



National Transportation Safety Board

Washington, D.C. 20594

OCT 02 2009

Office of the Chairman

Ms. Rose A. McMurray
Acting Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Ms. McMurray:

Thank you for your May 11, 2009, letter to the National Transportation Safety Board (NTSB) regarding Safety Recommendations H-08-13 and -14, stated below. These recommendations were issued to the Federal Motor Carrier Safety Administration (FMCSA) as a result of the NTSB's investigation of an accident comprising two events—a single-vehicle truck-tractor semitrailer rollover and a motorcoach collision with the overturned truck—that occurred on Interstate Highway 94 near Osseo, Wisconsin, on October 16, 2005.

H-08-13

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

The NTSB is concerned with the response that the FMCSA is attempting to develop a universal technology solution to reduce the occurrence of fatigue-related accidents as it continues to pursue rulemaking on electronic on-board recorders (EOBR) to better monitor driver compliance with hours-of-service (HOS) regulations. Although there are currently no commercially available fatigue detection products that could be used under both daytime and nighttime driving conditions, a recently published FMCSA review of activities underway to develop unobtrusive, in-vehicle, real-time, drowsy driver detection and alertness systems¹ discussed at least five separate systems that are capable of functioning in a variety of conditions, both day and night. In addition to passenger-carrying operations, as in this accident, a substantial proportion of commercial transportation occurs at night. Given the increased fatigue risks inherent in nighttime operations, it is reasonable to believe that even a system that functions only at night could provide a substantial safety benefit as a stop-gap measure until a universal system is available. Sleep deprivation and circadian desynchronization can cause drivers to be susceptible to fatigue even when they are complying with HOS limits. Although EOBRs constitute an effective tool for the enforcement of HOS regulations, they do not constitute an effective system for monitoring vehicle and driver behavior to assess fatigue risk. The NTSB urges the FMCSA to consider the deployment of nighttime-based technologies during the ongoing development of in-vehicle technologies to reduce fatigue-related accidents. Pending the

¹ L. Barr, S. Popkin, and H. Howarth. *An Evaluation of Emerging Driver Fatigue Detection Measures and Technologies*, Report No. FMCSA-RRR-09-005 (Washington, DC: FMCSA, 2009).

development and implementation of a plan to deploy fatigue-detection technologies in commercial vehicles, Safety Recommendation H-08-13 is classified "Open—Unacceptable Response."

H-08-14

Develop and use a methodology that will continually assess the effectiveness of the fatigue management plans implemented by motor carriers, including their ability to improve sleep and alertness, mitigate performance errors, and prevent incidents and accidents.

The NTSB notes that, since 1999, the FMCSA has been involved in the North American Fatigue Management Program (NAFMP) initiative, a multi-phased cooperative program with stakeholders including U.S. and Canadian industry and government organizations. A field test was recently completed that collected baseline and post-test data during drivers' regular routes; provided educational workshops on fatigue (including sleep disorder assessment and treatment) for drivers, their families, and dispatchers; and offered ongoing management support and consultation to help companies develop policies and implement practices (such as scheduling) consistent with a fatigue management program. The FMCSA is currently reviewing the report on the field test to determine whether to continue to the final phase of the project, in which the steering committee would use lessons learned to improve the program; finalize recommended practice guidelines, manuals, and other training materials; and develop the deployment strategy. The NTSB encourages the FMCSA to move forward with the completion and deployment of the NAFMP and urges the agency to include in the program a methodology that will continually assess the effectiveness of the plans implemented by motor carriers. Pending successful completion of these actions, Safety Recommendation H-08-14 is classified "Open—Acceptable Response." The NTSB would appreciate receiving a copy of the final report on the field test results when it becomes available.

Thank you for your continued efforts to improve fatigue management for commercial drivers and motor carriers.

Sincerely,



Deborah A.P. Hersman
Chairman

cc: Ms. Linda Lawson, Director
Office of Safety, Energy, and Environment
Office of Transportation Policy