

Memorandum

U.S. Department of Transportation

National Highway Traffic Safety Administration

Subject:

EA03-010

Date:

June 15, 2004

From:

Michael Lee, Safety Defects Engineer

Reply to

NVS-212mj1

Office of Defects Investigation

Attn of:

EA03-010

To: Public File

In March 2004, the Office of Defects Investigation received the following attached documents (police accident report and vehicle photographs) relating to an air bag non-deployment fatal crash of a model year 2001 Mercury Sable from **Sable from **Sable

Attachment

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EXHIBIT LIST:

Attached:

- A. Witness Statement from a second driver of vehicle #2), dated 10/20/01.
- B. Witness Statement from process of passenger of vehicle #2), dated 10/20/01.
- C. Witness Statement from the control of the dated 10/20/01,
- D. Witness Statement from Market Statement and dated 10/20/01.
- B. Witness Statement from Management deted 10/20/01.
- F. Witness Statement from dated 10/20/01.
- G. Copy of Admin Per Se/ Implied Consent form, fifteen day driving permit, issued to account on 10/17/01.
- H. Copy of Report of Investigation by Medical Examiner with blood alcohol results from hospital and Autopsy, dated 11/07/01 (received on 10/21/01).

Not Attached:

- I. Photographs of the collision scene taken by DPS photographer D. Parkins #3077 and DPS Ofc. M. Grzybowski #5668. (Negatives retained at the DPS Photo Lab).
- J. Copy of Laboratory analysis of the blood from the DPS Crime Lab (Pending).
- K. Copy of 911 tape, dated 10/20/01 from to DPS. (Retained by Ofc. Scott #5566)

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CONTRACTOR OF TO	[···				2001-067106
AND DEAD DESCRIPTION OF TRANSPORTATION OF THE PROPERTY OF THE	2001/10/20	23,39	074	98866	
		47 = 10 10			

ACCIDENT DESCRIPTION (MARKATIVE)

INITIAL ORSERVATION:

Upon my strival to the scene, I observed Traffic Unit #1 facing a northeastern direction partially in the number one and number two lanes of the eastbound State Route 202. I observed the driver of Traffic Unit #1 still scated behind the steering whoel with his scathelt fastened. The vehicle's air bags did not deploy in the collision. Due to the damage sustained to Traffic Unit #1 the driver was traable to be removed from the vehicle without extrication equipment. Based on the damage Traffic Unit #1 sustained, the scathelt that was in use did not prevent the fatal injuries sustained by the driver #1. I further observed Traffic Unit #2 facing east in the number one lane of eastbound State Route 202. The driver and passenger of traffic Unit #2 were out of the vehicle on the north shoulder.

ENVIRONMENTAL AND ROAD FACTORS:

east and westbound. The two eastbound and two westbound lanes at this location are divided by a dirt median with a cable barrier centering the median. The roadway is constructed of concrete. In the area of the collision, the two eastbound lanes turn into the Country Club Drive exit, which is exit 13 and the end of State Route 202 castbound. At the time of the collision a fully lighted Barricade and Light flathed truck (Traffic Unit #2) was stopped in the number one lane preparing to set up lighted barricades, to route all eastbound exiting traffic into the number two lane. The Barricade and Light flathed truck's arrow board was activated and working properly, directing all traffic into the number two lane at the time of the collision. Prior to the site of the collision, traveling east, there were signs on both the right and left shoulder indicating road work shead. After these advisories, there were signs on both the right and left shoulders advising that the left lane was closed shead, and east of these signs, there were advisory signs on both the left and right shoulders advising eastbound traffic to merge right. The speed limit prior to and at the collision site is forty-five miles per hour.

TRAFFIC UNIT INFORMATION:

Traffic Unit #1 sustained extensive damage to the entire front, hood and engine compartment of the vehicle including windshield. Traffic Unit #1 also sustained damage to the left and right front quarter panel up to the front driver and passenger doors. The passenger compartment sustained extensive impact damage. All four tires were still inflated after the collision. The front passenger and driver's doors also sustained extensive damage. There were numerous paint transfers from Traffic Unit #2 on the hood of Traffic Unit #1.

The driver of Traffic Unit #1, ***********************************	blunt force trauma
to the head and chest and sustained massive internal traums. Upon extrication), W1 8
transported by Southwest Ambulance to Scottsdale Osborn Hospital where at	05 29 hours, he
was pronounced dead by Emergency Room Physicism,	The
cause of the death was multiple blunt force injuries sustained in the co	llision.

