



**NTSB** National Transportation Safety Board

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# **FMCSA Commercial Driver's License Advisory Committee**

Debbie Hersman

May 16, 2007

# Topics for Discussion

- **NTSB's Role in Highway Safety**
- Medical Oversight of Commercial Interstate Drivers
- Training for Drivers of Air-Braked Vehicles

# NTSB

- Independent Federal Agency
- 5 Member Board
  - President appointed
  - Senate confirmed
- 400 Staff
- Investigates accidents in all modes of transportation
- Determine probable cause
- Issue recommendations

# How We Pick Accidents

- 19,000 accidents per day
- 7,638 people injured in highway accidents a day
- 43,443 fatalities in 2005
- We can only launch on 5-6 major accidents each year
- 2 teams of 6-8 investigators
- Thorough, comprehensive investigations



# How We Pick Accidents

4 basic criteria in selecting accidents for investigation.

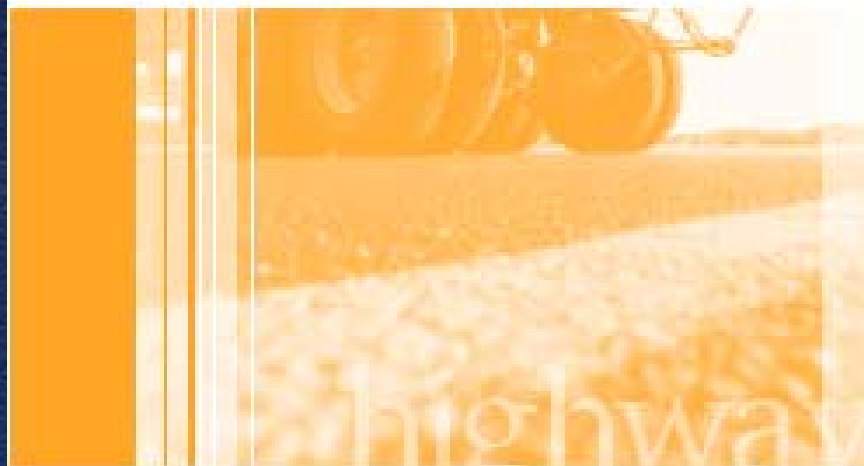
1. Is there high public interest?
2. Have we done it before?
3. Can we make a difference?
4. Do we have the resources?

# How We Pick Accidents

- Always looking for new nation-wide safety issues that other highway safety organizations have not addressed.
- We cannot implement a change directly, but we can be the catalyst for change through others.

# Accident Reports

Motorcoach Collision With the Alexandria Avenue  
Bridge Overpass  
George Washington Memorial Parkway  
Alexandria, Virginia  
November 14, 2004



National  
Transportation  
Safety Board

ACCIDENT REPORT  
NTSB/AAR-04-111  
PCN04010001

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# Safety Recommendations



National Transportation Safety Board  
Washington, D.C. 20594

## Safety Recommendation

Date: February 13, 2006

In reply refer to: H-06-1 and -2

Honorable Annette M. Sandberg  
Administrator  
Federal Motor Carrier Safety Administration  
400 Seventh Street, S.W.  
Suite 3202  
Washington, D.C. 20590

About 3:26 p.m., eastern daylight time, on April 11, 2005, in the Borough of Glen Rock, Pennsylvania, a 1995 Ford dump truck owned and operated by Blossom Valley Farms, Inc., was traveling southbound on Church Street, a two-lane, two-way residential street with a steep downgrade, when the driver found that he was unable to stop the truck. The truck struck four passenger cars, which were stopped at the intersection of Church and Main Streets, and pushed them into the intersection. One of the vehicles struck three pedestrians (a 9-year-old boy, a 3-year-old boy, and a 7-year-old girl), who were on the sidewalk on the west side of Church Street. The truck continued across the intersection, through a gas station parking lot, and over a set of railroad tracks before coming to rest about 300 feet south of the intersection. As a result of the collision, the driver and an 11-year-old occupant of one of the passenger cars received fatal injuries, and the three pedestrians who were struck received minor-to-serious injuries. The six remaining passenger car occupants and the truck driver were not injured.<sup>1</sup>

The National Transportation Safety Board determines that the probable cause of this accident was the lack of oversight by Blossom Valley Farms, Inc., which resulted in an untrained driver improperly operating an overloaded, air brake-equipped vehicle with inadequately maintained brakes. Contributing to the accident was the misdiagnosis of the truck's underlying brake problems by mechanics involved with the truck's maintenance; also contributing was a lack of readily available and accurate information about automatic slack adjusters and inadequate warnings about the safety problems caused by manually adjusting them.

