019-001) regarding Compliance Safety Accountability Program National Rollout dated January 31, 2019

Onsite Comprehensive Investigations are required when all the applicable BASICs are to be investigated. An Onsite Comprehensive Investigation is required if all six BASICs are investigated for a non-HM carrier or if all seven BASICs are investigated for an HM carrier.

When deciding whether to conduct an offsite investigation on eligible carriers, Division Offices should consider factors including, (1) prior interventions, (2) safety performance using trending tools, (3) number of BASICs at or above the threshold level, and (4) nature and severity of roadside violations.

A focused CR normally does not result in a safety rating and usually is classified as “non-rated” when completed, however it may result in an adverse safety rating (conditional or unsatisfactory).¹² A comprehensive CR may also be used if the carrier was involved in a crash or there has been a complaint made. A comprehensive CR addresses all aspects of the carrier’s operation and normally results in a safety rating. The safety rating is determined by the FMCSA using safety rating methodology outlined in 49 CFR 385.5 which evaluates patterns of critical and acute violations.¹³

Table 2 summarizes SEC Compliance Review and Safety Review history, agency conducting the CR, date of the review, and findings.

Table 2. SEC Compliance/Safety Review History

Date	Agency	Review Type	Final Rating
November 13, 1990	FMCSA	Safety Review*	N/A
June 30, 1992	Tennessee Highway Patrol	Safety Review*	N/A

¹² Safety rating or rating means a rating of “satisfactory”, “conditional”, or “unsatisfactory” using the factors prescribed in 49CFR385.7 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 49CFR385.5. (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.

¹³ Acute violations are those identified where non-compliance is so severe as to require immediate corrective action by the motor carrier regardless of the overall safety posture of the carrier. Critical violations relate to management and/or operational controls that show a pattern of non-compliance. A list of acute and critical violations is listed in Appendix B of 49CFR385.

September 25, 2003	Tennessee Highway Patrol	Compliance Review	Conditional
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July 15, 2004	FMCSA	Compliance Review	Conditional
September 21, 2005	FMCSA	Compliance Review	Satisfactory
January 21, 2021	FMCSA	Onsite Focused Review	Not Rated

*Safety Reviews were prior to the establishment of the safety ratings in 1998

The 2003 and 2004 conditional ratings were based on hours-of-service issues. SEC had received a CSA warning letter on August 5, 2011 warning the carrier of an alert in the hours of service BASIC. And another on April 8, 2016, warning of issues in Driver Fitness.

The onsite focused review consisted of a review of the Crash Indicator BASIC, along with a supplemental review of the Controlled substances and Alcohol BASIC and the Hazardous Materials Basic. During this review, FMCSA investigators cited the following violation:

- 396.17(a) – Using a commercial vehicle not periodically inspected. (Not the vehicle involved in the crash)

The focused investigation was not rated due to no acute and/or critical violations discovered. FMCSA investigators did not make any process breakdown recommendations and remedies. A general recommendation specific to the discovered violation listed was made to ensure that annual inspections are done at proper intervals.¹⁴

2.4. State of Tennessee

The Tennessee Code Annotated § 65-15-106 gives the Tennessee Highway Patrol (THP) the authority to stop and inspect commercial vehicles and buses. The rules the carriers are subject to are spelled out in 49 CFR 390-397 and adopted by the state.

2.5. Roadside Inspections

SEC was subject to 109 roadside inspections from October 28, 2018, to October 28, 2020. There were no roadside inspections involving the driver in this crash. As a result of these inspection

¹⁴ Motor Carrier Attachment – Post Crash Compliance Review

the out of service rate for drivers was 0.0% and vehicles was 18.2% in comparison with national averages of 5.1% and 20.7% respectively.

2.6. Controlled Substance and Alcohol Testing

Under 49 CFR 382.301, motor carriers are required to administer pre-employment-controlled substance testing and not employ a driver in a safety-sensitive function (driving) until a negative test result is obtained. Also 49 CFR 382.305 requires motor carriers to randomly test all subject drivers to random alcohol and controlled substance testing. There were no issues discovered with SEC's program or testing.

In the focused review completed in January of 2021, FMCSA investigators also did not discover any violations with the randomness and scheduling of the controlled substance testing within SEC's program. SEC was following DOT's controlled substance testing requirements found in 49 CFR 382.

