

## Ex-NTSB chief: Safety standards lowered for buses

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Sometime soon, probably next year, the National Transportation Safety Board will call a news conference to unveil findings and recommendations concerning the August bus crash that killed 17 people from Houston en route to a religious festival.

It will be a solemn moment, befitting the scope of the human loss, and the NTSB's conclusions will be given the kind of earnest attention that official government pronouncements usually get. But Jim Hall, who once put his name on such findings, had heard it all before.

"Too little, too late," Hall said of the trickle of suggestions that routinely follow every serious bus accident.

To Houston's Vietnamese community, the Aug. 8 crash in Sherman was a stunning tragedy — just as it was for relatives of the Bluffton University baseball team whose bus crashed in Atlanta in 2007, or for parents of Texas church campers whose bus struck a bridge abutment near Terrell in 2002.

To Hall, who chaired the NTSB from 1994 to 2001,

it was simply more evidence that members of the traveling public are treated to a different standard if they are on a bus instead of an airliner or train. Some of those who died in Sherman, Atlanta and Terrell might have survived if a few basic safety propositions, such as seat belts and stronger windows, had been adopted.

"There's a strong safety culture in aviation that has been supported by the aviation community, in which fatalities are unacceptable," Hall said. "That same culture we haven't had on our highways. I wish I could explain it."

The central riddle of motorcoach safety — why basic recommendations for long-haul buses made years ago have never been imposed — has vexed safety advocates for at least four decades. It was 1968, in the final days of Lyndon Johnson's administration, when the NTSB first came out with a recommendation to add seat belts to the large buses that crisscross the nation's highways. Four decades later, most still do not have them.

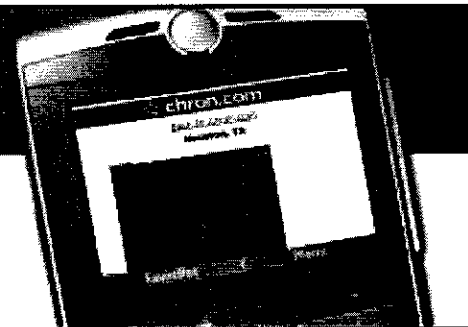
U.S. Sens. Kay Bailey Hutchison and Sherrod Brown, a Texas Republican and Ohio Democrat, have offered a bill that would turn some long-standing NTSB recommendations into law. At a subcommittee hearing last month, Hutchison said a series of "horrific accidents" over the summer showed a need to make "sweeping changes" to enhance bus safety.

Passage is a longshot, Hutchison aides admitted. More likely it will be reconsidered as part of a highway bill next year, they said. It does not help that the motorcoach industry opposes it.

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**'Industry killer'**

The American Bus Association and other industry groups insist buses are safe as is. The ABA refers to the Hutchison-Brown bill as "an industry killer" on its Web site because of the expense of adding the safety features. It supports a bill sponsored by U.S. Rep. Bill Shuster, R-Pa., that calls for research but no specific changes.

The NTSB, which investigates serious transportation crashes and issues, has been the most persistent agency calling for safety improvements. Its recommendations abound: three-point seat belts, stronger windows, stronger roofs, heat sensors, fire suppression devices, stronger driver certification requirements and better training, more vigorous inspection and monitoring of bus companies.

Hall and other safety advocates — as well as crash victims and their families, politicians and plaintiff lawyers — blame a weak-willed federal bureaucracy and a motorcoach industry that, they claim, has fought changes for years.

"You have years of delay and dithering by the (U. S.) Department of Transportation, and you have an industry that has been a partner with them in not wanting to do anything," said Jackie Gillan, vice president of Advocates for Highway and Auto Safety.

**Zero tolerance**

Because aviation always has been perceived as potentially dangerous, with a crash likely to be

catastrophic, identifying and fixing problems usually is done with a sense of urgency.

"You have zero tolerance for risk with air carriers," said Debbie Hersman, a current NTSB member. "Aviation is highly centralized and highly controlled. For example, there is no question about a pilot's hours of service. There's a level of complacency about fatalities that occur on our highways."

Texas' most deadly recent bus crash came in 2005 when a charter filled with elderly Houston evacuees from Hurricane Rita caught fire on Interstate 45 near Wilmer, ultimately killing 23. The NTSB investigation identified the source of the fire as a rear axle that froze when its bearings lost their lubrication.

Had it been an airline incident, the investigation would have been more thorough, claims a Houston plaintiff attorney who will represent victims and families of victims of the Wilmer crash in a November trial.


"The NTSB never did examine what we believed to be the underlying factor in the lubrication failure in the Hurricane Rita fire, and that is the failure of the plastic hubcaps which contained the lubricant in the hub assembly," said Houston attorney Richard Mithoff. "This is something we determined after reviewing a number of internal (company) documents. We found that going back to 1998, (manufacturer) MCI had determined there was a hubcap failure and there was no recall issued, no warning issue."

MCI did not return calls from the Houston

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Chronicle. NTSB spokesman Keith Holloway said the board would have no comment on the lawyers' claims.

Because motorcoach crashes are relatively rare, the motorcoach world is one of "acceptable losses," said safety advocate Gerald Donaldson. Part of the explanation may lie in the nature of the business itself: thousands of small companies, marginally capitalized, and sometimes run by people with little experience. Part also may lie in the population that makes up most of its customer base.

"Clearly there's a class issue involved in it," said Hall, the former NTSB director. "Motorcoach transportation is a form of transportation for many folks who are at the lowest economic rung of the ladder. That said, it's often the only form of transportation for school groups and church groups that they can afford."

In testifying before the Senate subcommittee last month, ABA President Peter Pantuso said the blame for inaction, if any, should fall on the government for not setting safety standards, not on his industry.

"Since 1966, it is the federal government's role to set these standards," Pantuso said. "Heretofore it has chosen not to act. How can any one say that the industry should have acted in the government's stead?"

Pantuso pleaded for more research.

In Australia, however, lawmakers weary of the death toll from bus accidents decided a decade

ago that enough was known to toughen their regulations and require seat belts, stronger windows and stronger seats. The result: no loss of life of anyone properly restrained in a bus crash.

That's one reason why John Betts, the father of a Bluffton University baseball player killed in the Atlanta crash, is not sympathetic to Pantuso's call.

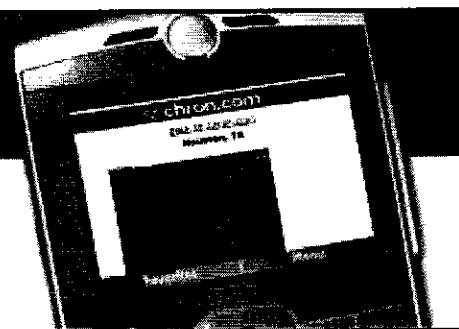
"It's been researched for 40 freaking years," Betts said. "This has gone on for too long, and it is stupid."

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