Among the safety issues identified during the investigation were the maintenance of air brakes equipped with automatic slack adjusters (ASAs) and the knowledge and skills needed to drive air brake-equipped vehicles. The Safety Board is issuing recommendations concerning both these issues to the Federal Motor Carrier Safety Administration (FMCSA).

<sup>1</sup> For additional information, read National Transportation Safety Board, *Collision Between a Ford Dump Truck and Four Passenger Cars, Glen Rock, Pennsylvania, April 11, 2005*, Highway Accident Report NTSB/HAR-05-01 (Washington, DC:NTSB, 2005).

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# Safety Recommendations

Issued Since 1967

TOTAL = 12,609

Pipeline 1225 9.7%



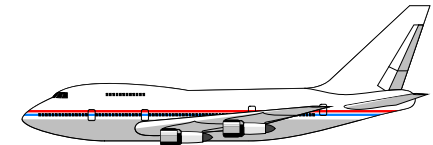
Railroad 2065 16.4%



Marine 2308 18.3%



Aviation 4708 37.3%



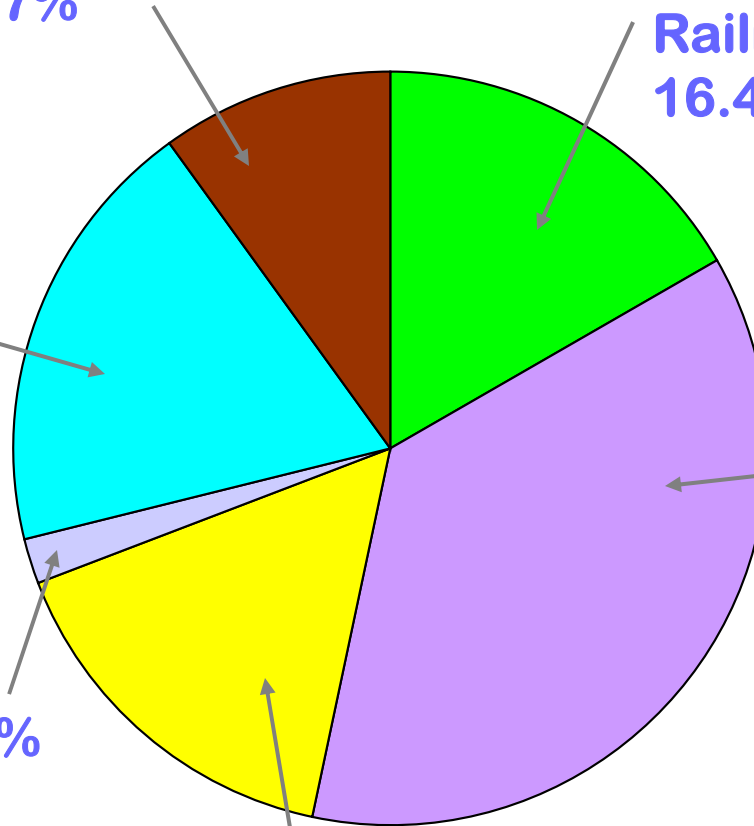
Intermodal 231 1.8%



Highway 2072 16.4%



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# 879 Open Recommendations

- **Aviation: 413**
- **Highway: 250**
- **Railroad: 103**
- **Marine: 66**
- **Pipeline: 28**
- **Intermodal: 19**

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# Most Wanted List

## Actions needed by States

### HIGHWAY

#### Improve Child Occupant Protection

- Enact State laws requiring booster seats for young children.