3. Hours of Service

As of December 18, 2017, 49 CFR 395 required carriers to install and maintain an Electronic Logging Device (ELD) to track the driver's hours of service.¹⁵ An ELD is a device or technology that automatically records a driver's driving time and facilitates the accurate recording of the driver's hours of service.

The driver employed by SEC in this crash was operating under the hours-of-service rules afforded to him by the short-haul operation exemption under 49 CFR 395.1(e). As such he was not required to utilize an ELD or other hours of service keeping record. However, in using the 49 CFR 395.1(e) exemption, the employer is required to maintain time records for the driver. His time was tracked via records maintained by SEC. Originally SEC had stated that the driver was afforded the utility service vehicle exemption under utilities 49 CFR 395.2. However, it was determined by FMCSA's General Counsel's Office that this was not the case. The vehicle used in this crash was a vehicle that provided service to utility service vehicles.

The carrier was tracking the driver's time via an electronic time record and GPS data. As a result of this investigation, the driver and other mechanics were moved to a format that would allow easier access to start, stop and total time on duty.

The driver's normal work week consisted of 4 – 10 hour shifts from 7:00a.m. to 5:30 p.m. The day of the crash the driver began his day at approximately 6:05 a.m. in Spring City, TN. The driver travelled to the office in Chattanooga, TN. The driver then traveled to Altamont, TN and replaced a company two-way radio in a utility service vehicle. The driver then traveled to Ooltewah, TN where the driver worked on a boom on a utility service truck. At the time of the crash (3:45p.m.), the driver was heading towards his residence in Spring City, TN.

4. Truck Driver

The driver for SEC in this crash was a 56-year-old male. The driver had been employed by the carrier since March 18, 2019.

4.1. Driver's Qualification

The driver's qualification (DQ) file followed 49 CFR 391.51 and contained a copy of the driver's motor vehicle record, and other required documentation.

According to the DQ file the driver had a medical certificate on file which showed an issue date of June 23, 2020 and was valid for two years with an expiration date of June 23, 2022. The DOT physical was performed by a medical professional that was listed on FMCSA's national registry. For further information refer to the *Medical Officer's Factual Report*.

4.2. Driver's License and History

At the time of the crash the driver held a valid Tennessee Class A Commercial Driver's License (CDL), with endorsements to tow double/triple trailers and operate tank vehicles. The driver had been licensed in Tennessee since August of 2013. The driver's latest Tennessee CDL was issued December 2018 and had an expiration date of December 2026. The driver's application shows CDL operation back as far as March of 2004.

A review of the Commercial Vehicle Driver's License System (CDLIS) showed there to be no convictions for traffic offenses or previous traffic crashes in Tennessee.

4.3. Driver's Employment History

According to the driver's application and the background checks maintained in the DQ files of SEC. and the driver's previous employer, the driver held at least five DOT regulated safety sensitive (driver) positions since obtaining a CDL.¹⁶ The crash driver's reconstructed employment history is listed below in **Table 3**.

Table 3. Employment History

Employer	Start Date	End Date	DOT Regulated
SEC	March 2019	Current	Yes
W.A. Kendall & Company Inc	September 2017	March 2019	Yes
General Shale Brick	July 2016	September 2017	Yes

¹⁶ Safety Sensitive Position – refer to driving positions which fall under the jurisdiction of the FMCSRs.

W.A. Kendall & Company Inc	October 2012	July 2016	Yes
Horizon Satellite (Dish Network)	April 2011	July 2012	No
Mohawk Industries	2009	September 2011	No
GUBMK Contractors	February 2009	July 2009	Yes

4.4. Driver’s Controlled Substance and Alcohol Testing

According to documents maintained by SEC, the driver had three FMCSA regulated controlled substance and/or alcohol tests on file.

A pre-employment-controlled substance test conducted on March 18, 2019, and the driver was subject to a post-crash DOT controlled substance test both on October 28, 2020. Both the pre-employment and post-crash tests had negative results.

4.5. Driver’s Hours of Service (HOS)

As previously stated, SEC utilized electronic time records to track the hours worked. NTSB investigators used the data provided through the time records and completed an 8-day history of driving and on-duty time.¹⁷ That history is outlined below in **Table 4**. There were no violations of the hours-of-service regulations detected during this period. Carrier officials stated the driver commonly worked a 4–10-hour day work cycle with his shifts beginning around 7:00 am and ending around 5:30 pm.

