

# RISK MANAGEMENT Alert Sure Schools

SCHOOL RISK MANAGEMENT ADVISORY  
Utica National Insurance Loss Control Department Bulletin

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## Risk Management Alert: Advisories Regarding 15 Passenger Vans

**BACKGROUND:** The following advisories and press release information are taken from the U.S. Department of Transportation, National Highway Transportation Safety Administration (NHTSA) and the National Transportation Safety Board (NTSB). The first two advisories are from NHTSA and provide detail regarding the hazards associated with 15 passenger vans, often referred to as "Non-Conforming Vans." Excerpts from a third advisory/press release come from the National Transportation Safety Board (NTSB) regarding recommendations for licensing and training of drivers of 15 passenger vans. Finally, a press release from NHTSA is included regarding the announcement of a new school bus category for multifunction transportation needs.

For further information regarding these vehicles refer to the NHTSA web site: [www.nhtsa.gov](http://www.nhtsa.gov) or the NTSB web site: [www.nts.gov](http://www.nts.gov)

### 1.) NHTSA Repeats Rollover Warning

#### To Users of 15-Passenger Vans (4/15/02)

The nation's top motor vehicle safety executive, Jeffrey Runge, M.D., head of the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA), today reissued a cautionary warning to users of 15-passenger vans because of an increased rollover risk under certain conditions. A similar warning was issued in 2001. The safety agency also unveiled a consumer flyer for users of 15-passenger vans.

NHTSA research has shown that 15-passenger vans have a rollover risk that increases dramatically as the number of occupants increases from fewer than five to more than ten. In fact, 15-passenger vans (with 10 or more occupants) had a rollover rate in single vehicle crashes that is nearly three times the rate of those that were lightly loaded. "Because of these risks, it is vital that users of 15-passenger vans be aware of some safety precautions that will significantly reduce the risk," said Dr. Runge.

Among the recommendations are the following:

- It is important that 15-passenger vans be operated by trained, experienced drivers.
- Insist that all occupants wear seat belts at all times. Eighty percent of those who died in 15-passenger van rollovers nationwide in the year 2000 were not buckled up. Wearing seat belts dramatically increases the chances of survival during a rollover crash. In fatal, single-vehicle rollovers involving 15-passenger vans over the past decade, 92 percent of belted occupants survived.

NHTSA is reissuing this advisory to specifically alert summertime users of 15-passenger vans. The agency also has prepared a flyer on 15-passenger van safety that is available on the web at <http://www.nhtsa.dot.gov/Hot/15PassVans/index.htm>. The agency also is considering the potential benefits of an additional warning label about rollover and seat belt use that would be visible to the driver and passengers of 15-passenger vans, respectively.

While federal law prohibits the sale of 15-passenger vans for the school-related transport of high school age and younger students, no such prohibition exists for vehicles to transport college students or other passengers.

A copy of the NHTSA analysis of the rollover characteristics of 15-passenger vans can be found at: <http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/AvailInf.html> under "Research Notes". The new consumer advisory also is available at: [www.nhtsa.dot.gov/nhtsa/announce/](http://www.nhtsa.dot.gov/nhtsa/announce/).

## 2.) NHTSA Consumer Advisory (4/15/02)

Jeffrey Runge, MD, Administrator of the National Highway Traffic Safety Administration (NHTSA) today reissued a cautionary warning to users of 15-passenger vans because of an increased rollover risk under certain conditions. A similar warning was issued in 2001.

The agency also issued a new consumer flyer for 15-passenger van users. A copy of the flyer can be downloaded from the NHTSA website: [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov).

NHTSA research has showed that 15-passenger vans have a rollover risk that is similar to other light trucks and vans when carrying a few passengers. However, the risk of rollover increases dramatically as the number of occupants increases from fewer than five to more than ten.

In fact, 15-passenger vans (with 10 or more occupants) had a rollover rate in single vehicle crashes that is nearly three times the rate of those that were lightly loaded.

Because of these risks, it is important that 15-passenger vans be operated by experienced drivers. A person transporting 16 or more people for commercial purposes is required to have a Commercial Driver's License (CDL), which requires certain specialized knowledge and driving skills. Although the drivers of these private-use vehicles are not required to possess a CDL, they should still understand and be familiar with the handling characteristics of these vans, especially when the vehicle is fully loaded.

