**Post-Accident Report (PAR) Review Workgroup**

**Discussion Notes**

**April 26, 2016, PAR Review Workgroup Meeting**

*FAST Act:*

*SEC. 5306. POST-ACCIDENT REPORT REVIEW.*

*(a) In General.--Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group--*

*(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and*

*(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).*

*(b) Composition.--Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.*

*(c) Considerations.--The working group shall consider requiring additional data elements, including--*

*(1) the primary cause of the accident, if the primary cause can be determined; and*

*(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including--*

*(A) the vehicle configuration;*

*(B) the gross vehicle weight, if the weight can be readily determined;*

*(C) the number of axles; and*

*(D) the distance between axles, if the distance can be readily determined.*

*(d) Report.--Not later than 1 year after the date of enactment of this Act, the Secretary shall--*

*(1) review the findings of the working group;*

*(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and*

*(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.*

*(e) Termination.--The working group shall terminate not more than 180 days after the date on which the Secretary makes recommendations under subsection (d)(3).*

1. **Crash Data Workgroup Findings**
   1. Before the April 26, 2016, PAR workgroup meeting in Chicago, the workgroup had met over the phone and divided up responsibility between four groups (Group A, Group B, Group C, and Group D) for reviewing each State’s PAR and documenting which data elements they contain. The results were compiled in an Excel file before the Chicago workgroup meeting and each group summarized its findings.
   2. The groups reported that most basic data was similar across States.
   3. Regarding Vehicle Configuration PAR data elements, group members commented that:
      1. Vehicle configuration is FMCSA-required.
      2. Multiple group members commented that many States’ PARs do not have adequate classifications for buses and suggested that the bus vehicle configuration category should be further broken down due the vast variety of passenger CMVs.
   4. Gross Vehicle Weight (GVW) Data Elements
      1. FMCSA requires classification of the relevant commercial motor vehicle (CMV) into one of three different weight ranges (GVW < 10,001 pounds [lbs]; GVW 10,001-26,000 lbs; GVW > 26,000 lbs).
      2. Regarding a suggestion to attempt to get more accurate GVW information, one workgroup member suggested that by requiring precise GVWR, you may get less accurate results than asking for a range because the officer in the field may not have any idea.
      3. Sometimes States can get the manufacturer’s gross vehicle weight rating (GVWR) from the decoded vehicle identification number (VIN), but most VINs are not decoded.
      4. Finding the actual GVW takes a lot of effort and generally does not occur, unless the State conducts a full investigation on the crash.
   5. Number of Axles/Distance Between Axles Data Elements
      1. Many States do not require this information to be collected on a PAR.
      2. Regarding whether this information could be useful to FMCSA, one workgroup member pointed out that the Agency could match the number of axles to exposure data by vehicle configuration. According to this workgroup member, this information combined with the bill of lading could be used to estimate the GVR at the time of the accident, which could help determine if the loaded CMV was overweight.
      3. Some members stated that local officers would not be able to record the number of axles on a CMV accurately.
   6. Some States require coordinates on the PAR (latitude and longitude), for example, California, Maryland, Texas.
2. **Factors to Consider Regarding Potential PAR Recommendations**
   1. When thinking about potential recommendations regarding common PAR elements, many workgroup members expressed concerns about the following questions:
      1. What is feasible for officers to collect?
      2. What data would be most useful to FMCSA?
   2. Feasibility
      1. Many workgroup members cautioned that the group should consider the feasibility of county and local officers who have to fill out PAR only once a year or so. Members expressed concern that these officers will not record much of the detail.
      2. Some members encouraged the workgroup and FMCSA to consider other ways to potentially collect data relating to CMV crashes, rather than relying on a local officer to record it in the PAR.
      3. Regarding any potential data element recommendation put forward by the workgroup, some members cautioned that the group consider whether all States can realistically train a sizable portion of officers to collect that data in most cases? And what is the risk to the Agency if that data element is not recorded accurately?
   3. Electronic versus Handwritten PAR
      1. One member recommended that the group consider recommending that FMCSA develop an electronic, tablet-friendly PAR that is easy to use that States might voluntary adopt.
      2. One member asked how many States are hand writing their reports versus filling them out electronically. While some States (e.g., Maryland) have required mandatory electronic filing of PARs, many localities still allow PARs to be filled out by hand.
      3. Should the workgroup consider recommending mandated electronic reporting?
   4. Consider requiring only advanced data elements for serious bodily injury or fatality crashes?
      1. Many states require a post-crash inspection for such crashes.
   5. Safetynet crash module only accepts certain amount of information. Would have to be expanded to collect anything else.
   6. FMCSA only gets a subset of Model Minimum Uniform Crash Criteria (MMUCC) data elements from a State PAR and only for the CMV.
      1. Consider requiring States to adopt the MMUCC into the PAR? This would require little to no additional training for officers who are trained to the MMUCC data elements.
   7. Some workgroup members suggested that the importance of the description of events often far outweighs vehicle characteristics.
3. **Contributing Factors Discussion**
   1. Multiple workgroup members expressed that having States consistently report primary cause on PAR would be a helpful data element.
   2. One member suggested that recording rear and side underride would be useful data to determine what type of crash it was.
   3. One workgroup member that capturing right of way on a PAR would be helpful data.
      1. However, another member expressed concern about the accuracy of such information (e.g., if both drivers claim right of way).
      2. But it could be a valuable and incremental improvement over what is collected today.
      3. Can officers consistently and accurately collect right of way information?
      4. Another member expressed concern that some would use the data to assume that you could simplify right of way to causation.
      5. But it still does shed light on what happened in a crash.
   4. Crash configuration is valuable – the National Highway Traffic Safety Administration (NHTSA) Fatality Analysis Reporting System (FARS) just adopted “crash type” variable.
      1. This would not help identify unsafe carriers, but would identify trends.
4. **Next Steps**
   1. Group A: Consider vehicle configurations as it relates to data elements to collect.
   2. Group B: Consider contributing factors as it relates to data elements to collect.
   3. Group C: Consider reportable crash definitions in 49 CFR 390.5
   4. Group D: Will look at FMCSA and NHTSA data standards and consider whether FMCSA should move to NHTSA MMUCC standard.