#### Enact Primary Seat Belt Enforcement Laws

- Increase the number of people who wear seat belts through stronger enforcement laws.

#### Promote Youth Highway Safety

- Enact graduated driver licensing legislation.
- Restrict the number of teen passengers traveling with young novice drivers.
- Prohibit use of wireless communications devices by young novice drivers.

#### Eliminate Hard Core Drinking Driving

- Enact State legislation and take other actions that are proven to reduce crashes involving those who repeatedly drink large amounts of alcohol and drive including:
  - Frequent, statewide sobriety checkpoints.
  - Legislation to create stricter sanctions for those arrested the first time with a high blood alcohol concentration of 0.15 or higher.
  - Zero blood alcohol requirement for convicted DWI offenders when they get their license back.
  - Administrative rather than court-based license revocation for refusing to take or failing the sobriety test.
  - Vehicle sanctions for DWI offenders.
  - Eliminate plea-bargaining DWI offenses and programs that divert offenders and purge the offense record.
  - Retain DWI records for at least 10 years to identify and prosecute repeat offenders.
  - Develop and operate special sanction court-based programs for hard core DWI offenders.

#### Improve School Bus/Grade Crossing Safety

- Install stop signs at passive crossings.
- Upgrade school bus railroad crossings that only have warning signs to crossings with lights and gates.
- Install switches on new buses that allow drivers to turn off radios and other devices that mask the sound of train warning horns.
- Enhance bus driver training and evaluation.
- Include grade crossing questions on commercial driver's license exams.

### MARINE

#### Enhance Recreational Boating Safety

- Require mandatory education of boat operators.
- Require use of life jackets by children.
- Require safety instruction prior to personal watercraft rental.

November 2006



## NTSB MOST WANTED

### Transportation Safety Improvements

2007

*Critical changes needed to reduce  
transportation accidents and save lives.*

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# Issue areas selected for intensive follow-up and heightened awareness because they:

- Will impact and enhance safety of the nation's transportation system
- Have a high level of public visibility and interest
- Will benefit from special form of encouragement

# 46 Safety Recommendations on Most Wanted List

**Federal Recommendations: 37**

<b>DOT Secretary</b>	<b>1</b>	<b>PHMSA</b>	<b>1</b>
<b>FAA</b>	<b>20</b>	<b>FRA</b>	<b>1</b>
<b>FMCSA</b>	<b>9</b>	<b>USCG</b>	<b>1</b>
<b>NHTSA</b>	<b>4</b>		

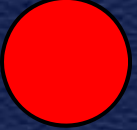


**State Recommendations: 9**

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# Action / Timeliness Criteria

-  **Red:** Unacceptable response
-  **Yellow:** Acceptable response – progressing slowly
-  **Green:** Acceptable response – progressing in a timely manner

# Topics for Discussion

- NTSB's Role in Highway Safety
- **Medical Oversight of Commercial Interstate Drivers**
- Training for Drivers of Air-Braked Vehicles

# May 9, 1999: New Orleans, LA



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Photo Courtesy of the New Orleans Police Department



# Driver's Medical Condition Summary

- Clinic treatment 3-4 hrs/day, 6 days/week
- Heart condition predisposed to sudden death
  - Episodes of ventricular tachycardia
- Dialysis
  - Near loss of consciousness 12 hours before
- Actions consistent with loss of consciousness
- Recent use of marijuana, impairing antihistamine

# CERTIFICATION PROCESS

## Examiner Qualifications

- Examiners commonly untrained, inexperienced
- No Federal training programs
- Personal physicians (conflict of interest)
- Non-prescribing healthcare professionals

# CERTIFICATION PROCESS

## Adequacy of Regulations

- Regulations limited, outdated
- Not covered:
  - kidney disease (in spite of testing requirement)
  - breast cancer
  - gastrointestinal disease
- Not updated in over 30 years

# CERTIFICATION PROCESS

## Non-regulatory guidance

- New form helpful; guidelines, Web site, phone number
- No way to ensure examiners use the new form
- Limited staffing to respond to questions

# CERTIFICATION PROCESS

## Review Process

- Examiner is usually the only reviewer, often has pressure to certify
- Trial reviews have found numerous errors, falsifications, inappropriate issuance



# CERTIFICATION PROCESS

## Tracking Mechanism

- Many examples of “doctor shopping”
- No way to review previous exams
- No way to know about previous denials
- No mechanism to prevent multiple visits to different examiners
- No mechanism to prevent falsification

# CERTIFICATION PROCESS

## Other Responsible Parties

- Few States have healthcare reporting requirements; many providers unaware
- Several protect good-faith reporting by providers (AMA encourages in many circumstances)
- Little protection for others (employers, etc.)

