



AMERICAN BUS ASSOCIATION

MEMBER ALERT

TO: ABA Operators

FROM: President & CEO Peter Pantuso

DATE: October 28, 2009

RE: NTSB Concludes Lax Enforcement Implicated In Texas Bus Crash

Lax law enforcement and inadequate regulatory oversight by Texas officials were cited as major factors in the rogue operator bus crash that killed 17 people and injured 39 in Sherman, Texas on August 8, 2008. NTSB investigators also reported that the driver tested positive post-crash for cocaine and alcohol use. The direct cause of the crash was a blowout from an underinflated tire with a slow leak that wasn't checked before the trip.

ABA agrees with the NTSB's findings and recommendations regarding the inadequacy of state oversight in conducting bus inspections. The charter bus of Vietnamese Americans en route to a Catholic festival rolled over following a blowout in the right front tire 4-1/2 hours into the trip from Houston to Carthage, Missouri.

The facts of the case are that the carrier was an engaged in an illegal operation; both the bus and the driver were found to be in serious violation of federal safety regulation; the bus was operating with a recapped front axle tire, which was seriously under-inflated due to a puncture; and the driver tested positively for cocaine and alcohol use in a post-crash test. All are serious violations of the federal safety rules.

ABA questions the Board's emphasis on modifications to the manufacturer's maintenance manual, when conditions such as that found in the subject coach are not common issues with responsible compliant carriers. Illegal or rogue carrier do not read or comply with federal safety regulations. Tire inspection and maintenance instructions are found in all bus manufacturer's maintenance manuals and have provided responsible operators with sufficient instruction to prevent such occurrences as that in the subject crash.

The State of Texas' commercial vehicle inspection program failed to identify and enforce against a blatantly illegal rogue passenger carrier.

As always, please feel free to call me at 202-218-7229 or email me at ppantuso@buses.org if you have any questions.