



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

Administrator

1200 New Jersey Avenue, SE  
Washington, DC 20590

April 12, 2016

The Honorable Christopher A. Hart  
Chairman  
National Transportation Safety Board  
490 L'Enfant Plaza East SW  
Washington, DC 20594

Dear Chairman Hart:

This letter responds to the Safety Recommendations issued by the National Transportation Safety Board (NTSB) to the National Highway Traffic Safety Administration (NHTSA) on December 14, 2015, as a result of the September 26, 2014, multivehicle crash in Davis, Oklahoma. In this crash, a Peterbilt truck-tractor in combination with a Great Dane semitrailer collided with a Champion Defender 32-passenger medium-size bus transporting 15 members of the North Central Texas College softball team. The crash resulted in the deaths of four passengers, who were fully or partially ejected from the bus. The 2 drivers and remaining 11 passengers on the bus sustained serious injuries. One new Safety Recommendation was specifically issued to NHTSA as a result of this crash report, and five existing Safety Recommendations were reiterated. Our response to the new Safety Recommendation is discussed below, along with the requested designation.

### **New Recommendation**

**H-15-40:** Develop and require compliance with a side-impact protection standard for all newly manufactured medium-size buses, regardless of weight.

### **Response**

Prior to issuing any new requirements, NHTSA will need to evaluate the construction of medium-size buses, as well as how to best ensure that occupants of these vehicles can be protected during a side-impact. When we have fully analyzed this issue, we will respond to the NTSB with how we intend to proceed. We request that this recommendation be classified as "Open-Acceptable Response"

### **Reiterated Recommendations**

**H-99-54:** Develop and implement, in cooperation with other government agencies and industry, standards for on-board recording of bus crash data that address, at a minimum, parameters to be recorded, data sampling rates, duration of recording, interface configurations, data storage format, incorporation of fleet management tools, fluid immersion survivability, impact shock survivability, crush and penetration survivability, fire survivability, independent power supply, and ability to accommodate future requirements and technological advances.

**H-10-03:** In your rulemaking to improve motorcoach roof strength, occupant protection, and window glazing standards, include all buses with a gross vehicle weight rating (GVWR) above 10,000 pounds, other than school buses.

**H-10-07:** Require that all buses above 10,000 pounds GVWR be equipped with on-board recording systems that: (1) record vehicle parameters, including, at minimum, lateral acceleration, longitudinal acceleration, vertical acceleration, heading, vehicle speed, engine speed, driver's seat belt status, braking input, steering input, gear selection, turn signal status (left/right), brake light status (on/off), head/tail light status (on/off), passenger door status (open/closed), emergency door status (open/closed), hazard light status (on/off), brake system status (normal/warning), and flashing red light status (on/off; school buses only); (2) record status of additional seat belts, airbag deployment criteria, airbag deployment time, and airbag deployment energy; (3) record data at a sampling rate sufficient to define vehicle dynamics and be capable of preserving data in the event of a vehicle crash or an electrical power loss; and (4) are mounted to the bus body, not the chassis, to ensure recording of the necessary data to define bus body motion.

**H-10-14:** Develop and implement minimum performance standards for event data recorders (EDR) for trucks with GVWR over 10,000 pounds that address, at a minimum, the following elements: data parameters to be recorded; data sampling rates; duration of recorded event; standardized or universal data imaging interface; data storage format; and device and data survivability for crush, impact, fluid exposure and immersion, and thermal exposure. The standards should also require that the EDR be capable of capturing and preserving data in the case of a power interruption or loss, and of accommodating future requirements and technological advances, such as flashable and/or reprogrammable operating system software and/or firmware updates.

**H-10-15:** After establishing performance standards for EDRs for trucks with GVWRs over 10,000 pounds, require that all such vehicles be equipped with EDRs meeting the standards.

**Response**

We provided updates to four of the reiterated Safety Recommendations (H-99-54, H-10-7, H-10-14, and H-10-15) in a letter dated December 18, 2015. These four Safety Recommendations request that the agency develop and implement performance standards for heavy vehicle event data recorders in trucks and buses over 10,000 pounds. In the December 18 letter, we responded that we intend no further action and requested that these four Safety Recommendations be closed.

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Safety Recommendation H-10-03 requested that NHTSA's rulemakings include all buses (other than school buses) with GVWRs above 10,000 pounds in order to improve motorcoach roof strength, occupant protection, and window glazing standards. Mid-size buses were discussed in our final rule requiring seat belts on buses<sup>1</sup> and in the proposed rule for bus rollover structural integrity.<sup>2</sup> The agency did not expand applicability of these rulemaking actions to buses with GVWRs between 10,000 and 26,000 pounds because development of a regulation for these buses was not found to be cost beneficial. We intend no further action on this Safety Recommendation, and request that this Safety Recommendation be closed.

In summary, we are requesting that Safety Recommendation H-15-04 be classified as "Open-Acceptable Response". For the reiterated recommendations H-99-54, H-10-03, H-10-07, H-10-14, and H-10-15, NHTSA intends no further action, and requests that these recommendations be closed.

If you have any questions, or require additional information, please contact me or Ms. Melanie O'Donnell, our NTSB Liaison, at (202) 366-0689, or via e-mail at [melanie.odonnell@dot.gov](mailto:melanie.odonnell@dot.gov).

Sincerely yours,

A handwritten signature in black ink that reads "Mark R. Rosekind". The signature is written in a cursive, flowing style.

Mark R. Rosekind, Ph.D.

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<sup>1</sup> See Docket number NHTSA-2013-0121-0001 at [www.regulations.gov](http://www.regulations.gov).

<sup>2</sup> See Docket number NHTSA-2014-0085-0002.