Table 4. Driver’s 8-Day History

Date	Disposition of hours
October 27, 2020	Approx. 9.75 hours on-duty & driving
October 26, 2020	12 hours on-duty & driving
October 25, 2020	Off

¹⁷ Motor Carrier Attachment – Driver’s timecards

October 24, 2020	Off
October 23, 2020	9 hours on-duty & driving
October 22, 2020	11.5 hours on-duty & driving
October 21, 2020	11.75 hours on-duty & driving
October 20, 2020	12 hours on-duty & driving

4.6. Driver’s Opportunity for Rest

Even though the driver was well within the hours-of-service regulations, investigators developed a 72-hour look back and review of his opportunities for rest. This information was gleaned from cellular phone records and the driver’s time records from SEC. Examining records obtained by the Tennessee Highway Patrol, **Table 5** was created. **Table 5** is based on data showing when the driver’s phone was moving.¹⁸ The driver stated he was routine in his bedtime routine, going to bed approximately at 9:00 p.m. and waking at 5:00 a.m. Call log examination also confirmed there were no incoming or outgoing calls or activity during the hours listed below.

Table 5. Driver’s Opportunity for Rest

Date	Time movement ended	Time movement started
October 27, 2020	-stopped on October 26, 2020	6:50 a.m.
October 26, 2020	9:15 p.m.	7:26 a.m.
October 25, 2020	10:00 p.m.	7:10 a.m.
October 24, 2020	9:00 p.m.	9:00 a.m.

¹⁸ This data is based on a fitness app that tracks steps and GPS data. Due to the complexity and confidentiality of this information it will not be included into the public docket.

4.7. Driver Attention/Performance

In his statement to the THP and to NTSB, the driver stated just prior to leaving the roadway, he had looked in his mirrors and saw there was a deputy sheriff's car behind him. He then felt the passenger side tires leave the pavement.¹⁹

THP was able to conduct a download of the driver's cellular phone. There were no indications of the phone being used at the time of the crash.

4.8. Truck Maintenance

The truck tractor involved in the crash was a 2018 Freightliner. Maintenance records for the truck were maintained by the carrier and met or exceeded the requirements of the FMCSRs. The carrier provided records showing preventative and scheduled maintenance was being conducted. The latest annual inspection on the truck was completed on May 14, 2020. For further information refer to the *Vehicle Factors Group Chairman's factual report*.

5. Motor Carrier History and Operations – Meigs County Schools

The Meigs County School System serves the Meigs County area of southeastern Tennessee. The school system does not have a USDOT number, nor is it required to have it or operating authority. The school system has approximately 1,600 students in grades K – 12 in four schools. The school system employed 20 fulltime and 7 part-time drivers and operated 20 school buses.

5.1. Hiring Practices

The Meigs County School system would advertise bus driver openings as needed. Once advertised, most bus driver applicants would fill out an application for employment as a paraprofessional. In the application process the applicant would also submit to a criminal history check and pre-employment-controlled substance and alcohol check. A copy of the applicant's CDL and medical certificate would also be obtained. Meigs County has the following minimum qualifications and requirements for the position of school bus driver:

- Minimum age of 25,
- 5 consecutive years of unrestricted driving experience,
- Satisfactory driving record
- High School diploma/GED
- Valid Tennessee CDL
 - Passenger or school bus endorsement required
- Successful screening

¹⁹ Motor Carrier Attachment – Driver Interview
Decatur, Tennessee – Motor Carrier Factors Factual Report

- Background check
- Negative controlled substance test
- Submit to annual drug screening
- Annual medical examination

5.2. Management Safety Practices

Meigs County Schools had policies and procedures in place to ensure the safe operation of its transportation fleet. The safety of students and drivers is overseen by the Director of Schools, the Director of Safety, and the Transportation Supervisor. The Director of Safety and Security services oversees the transportation operations. The Transportation Supervisor is the Pupil Transportation Supervisor.²⁰ As such the supervisor is responsible for:

- Managing the daily transportation operations and route planning,
- Ensuring compliance with state law and school board policies,
- Overseeing the maintenance programs,
- Collection of accident information,
- Receiving and investigating all complaints,
- And supervise and evaluate new employees during a 12-month probationary period.

The school district also provided the bus drivers with a Transportation Handbook. This handbook is comprehensive and outlines the driver's duties and responsibilities, route and operations to include guidance on speeding, distracted driving and use of handheld cellular devices. The manual also covers student behavior and management, required equipment, pre-trip inspections and emergency drills. The handbook covers the complaint process and procedures for investigation and potentials for disciplinary action.

