



Crash Preventability Demonstration Program

December 2017

Program Overview



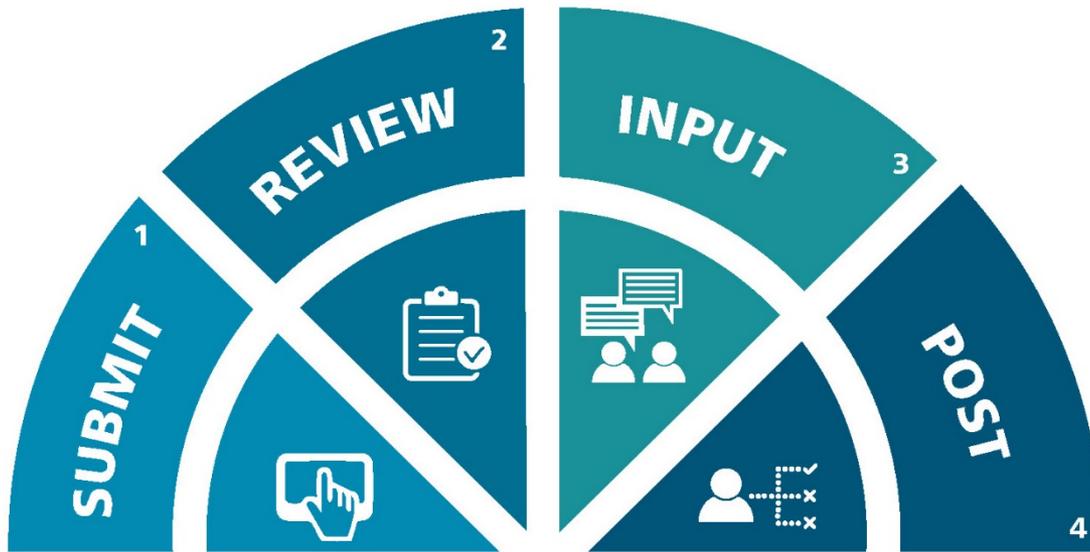
- FMCSA's Safety Measurement System (SMS) uses safety performance data, which includes State-submitted crash records, to prioritize resources to identify commercial motor carriers for safety interventions.
 - Crash data reported to FMCSA by the States does not specify a motor carrier's role in crashes or whether or not the crash was Preventable.
- Stakeholders, including those in the motor carrier industry, have expressed concern that including all crashes in SMS without an indication of preventability may give an inaccurate impression about the risk posed by a company.
- Studies conducted by FMCSA and others demonstrate that crash involvement is a strong indicator of future crash risk, regardless of role in the crash.

Program Goals



- The goal of the Crash Preventability Demonstration Program is to examine the feasibility, costs, and benefits of determining and displaying the preventability of certain crash types.
- FMCSA will evaluate if these preventability determinations improve the Agency's ability to identify high-risk motor carriers.

Request and Review Process



STEP 1

Motor carriers can submit requests through DataQs

STEP 2

FMCSA reviews requests and determines crashes are:
NOT PREVENTABLE
PREVENTABLE
UNDECIDED

STEP 3

General public can provide input for Not Preventable crashes

STEP 4

FMCSA posts final determinations to SMS

Eligible Crash Types



Crashes are eligible for participation in the program when:

1. Commercial motor vehicle (CMV) was struck by a motorist who was driving under the influence (or related offense)
2. CMV was struck by a motorist driving the wrong direction
3. CMV was struck in the rear
4. CMV was struck while it was legally stopped or parked, including when the vehicle was unattended
5. CMV struck an individual committing or attempting to commit suicide by stepping or driving in front of the CMV
6. CMV sustained disabling damage after striking an animal in the roadway
7. Crash was the result of an infrastructure failure, falling trees, rocks, or other debris
8. CMV was struck by cargo or equipment from another vehicle

Eligibility Details



- Crashes identified as “struck by a motorist driving the wrong direction” where the vehicle that struck the CMV was not operating **completely** in the **wrong lane** and in the **wrong direction** are **not eligible**.
 - Eligible crashes include when the vehicle that struck the CMV **completely** crossed the median or center line and traveled into opposing traffic or was operating in the wrong direction on a divided highway.
- Crashes that occurred when the CMV was legally stopped or parked **do not include** when the CMV was **stopped in traffic**.

