



In Reply Refer To:
HSSP

The Honorable Christopher A. Hart
Acting Chairman
National Transportation Safety Board
Washington, DC 20594

Dear Mr. Hart:

The National Transportation Safety Board (NTSB) issued Safety Recommendation H-09-7 to the Federal Highway Administration (FHWA) on May 29, 2009, and referenced related Safety Recommendation H-09-8 made to the American Association of State Highway and Transportation Officials (AASHTO) and the National Association of State Emergency Medical Services Officials (NASEMSO). These recommendations addressed potential safety issues identified following NTSB's investigation of a motorcoach collision that occurred on January 6, 2008, on southbound U.S. Route 163 near Mexican Hat, Utah. We are submitting this letter as a combined response on behalf of the FHWA, AASHTO and NASEMSO to request these two recommendations be reclassified as Closed-Acceptable Alternate Action based on our efforts described below.

Recommendation H-09-7 to FHWA: "Develop and implement, in conjunction with the American Association of State Highway and Transportation Officials and the National Association of State Emergency Medical Services Officials, criteria based on traffic patterns, passenger volume, and bus types that can be used to assess the risks of rural travel by large buses. Use these criteria as part of the SAFETEA-LU requirement to identify and select Highway Safety Improvement Program projects."

Recommendation H-09-8 to AASHTO NASEMSO: "Work with the Federal Highway Administration to develop and implement criteria based on traffic patterns, passenger volume, and bus types that can be used to assess the risks of rural travel by large buses."

In responding to these recommendations, FHWA pointed out that the process States use to select Highway Safety Improvement Program (HSIP) projects is aligned with the Statewide Transportation Improvement Program (STIP) and selected projects must advance a State's strategic highway safety plan (SHSP). The criteria for the eligibility of these funds are specified in law and cannot be changed at the discretion of FHWA. The FHWA has no authority in law to infringe on the rights of the States to select projects for Federal-aid funding, as long as the States comply with all program requirements.

As indicated in our September 30, 2009, initial response letter, FHWA explored, with AASHTO and NASEMSO, various options to assist the States in addressing the challenges identified by the accident investigation. The NTSB found these initiatives, offered in the combined FHWA,

AASHTO and NASEMSO initial response to the recommendations to be an appropriate response and classified both H-09-7 and H-09-8 as Open–Acceptable Alternate responses. The initiatives included the following approaches:

- Continue to work with AASHTO and NASEMSO to explore ways to improve the State's collection and use of exposure data on tour and charter motorcoach travel.
- Explore the feasibility of collecting exposure data for tour and charter motorcoaches through the Highway Performance Monitoring System.
- Examine options to develop additional guidance to encourage and reinforce inclusion of State and local motorcoach industry representatives in the development of SHSPs.
- Encourage consideration of motorcoach safety issues in the determination of HSIP priorities.
- Examine strategies to encourage States, where appropriate, to use the 10 percent flex option for EMS programs that will mitigate response times and increase capacity in responding to motorcoach crashes.

The FHWA, AASHTO and NASEMSO have taken the following actions to complete the alternate response initiatives proposed.

FHWA, working with AASHTO and NASEMSO, developed a Motorcoach Roadway Safety Assessment Tool (Motorcoach RSAT) for States and industry professionals to use to identify and evaluate the safety of rural routes that are utilized by motorcoaches. The Motorcoach RSAT utilizes inputs from transportation and EMS professionals to measure crash risk along a route, as well as the robustness of communications, EMS response capabilities, and proximity to hospitals and trauma centers. The tool provides data visualization based on a geographic information system (GIS) platform that utilizes ArcGIS for processing data, through the Google Earth platform, by rating the selected route for safety as: Blue (Best) to Green, Yellow, Orange, and Red (Worst). The FHWA is actively marketing the tool to States and motorcoach transportation safety stakeholder and it is available for download on the FHWA Safety website (<http://safety.fhwa.dot.gov/rsat/>).