A new NHTSA analysis reinforces the value of seat belts. Eighty percent of those who died nationwide in 15-passenger van rollovers in 2000 were not buckled up. Wearing seat belts dramatically increases the chances of survival during a rollover crash. In fatal single-vehicle rollovers involving 15-passenger vans over the past decade, 92 percent of belted occupants survived compared to 23 percent for unbelted occupants. NHTSA urges that institutions using 15-passenger vans require seat belt use at all times.

NHTSA is reissuing this advisory to specifically alert summertime users of 15-passenger vans. The summer of 2001 saw several tragic rollover crashes involving religious groups on trips. In the past, a number of rollover crashes involved 15-passenger vans loaded with college students (often driven by a fellow student rather than a professional driver).

While federal law prohibits the sale of 15-passenger vans for the school-related transport of high school age and younger students, no such prohibition exists for vehicles to transport college students or other passengers. NHTSA also is considering the potential benefits of an additional warning label about rollover and seat belt use that would be visible to the driver and passengers of 15-passenger vans, respectively.

A copy of the NHTSA analysis of the rollover characteristics of 15-passenger vans can be found at: <http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/AvailInf.html> under "Research Notes".

### **3.) NTSB CITES DRIVERS' INABILITY TO CONTROL 15-PASSENGER VANS FOLLOWING TIRE FAILURES, RECOMMENDS DRIVERS' LICENSE ENDORSEMENT, RECLASSIFICATION (excerpts from 7/13/03 press release)**

Washington, D.C. - The National Transportation Safety Board today determined that the probable cause of two crashes involving 15-passenger vans was tire failure, the drivers' response to that failure and the drivers' inability to maintain control of their vans in an emergency. The Safety Board concluded that the safe operation of 15-passenger vans requires a knowledge and skill level different and above that for passenger cars, particularly when the vans are fully loaded or drivers experience an emergency situation.

As a result of these accidents, the Safety Board recommended that the 50 states and the District of Columbia establish a driver's license endorsement for 15-passenger vans requiring drivers to complete a training program on the operation of these vehicles and pass a written and skills test. The Board also recommended that the National Highway Traffic Safety Administration (NHTSA), in developing long-term performance requirements for tire pressure monitoring systems, adopt more stringent detection standards than 25 or 30 percent below manufacture-recommended levels, since the pressure at those levels can have an adverse effect on handling of vehicles, such as 15-passenger vans.

### **4.) NHTSA Creates New School Bus Category For Multifunction Transportation Needs (7/29/03)**

The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) today defined a new subcategory of school buses for use in transporting children in trips other than to and from school.

NHTSA's new subcategory, the "multifunction school activity bus" (MFSAB) is defined as a vehicle that is sold for purposes that do not include transportation between home and school for students from kindergarten through Grade 12. Accordingly, these multifunction buses will be exempt from requirements for traffic control equipment requirements when the rule takes effect in 30 days.

This new class of vehicles should serve as a safe choice for companies and institutions that have a need to transport groups of people. A particular safety benefit exists for transporting 12 to 15 passengers, since school buses have a better safety record than 15-passenger vans for this purpose.

"This modification allows institutions to take advantage of the safety benefits associated with school buses, which are by far the safest means of transporting children," said Jeffrey W. Runge, M.D., NHTSA administrator.

Under current federal law, dealers cannot sell a vehicle for the purpose of transporting school-age students to or from school or related events unless it meets all federal motor vehicle safety standards for school buses. Among those requirements are ones requiring all school buses to be equipped with devices designed to control traffic, including flashing lights and stop arms.

The new multi-function buses will be exempt from the traffic control requirements since they are not intended to be used for picking up or discharging students on public roadways. While the new multi-function buses are exempt from the traffic control requirements, they are required to meet all other school bus safety standards.

NHTSA noted that in June 1999 the National Transportation Safety Board (NTSB) recommended that the 50 states and the District of Columbia require that all vehicles carrying more than 10 passengers (buses) and transporting children to and from school and school related activities, including, but not limited to, Head Start programs and day care centers, meet the school bus structural standards and enact regulatory measures to enforce compliance with the revised statutes.

The complete final rule is available at <http://www.nhtsa.dot.gov/cars/rules/rulings>.