Eligibility Details



- Crashes where the CMV was struck in other places on the vehicle, but **not the rear**, are **not eligible**. For the purposes of this demonstration program, FMCSA is defining “struck in the rear” to mean only crashes when the rear plane of the CMV was struck.
 - Crashes where the CMV was struck on the side **near the rear** of the vehicle, or other places on the vehicle, are **not eligible**.
- For crashes that were the result of an infrastructure failure, falling trees, rocks, or other debris, **FMCSA defines debris as scattered fragments, typically of something wrecked or destroyed.**

Eligibility Details



- Crashes where the CMV struck an individual committing or attempting to commit suicide by stepping in front of the vehicle **must be submitted with documentation** of a suicide or attempted suicide.
- Crashes where the CMV was struck by a motorist who was driving under the influence **must be submitted with documentation** of alcohol test results, citation or arrest.

Requesting a Data Review



- On August 1, 2017, FMCSA began accepting **Requests for Data Review (RDRs)** through the DataQs system, for a minimum of 24 months, for crashes that occurred on or after June 1, 2017.
- RDRs must include compelling evidence that a crash is Not Preventable.
- Suggested documentation includes, but is not limited to:
 - Police accident reports;
 - Insurance claim information;
 - Videos;
 - Pictures;
 - Hearing transcripts; or
 - Affidavits.

Requests for Data Review (RDRs)



To submit a RDR, log into DataQs at <https://dataqs.fmcsa.dot.gov>.

1. Click the “Add a Request” button, and submit your request under “Crash Could Not Be Prevented.”
2. Follow the prompts to search for existing crash reports or manually enter details in the request wizard.
3. In order for FMCSA to review your request you must submit compelling evidence. Documentation should be enough so it’s **clear the crash was Not Preventable, contain appropriate content, and support the RDR.**
4. Once complete, review your submission, and submit your request.

Public Input



- If FMCSA reviews a crash preventability RDR and makes a preliminary determination that the crash is Not Preventable, FMCSA will post information about those crashes to DataQs for 30 days.
- Anyone with relevant information to refute the preliminary determination should submit it through DataQs.
- FMCSA will review any relevant information received before making a final determination.

Review Process



- FMCSA will:
 - Review all qualifying crash preventability RDRs;
 - Consider all relevant evidence;
 - Determine that crashes are either Not Preventable, Preventable, or Undecided; and
 - Post final determinations to SMS within 60 days of the determination.
- Crashes reviewed as part of this demonstration program will remain in SMS with FMCSA's determinations noted.
 - Motor carriers and enforcement users logged into SMS will be able to view percentiles and measures calculated both with and without Not Preventable crashes.

Crash Review Decisions



- FMCSA will continue to list all crashes on SMS and use this data for prioritization.
- Reviewed crashes will have notes reflecting the results of the reviews.
 - **Not Preventable**
 - The notation will read, “FMCSA reviewed this crash and determined that it was not preventable.”
 - The motor carrier and enforcement views of SMS will show measures and percentiles with and without any Not Preventable crashes.
 - **Preventable**
 - The notation will read, “FMCSA reviewed this crash and determined that it was preventable.”
 - **Undecided**
 - If the documentation associated with a crash submitted does not allow for a conclusive decision, the notation will read, “FMCSA reviewed this crash and could not make a preventability determination based on the evidence provided.”

Data Analysis



- FMCSA will evaluate if these preventability determinations improve the Agency's ability to identify high risk motor carriers.
- FMCSA will maintain data throughout the Demonstration Program so that the Agency can conduct analyses to include:
 - The cost of operating the test and implications for a larger program;
 - Future crash rates of carriers that submitted RDRs;
 - Future crash rates of carriers with Not Preventable crashes; and
 - Impacts to the SMS Crash BASIC Indicator and prioritization.

For More Information



- FMCSA Crash Preventability Demonstration Program Website
<https://fmcsa.dot.gov/safety/crash-preventability-demonstration-program>
 - FMCSA is maintaining a list of Final Not Preventable determinations on its website that will be updated monthly.
- Quarterly Demonstration Program Statistics
<https://www.fmcsa.dot.gov/safety/crash-preventability-demonstration-program-quarterly-statistics>
- DataQs
<https://dataqs.fmcsa.dot.gov>
- Questions?
Email: Crash.Preventability@dot.gov