



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

The Administrator

400 Seventh Street, S.W.
Washington, D.C. 20590

DEC 23 1999

The Honorable Jim Hall
Chairman
National Transportation Safety Board
Washington, DC 20594

Dear Mr. Chairman:

Thank you for your September 8, 1999 letter concerning safety recommendations H-92-4 and H-92-5 issued to the Research and Special Programs Administration (RSPA). These recommendations were issued following an investigation of seven highway accidents involving Department of Transportation (DOT) specification cargo tanks. The recommendations state that RSPA should:

H-92-4

Assist the Federal Highway Administration in promulgating performance standards for rollover protection devices that are based on the engineering modeling and analysis conducted in response to Safety Recommendation H-92-3.

H-92-5

Phase out from hazardous materials service the use of all cargo tanks that fail to meet the new performance standards promulgated in response to Safety Recommendation H-92-4.

Safety Recommendation H-92-3 recommended that RSPA and the Federal Highway Administration (FHWA) conduct a study to analyze the forces and energy involved in cargo tank rollover crashes. In response to NTSB's recommendation, FHWA and RSPA co-funded a contract with the University of Michigan Transportation Research Institute (UMTRI) to conduct a study on cargo tank rollover protection. FHWA submitted the report to NTSB on May 3, 1999.

As a result of the UMTRI Study, RSPA published in the November 16, 1999 *Federal Register* the enclosed Advance Notice of Proposed Rulemaking (ANPRM), under Docket HM-213A, seeking comments on the validity of the study and soliciting ideas about formulating performance-based rollover protection regulations based on the study results. This action addresses safety recommendations H-92-4 and H-92-5. Based on RSPA's ANPRM and continuing activities, we request that Safety Recommendations H-92-4 and H-92-5 be classified as "Open-Acceptable Action."



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If you have any questions, please contact me or Mr. Jack Murray, Associate Administrator for Policy and Program Support, at (202) 366-4831.

Sincerely,


Kelley S. Coyner

Enclosure