# CERTIFICATION PROCESS

## Enforcement

- Most States can't determine if certificate valid
- Most States can't remove unfit driver, lack of certificate minor infraction (\$75 – 300 in LA)
- Some States (CA, AZ) merged medical with CDL

# DRUG TEST ISSUES

- Inadequate drug testing oversight for owner-operators
- Owner-operators oversee their own substance abuse program

# DRUG TEST ISSUES

Need Database system that:

- Records all positive drug tests (e.g., pre-employment, random, post-accident)
- Is queried by prospective employers and certifying authorities

# OTHER ACCIDENTS

October 1997: New York, NY



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# OTHER ACCIDENTS

March 1998: Buffalo, MT



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# OTHER ACCIDENTS

September 1998: Holmdel, NJ



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# OTHER ACCIDENTS

October, 1999: Central Bridge, NY



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# OTHER ACCIDENTS

## July 2000: Jackson, TN

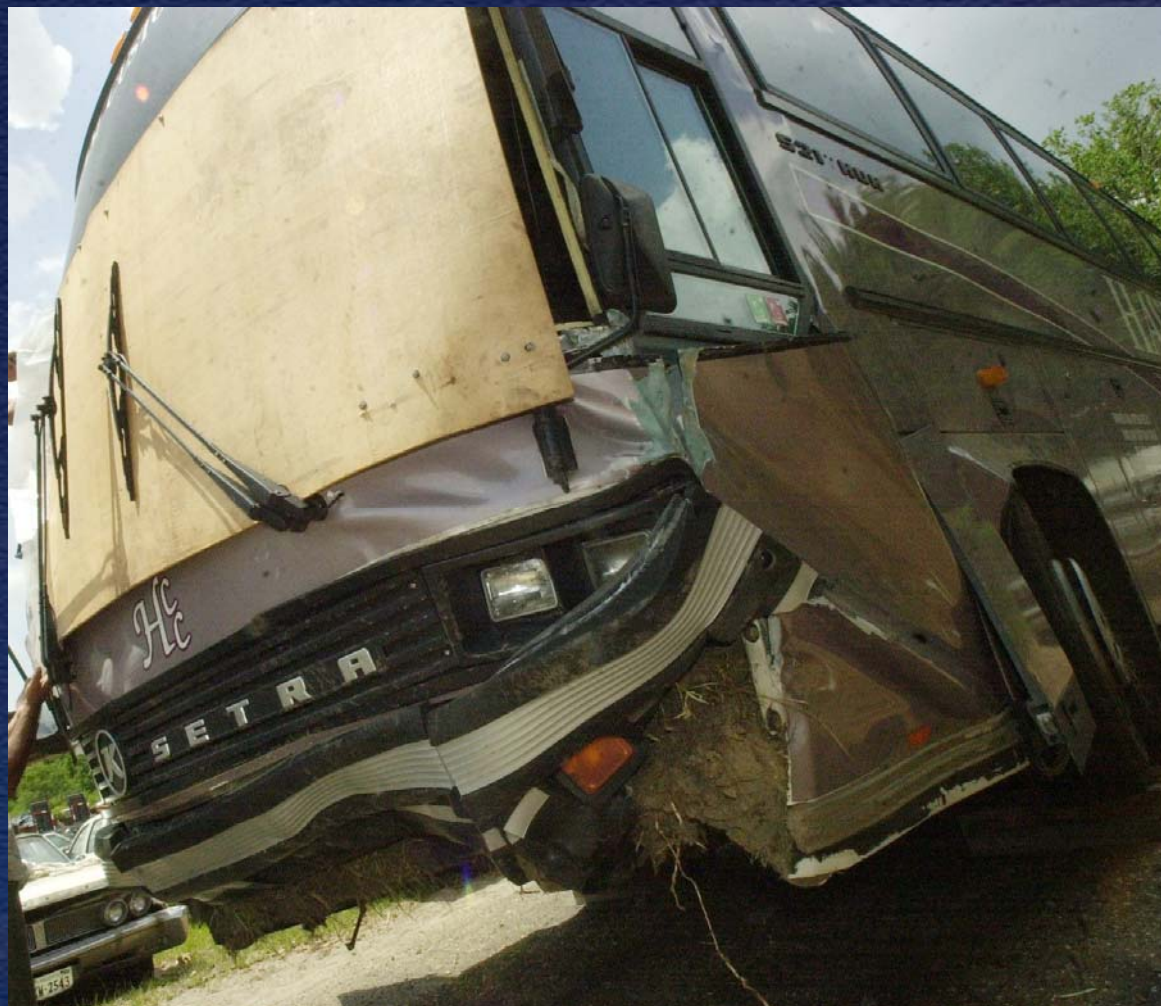


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# OTHER ACCIDENTS

May 2001: Bay St. Louis, MS



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# OTHER ACCIDENTS

## October 2003: Tallulah, LA



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# Medical Certification Recommendations

For FMCSA to develop a comprehensive medical oversight program for interstate commercial drivers that addresses:

- Examiner qualifications
- Adequacy of regulations
- Non-regulatory guidance
- Review process
- Tracking mechanisms
- Enforcement
- Reporting

# FMCSA Actions

- Establishment of Medical Review Board
- Survey for development of National Registry of Certified Medical Examiners
- Published NPRM to merge CDL/medical certificates

# Medical Certificate/CDL NPRM

- No Mechanism to Ensure Medical Certificate Validity
- 60-Day Period to Downgrade the CDL
- Unclear Employer Responsibilities
- No Provision for State Revocation of CDL
- No Provision for States or Employers to Retain Long Form
- No Provision for Medical Examiners to Retain Long Form
- No Requirement for Indefinite Retention of Certificate



# FMCSA Actions Remaining

- Final Rule Merging the Medical Certificate with the CDL
- Completion of the National Registry of Certified Medical Examiners
- Comprehensive Medical Oversight Program



