

**Motor Carrier Safety Advisory Committee (MCSAC)  
Task Statement**

**Task #07-01**

**I. Task Title**

National Transportation Safety Board Recommendation (NTSB): FMCSA's Safety Fitness Methodology

**II. Background**

The NTSB investigated two accidents in 1995 and 1997 that involved motorcoach accidents. On October 15, 1995, a 1989 Eagle Motorcoach operated by Hammond Yellow Coach Line, Inc., (Hammond) and occupied by a driver and 39 members of a high school booster club overturned when it entered an Interstate (I)-70 exit ramp in Indianapolis, IN. Two passengers sustained fatal injuries, 13 sustained serious injuries, and 26 received minor injuries. On July 29, 1997, a 1985 TMC (Transportation Manufacturing Corporation) motorcoach operated by Rite-Way Transportation, Inc. (Rite-Way) and occupied by a driver and 34 members of the Pathways to Freedom tour group drifted off the side of I-95 near Stony Creek, Virginia, and down an embankment into the Nottoway River, where it came to rest on its left side. One passenger sustained fatal injuries, the driver and 3 passengers sustained serious injuries, and 28 passengers sustained minor injuries. These accidents involved factors that NTSB identified as issues in accidents and that have the potential for catastrophic consequences, namely driver fatigue and poorly maintained or out-of-adjustment brakes. The Stony Creek accident also highlighted the need for motorcoach passengers to receive pretrip safety information, such as the emergency evacuation briefing presently required for commercial air passengers.

The NTSB recommends, in Safety Recommendation H-99-06, that the Federal Motor Carrier Safety Administration change the safety fitness rating methodology so that adverse vehicle and driver performance-based data alone are sufficient to result in an overall unsatisfactory rating for the carrier.

**III. PROBLEM STATEMENT**

The NTSB believes that if, as the result of a safety audit, the carrier receives an unsatisfactory rating for either the vehicle or driver factor, the overall rating should be unsatisfactory. FMCSA is taking a new approach to the way it carries out its compliance and enforcement activities through the Comprehensive Safety Analysis (CSA) 2010 Initiative, and believes that the associated activities of CSA 2010 should address this recommendation. Safety Recommendation H-99-6 would be addressed directly by a new operational model that focuses on the unsafe behavior of both carriers and drivers to determine safety fitness. The new safety fitness rating model will be separated from the compliance review and based on an objective measure of a driver's or carrier's safety performance data. Under the new system, ratings would be issued to all drivers and carriers about which there is sufficient data.

**IV. TASK**

The Committee should perform the following tasks:

- a) Consider the potential safety benefits and operational feasibility (i.e., Federal and State resources needed for additional appeals or other follow-up activities) of changing the safety fitness methodology so that if the carrier receives an unsatisfactory rating for the vehicle or driver factor, the overall rating is unsatisfactory.
- b) Make recommendations on whether the NTSB recommended safety fitness methodology could fit into CSA 2010.
- c) Submit a report to the Federal Motor Carrier Safety Administration outlining findings and recommendations.

**V. ESTIMATED TIME TO COMPLETE TASK**

The Committee should submit a report to the Federal Motor Carrier Safety Administration outlining findings and recommendations at the September 2007 meeting.

**VI. FMCSA TECHNICAL REPRESENTATIVE**

Gary Woodford, Program Manager, CSA 2010, Phone: 202-366-2978, Email: Gary.Woodford@dot.gov.

**Attachments:**

February 26, 1999 Letter to FMCSA from NTSB issuing Safety Recommendation H-99-06