To enhance exposure data capabilities for motorcoach travel, FHWA has not only determined the feasibility of providing motorcoach specific exposure data, but has begun providing the data through the Highway Performance Monitoring System (HPMS). In 2011, FHWA refined its data computation procedures for vehicle miles traveled (VMT) exposure to include a motorcoach VMT procedure. The procedure provides VMT estimates based on actual field monitored data. The new procedure was retroactively applied to revise 2008 and 2009 data and was additionally used to provide motorcoach VMT for 2010 and forward. The new VMT collection procedure can be found at: http://www.fhwa.dot.gov/ohim/vm1_methodology_2007.pdf.

Further, FHWA has expanded its motorcoach data analysis beyond the traditional HPMS coverage and is in the process of completing a nationwide motorcoach origin destination data (OD) set for the first time in history. The OD data covers both tour and charter motorcoaches. A continuous motorcoach data program is being developed to cover nationwide passenger travel. A passenger origin - destination and passenger VMT data method will be developed and provided beginning in 2017

New updates for the development and deployment of State strategic highway safety plans (SHSPs) were issued in May 2013 through the publication of *Strategic Highway Safety Plans – A Champion’s Guidebook to Saving Lives, Second Edition*” and included guidance for inclusion of motor carrier and motorcoach activities in the SHSP process. The Champion’s guide can be found on the FHWA Safety Website at:

<http://safety.fhwa.dot.gov/hsip/shsp/guidebook/chmpgd.pdf>.

Additionally, the Moving Ahead for Progress in the 21st Century Act (MAP-21) required FHWA to make changes to the HSIP under 23 USC 148. The FHWA published a Notice of Proposed Rulemaking (NPRM) in the Federal Register on May 28, 2014. The proposed regulatory changes in 23 CFR 924.3 *Definitions* include “Representatives conducting a motor carrier safety program under section 31102, 31106, or 31309 of title 49” as Safety Stakeholders.

MAP-21 maintained the SHSP as a major component and requirement of the HSIP (23 U.S.C. § 148) as a statewide-coordinated safety plan that provides a comprehensive framework for reducing highway fatalities and serious injuries on all public roads. The aforementioned inclusions of motor carrier and motorcoach specific guidance in the SHSP Champion’s Guide and in the HSIP proposed regulation under MAP-21 encourages consideration of motorcoach safety issues within the data driven requirements to ultimately program projects in the STIP. The HSIP, under MAP-21, identifies highway safety improvement projects as any strategy, activity or project on a public road that is consistent with the data-driven SHSP and corrects or improves a hazardous road location or feature or addresses a highway safety problem, including motorcoach specific projects.

MAP-21 eliminated the 10 percent flex option and expanded HSIP eligibility such that funds can be used for both infrastructure and non-infrastructure highway safety improvement projects that are consistent with the State's SHSP, which can include motorcoach specific programs and projects.

Finally, because appropriate EMS response is critical in providing lifesaving interventions at all crash scenes, and more particularly the mass casualties that can result in motorcoach crashes, FHWA added a webpage to the FHWA safety program website entitled: *Strategic Highway Safety Plans (SHSP) and Emergency Medical Services (EMS)*. The web page provides a new resource, *Saving Lives Together: The Highway Safety and EMS Connection*. The resource was developed through a cooperative effort with FHWA, the NHTSA Office of EMS, the National 911 Office, AASHTO and NASEMSO to encourage and provide resources for collaboration between EMS and Highway Safety Officials through the State's SHSP. The resource includes information about the importance of data and how EMS response, including mass casualty incidents in rural areas can be addressed through the SHSP process. The resource can be found at: <http://safety.fhwa.dot.gov/hsip/shsp/ems/connection/index.html>.

Given the above described actions, we respectfully request that recommendations H-09-7 and H-09-8 be classified as “Closed – Acceptable Alternate Action.” If you have any questions regarding the actions associated with these recommendations, please contact:

- FHWA -Shirley Thompson at shirley.thompson@dot.gov or telephone (202) 366-2154

- AASHTO – Kelly Hardy at khardy@ashto.org or telephone (202) 624-5868
- NASEMSO – Dia Gainor at dia@nasemso.org or telephone (703) 538-1799

Sincerely,

Gregory G. Nadeau
Acting Administrator