# Topics for Discussion

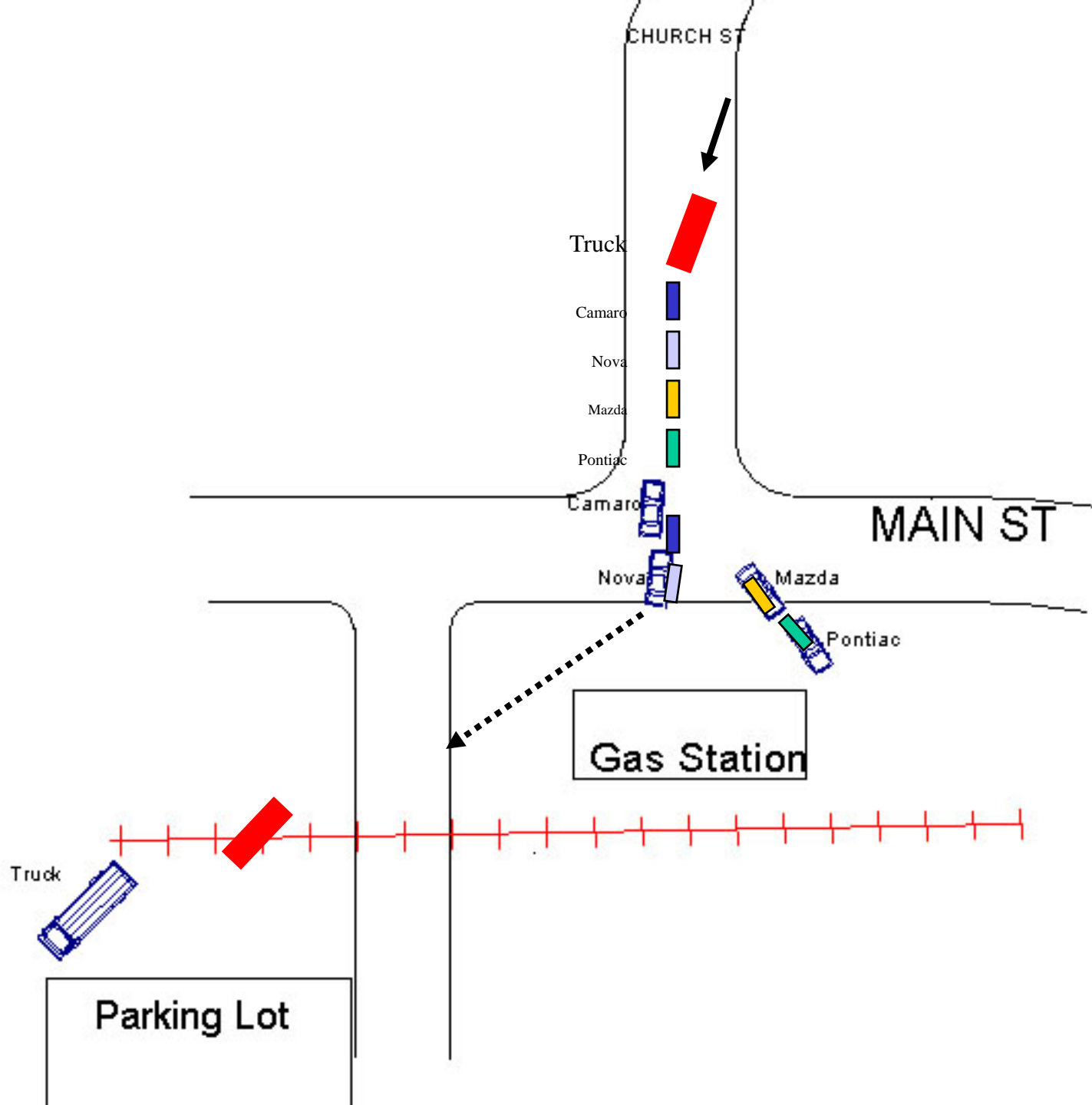
- NTSB's Role in Highway Safety
- Medical Oversight of Commercial Interstate Drivers
- **Training for Drivers of Air-Braked Vehicles**

