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

**Task Statement 12-02**

**I. Task Title**

Alternative Strategies the Agency Could Pursue to Address Outstanding National Transportation Safety Board (NTSB) Recommendations Classified as “Open-Unacceptable.”

**II. Background**

Established in 1967, the National Transportation Safety Board (NTSB) is an independent Federal agency charged by Congress with investigating every civil aviation accident in the United States, significant accidents in other modes of transportation (railroad, highway, marine, and pipeline), and issuing safety recommendations aimed at preventing future accidents. The Board investigates approximately 2,000 aviation accidents and incidents a year and approximately 500 accidents in the other transportation modes.

The Federal Motor Carrier Safety Administration (FMCSA) Directive 2920.1 and DOT Order 2000.1D establish procedures for acting on and responding to safety recommendations issued by NTSB following the investigation of transportation accidents and the completion of safety studies. Currently, FMCSA has open-unacceptable recommendations for which the Agency requests MCSAC identify ideas, concepts, and information the Agency should consider to address them. The pertinent issues of the 11 open-unacceptable recommendations include the following: revisions to Federal Motor Carrier Safety Regulations; the self-inspection/certification process; fatigue; tire pressure; quality assurance and oversight programs; and recommendations related to the Federal Motor Vehicle Safety Standards. The recommendations are listed below with associated Web links providing additional details on each respective crash.

**Tallulah, Louisiana, Motorcoach Run-Off-The-Road**

(<http://www.ntsb.gov/doclib/recletters/2005/H05_02_05.pdf>)

H-05-003 - Revise the Federal Motor Carrier Safety Regulations appendix G to subchapter B, Minimum Periodic Inspection Standards, Part 10: “Tires,” Sections A(5) and B(7), to include inspection criteria and specific language to address a tire’s speed rating to ensure that it is appropriate for a vehicle’s intended use.

H-05-004 - Conduct a study on the safety effectiveness of the self-inspection and certification process used by motor carriers to comply with annual vehicle inspection requirements and take corrective action, as necessary.

H-05-005 - Develop a method for inspecting motorcoach passenger seat mounting anchorages and revise the Federal Motor Carrier Safety Regulations appendix G to subchapter B, Minimum Periodic Inspection Standards, to require inspection of these anchorages.

**Osseo, Wisconsin, Truck-Tractor Semitrailer Rollover and Motorcoach Collision**

(<http://www.ntsb.gov/doclib/recletters/2008/H08_13_14.pdf>)

H-08-013 - Develop and implement a plan to deploy technologies in commercial vehicles to reduce the occurrence of fatigue-related accidents.

**Sherman, Texas, Motorcoach Run-Off-the-Bridge and Rollover**

(<http://www.ntsb.gov/doclib/recletters/2009/H09_18_21.pdf>)

H-09-019 – Require that tire pressure be checked with a tire pressure gauge during pre-trip inspections, vehicle inspections, and roadside inspections of motor vehicles.

H-09-020 - Require those states that allow private garages to conduct Federal Motor Carrier Safety Administration inspections of commercial motor vehicles to have a quality assurance and oversight program that evaluates the effectiveness and thoroughness of those inspections.

**Victoria, Texas, Motorcoach Rollover**

(<http://www.ntsb.gov/doclib/recletters/2009/H09_32_41.pdf>)

H-09-037 – Assist the National Highway Traffic Safety Administration in developing a Web-based database of FMVSS-compliant passenger-carrying commercial motor vehicles that can be utilized by federal, state, and local enforcement inspection personnel to identify non-FMVSS-compliant passenger-carrying commercial motor vehicles so that these vehicles (other than exempted vehicles) are placed out of service and cease operating in the United States. Implement a process to periodically update this database.

H-09-038 – Require that federal and state inspectors utilize the database requested in Safety Recommendation H-09-37 during both roadside and compliance review inspections of passenger-carrying commercial motor vehicles to identify and place out of service non-FMVSS-compliant vehicles.

H-09-039 – Institute a requirement for federal and state enforcement officials to obtain training on a procedure to physically inspect passenger-carrying commercial motor vehicles for an FMVSS compliance label, and work with the Commercial Vehicle Safety Alliance to develop and provide this training.

H-09-040 – Require that passenger motor carriers certify on their OP-1(P) forms (Application for Motor Passenger Carrier Authority) and initial MCS-150 form (Motor Carrier Identification Report [Application for USDOT Number]) and subsequent required biennial submissions that all vehicles operated, owned, or leased per trip or per term met the FMVSSs in effect at the time of manufacture.

H-09-041 - Seek statutory authority to suspend, revoke, or withdraw a motor carrier’s operating authority upon discovering the carrier is operating any non-FMVSS-compliant passenger-carrying commercial motor vehicles, a violation of the FMVSS-compliant certification requested in Safety Recommendation H-09-40.

**III. Task**

The Committee will provide a letter report to the Agency presenting ideas, concepts, and information the Agency should pursue to address the 11 outstanding NTSB recommendations classified as “Open-Unacceptable.”

In preparing its letter report to the Agency, the Committee should, wherever possible, indicate whether the ideas or concepts identified are supported by peer reviewed studies. The MCSAC meetings are open to the general public and the Committee should consider any ideas, information, and concepts identified by individuals making remarks during the meeting’s public comment period.

**IV. Estimated Time to Complete Task**

The MCSAC should begin work on this task at its May 2012 meeting with the goal of completing its discussions and issuing a letter report prior to its August 2012 meeting.

**V. FMCSA Technical Representatives**

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