



National Transportation Safety Board

Washington, D.C. 20594

Safety Recommendation

Date: August 16, 2012

In reply refer to: H-12-29 through -31
H-10-9 (Reiterated)
H-03-2 (Reiterated)
H-99-6 (Reiterated)
H-08-14 (Reclassified)

The Honorable Anne S. Ferro
Administrator
Federal Motor Carrier Safety Administration
Washington, DC 20590

On July 31, 2012, the National Transportation Safety Board (NTSB) adopted its report concerning a May 31, 2011, highway accident in which a motorcoach departed the Interstate 95 roadway and overturned near Doswell, Virginia.¹ Additional information about this accident and the resulting recommendations may be found in the report of the investigation, which can be accessed at our website, <http://www.nts.gov>.

As a result of this investigation, the NTSB reiterated Safety Recommendations H-10-9, H-03-2, and H-99-6 to the Federal Motor Carrier Safety Administration (FMCSA) and H-99-47, -48, -50, and -51 to the National Highway Traffic Safety Administration (NHTSA); reclassified Safety Recommendation H-08-14 to the FMCSA; reiterated and reclassified Safety Recommendation H-99-49 to NHTSA; and issued the following three new safety recommendations to the FMCSA:

H-12-29

Establish an ongoing program to monitor, evaluate, report on, and continuously improve fatigue management programs implemented by motor carriers to identify, mitigate, and continuously reduce fatigue-related risks for drivers. *(This safety recommendation supersedes Safety Recommendation H-08-14.)*

¹ *Motorcoach Roadway Departure and Overturn on Interstate 95 Near Doswell, Virginia, May 31, 2011*, Highway Accident Report NTSB/HAR-12/02 (Washington, D.C.: National Transportation Safety Board, 2012).

H-12-30

Incorporate scientifically based fatigue mitigation strategies into the hours-of-service regulations for passenger-carrying drivers who operate during the nighttime window of circadian low.

H-12-31

As a component of your new entrant safety audits, review with each new entrant motor carrier a structured process, such as the Safety Management Cycle, to (1) identify the root cause of safety risks and (2) maintain an effective safety assurance program.

The NTSB also reiterated the following three previously issued recommendations to the FMCSA:

H-10-9

Require all motor carriers to adopt a fatigue management program based on the North American Fatigue Management Program guidelines for the management of fatigue in a motor carrier operating environment.

H-03-2

Require all new motor carriers seeking operating authority to demonstrate their safety fitness prior to obtaining new entrant operating authority by, at a minimum: (1) passing an examination demonstrating their knowledge of the *Federal Motor Carrier Safety Regulations*; (2) submitting a comprehensive plan documenting that the motor carrier has management systems in place to ensure compliance with the *Federal Motor Carrier Safety Regulations*; and (3) passing a Federal Motor Carrier Safety Administration safety audit, including vehicle inspections.

H-99-6

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.

In addition, the NTSB reclassified as “Closed—Acceptable Action/Superseded” the following previously issued recommendation to the FMCSA:

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. *(This safety recommendation is superseded by new Safety Recommendation H-12-29.)*

These recommendations are derived from the NTSB's investigation and are consistent with the evidence we found and the analysis we performed. Chairman HERSMAN, Vice Chairman HART, and Members SUMWALT, ROSEKIND, and WEENER concurred in these recommendations.

The NTSB is vitally interested in these recommendations because they are designed to prevent accidents and save lives. We would appreciate receiving a response from you within 90 days addressing the actions you have taken or intend to take to implement these recommendations. When responding, please refer to the Safety Recommendations by their recommendation number. We encourage you to submit updates electronically to correspondence@ntsb.gov. If your response includes attachments that exceed 5 megabytes, please e-mail us at the same address for instructions. To avoid confusion, please do not submit both an electronic copy and a hard copy of the same response.

Sincerely,

[Original Signed]

Deborah A.P. Hersman
Chairman