# April 11, 2003: Glen Rock, PA



Source: Southern Regional Police Department









SELF SERVE **Getty**

**Getty**  
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GLEN ROCK MILL

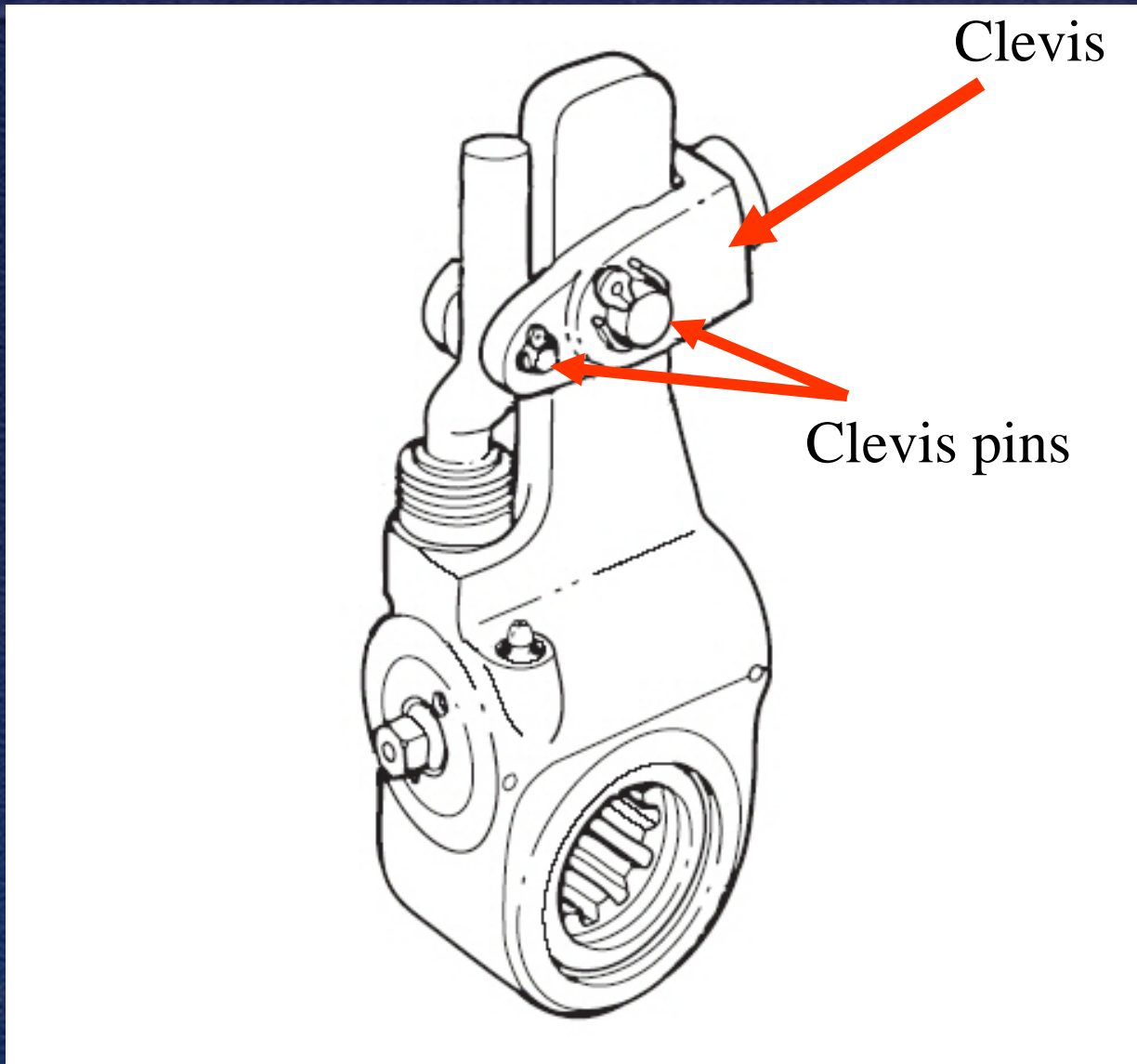
Marlboro  
4.05

3501

STOP



# Automatic Slack Adjuster





# Safety Issues

- Knowledge and skills needed to drive air brake-equipped vehicles
- Maintaining air brakes equipped with automatic slack adjusters
- Motor carrier oversight

# Recommendations

## To FMCSA and CVSA:

- Develop training that emphasizes that manually adjusting automatic slack adjusters is dangerous, because manual adjustment of this brake component:
  - (1) fails to address the true reason why the brakes are not maintaining adjustment, giving the operator a false sense of security about the effectiveness of the brakes, which are likely to go out of adjustment again soon;
  - (2) causes abnormal wear to the internal adjusting mechanism for most automatic slack adjusters, which may lead to failure of this brake component.

# Recommendations

## To FMCSA and the States:

- Require drivers of commercial vehicles that weigh less than 26,000 pounds and are equipped with air brakes to undergo training and testing to demonstrate proficiency in the inspection and operation of air-braked vehicles;
- Training should emphasize that manually adjusting automatic slack adjusters is dangerous and should not be done, except during installation or in an emergency to move the vehicle to a repair facility.

# Recommendations

## To Truck and Truck Brake Manufacturers:

- Clearly state that automatic slack adjusters should not be manually adjusted in an effort to correct excessive pushrod stroke.
- State that manual adjustment of automatic slack adjusters is a dangerous practice that could have serious consequences, because it gives the operator a false sense of security about the effectiveness of the brakes, which are likely to go out of adjustment again soon.

# Actions Remaining

- Industry response positive
- Federal/State Government response cautious

# Summary

- NTSB's Role in Highway Safety
- Medical Oversight of Commercial Interstate Drivers
- Training for Drivers of Air-Braked Vehicles
- Recent Accidents



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