6. Federal Oversight – Federal Motor Carrier Safety Administration

The Meigs County School system is a government entity. As such it is not subject to all the same rules and regulations a commercial motor carrier would be. FMCSA has jurisdiction over licensing and controlled substance and alcohol testing requirements. FMCSA did not conduct any compliance review or audits of Meigs County Schools.

7. State of Tennessee

The state of Tennessee Highway Patrol, Commercial Vehicle Unit, Pupil Transportation Section ensures that school children in the State of Tennessee are transported safely to and from school and school-related activities. There are approximately 9,500 school buses that Pupil Transportation inspects.

Each year, the Pupil Transportation Section provides mandatory four-hour driver safety training. Failure of attendance to this annually required training will result in a school bus driver losing their

²⁰ Tennessee Law requires the director of schools to appoint a transportation supervisor for the school system
Decatur, Tennessee – Motor Carrier Factors Factual Report

S endorsement.

School buses are inspected, at a minimum, annually and biannually for older buses in an extended use program. These inspections will continue for the life of the buses until removed from operation. Random inspections of buses are conducted throughout the year to ensure they are properly maintained.

The Pupil Transportation Section conducts an average of approximately 17,000 bus inspections annually. These duties are performed by state troopers and civilian personnel assigned to the eight Tennessee Highway Patrol Districts.

8. School Bus Driver

The driver of the school bus was a 53-year-old female. The driver had been employed by the Meigs County School system since July of 2018.

8.1. Driver's Qualifications

The driver's qualification (DQ) file followed 49 CFR 391.51 and contained a copy of the driver's motor vehicle record, and other required documentation.

According to the DQ file the driver had a medical certificate on file which showed an issue date of June 5, 2020 and was valid for one year with an expiration date of June 5, 2021.²¹ The DOT physical was performed by a medical professional that was listed on FMCSA's national registry.

8.2. Driver Licensing and History

At the time of the crash the driver held a valid Tennessee Class B Commercial Driver's License (CDL), with endorsements to operate school buses and carry passengers. The driver's latest Tennessee CDL was issued October 2017 and had an expiration date of October 2025.

A review of the Commercial Vehicle Driver's License System (CDLIS) showed there to be no convictions for traffic offenses in Tennessee. Driver's license records showed a property damage crash March 11, 2019, with no further information listed.

8.3. Driver Employment History

According to the driver's application she had two prior jobs in the 10 years prior. A prior school bus driving position with the City of Cleveland, Tennessee from July 5, 2017 until July 17, 2018 and as a cosmetologist from April 2011 to May 2017.

8.4. Controlled Substance and Alcohol Testing

According to documents maintained by Meigs County Schools, the driver had one FMCSA regulated controlled substance and/or alcohol test on file prior to the crash.

The driver was subject to a post-crash DOT alcohol and controlled substance test. Both the pre-employment and post-crash tests had negative results for illicit drugs or alcohol.

²¹ This was a one-year medical certificate due to state law requiring an annual medical exam.
Decatur, Tennessee – Motor Carrier Factors Factual Report

8.5. School Bus Driver Hours of Service

The school bus driver was not subject to the hours-of-service regulation. The supervisor of pupil transportation stated the school bus driver's shift was split. Requiring a run between 6:45 a.m. to 8:00 a.m. and another run between 2:45 p.m. and 4:30 p.m. The driver's route was classified as an extended route picking up students at the Middle school and the Elementary school.

8.6. Driver Opportunity for Rest

Unlike the driver for SEC, the THP did not download and conduct an analysis of the driver's cellular phone. There was no information available to properly determine the driver's opportunity for rest.

8.7. Driver Distraction

The school bus was equipped with inward and outward facing video camera that recorded and showed the school buses operation prior to the crash. There was no indication of distraction by the school bus driver.

9. School Bus Maintenance

Routine Maintenance for the school bus in this crash was handled in house by Meigs County Schools. Bigger jobs that required major maintenance were sent out to a garage or dealership. Maintenance records for the bus were examined and showed a systematic and detailed maintenance program. The latest annual inspection was completed on September 20, 2020.

D. DOCKET MATERIAL

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

LIST OF ATTACHMENTS

Motor Carrier Attachment – MCS-150 SEC

Motor Carrier Attachment – Post-Crash Compliance Review

Motor Carrier Attachment – Driver's Time Records

Motor Carrier Attachment – Driver Interview

END OF REPORT

Shawn Currie

Motor Carrier Factors Group Chair