Traffle Unit #2 sustained minor damage to the rear of the bed and lower rear cross bar.

816.7		REPORT IS				Agency Report Humber
	SUPPLEMENT	YEAR MONTH DAY	HONE	MORC NO.	COTATION NO.	
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		ACCIO	ENT DESC			
1	The passenger comp	artment sustained m	inor impact o	iamage.		, .
			•			
	collision and require	d Traffic Unit #2,		stated that we	trustained no inj	
	stopped in the number					
•	shoulder and begin a					
	behind him traveling					
	before he had a chan	- - -	-			_
	lights and arrow bos	rd on the Barricade :	end Light tru	ck were on a	the time of the	collision.
	Prior to					
	lane to set barricades					
	in the number one la	•				Vilson stated
	before he could make	e a decision he was s	truck by Tra	inc Unit #1.	•	
		Traffic Unit #2,			i that they had j	
	the highspeed lane al					
	struck from behind b				it the lights and i	arrow board on
	the Barricade Light t	ruck were on at the t	ime of the c	DUISION.		
	Witness Information	<u>tr</u>				
	Witness #1,	D 10			following Traff	
	#1(which he referred			_	•	-
	vehicle weaving in a continuously, he also					
	* *	estated that he obser		~		
	with right rear corner					
	Traffic Unit #2 was (
		والمنب أستند				
	stated that they had b					
	driver. She stated the				_	
	almost collide with a				it #1 to be trave	
	five to seventy miles	•			ed to observe th	
	swerving all over the when she observed the		_			
	arrow board on the b			-	confirme	tinal the
	Witness #3.		_		is), states that si	he observed
	Traffic Unit #1 trave		_	_		
	anner in stale sixte.	_		_	www.the.driver	

avoid the barricade truck prior to colliding into the rear.

board on Traffic Unit #2 was operating at the time of the collision.

Witness #4. (passenger in Equal vehicle) stated that he observed

Traffic Unit #1 to be possibly impaired, weaving while traveling east on State Route 202.

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Marian Company of the	2001/10/20	23 39	0799	05566	2001-067106				
ACCIDENT DESCRIPTION									

ACCIDENT DESCRIPTION
(HARRATIVE)

was unsuccessful. **Confirmed that the arrow board on Traffic Unit #2 was operating at the time of the collision.

INVESTIGATION:

Investigation Officer.

It was determined through the witness statements, skid, scrape and scuff marks as well as fluid left on the readway, damage sustained by both vehicles, and the injuries sustained by that Traffic Unit #1 was traveling east on State Route 202 in the number one lane at approximately sixty-five miles per hour. Traffic Unit #2 had just stopped moments prior to the collision in the number one lane to begin closing the number one traffic lane and merge all traffic into the number two lane. Approximately sixty-four feet of skid mark was left on the roadway by Traffic Unit #1 prior to the left front of Traffic Unit #1 colliding into the right rear of stationary Traffic Unit #2. Traffic Unit #1 continued under Traffic Unit #2 until impacting into the right rear tandom wheels. As Traffic Unit #1 collided with the rear of Traffic Unit #2, both vehicles were marked east for approximately ten feet. While continuing east, the rear of Traffic Unit #1 came up off the roadway and made a one quarter revolution in a counter clockwise motion before coming to final rest. ** The was wearing his seat belt at the time of the collision however, due to the intrusion of the bed of the truck and the rear lower crossbar of Traffic Unit #2 into Traffic Unit #1. sustained massive head and internal trauma which later proved fatal as the steering wheel assembly, dash board and windshield were forced into the passenger compartment. For unknown reasons, Traffic Unit #1's air bags did not deploy in the collision. Through the combination of roadway evidence, witness statements describing erratic driving and the strong odor of an intoxicating beverage on and about primary cause of this collision was impaired driving on the part of person, the due to the use of blood disclosed two Blood Alcohol Content alcohol. An autopsy analysis of readings of .13 and .14. A driver's license check of driver's license revealed that he was currently using an Admin Per Se/Implied Consent pennit, that was issued on 10/17/01. Between 10/17/01 obtained a new Arizona driver's license which was used to identify him and 10/20/01 wife of at the scene. was at the Hospital upon arrival of the

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ACCIDENT DIAGRAM

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POINT	PROM BOGE	Přeská říb				T KREPEREN T	
A	20.3' N	44.6' E	BEGINNING OF LE	FT FRONT S	KID VEHICLI	1	
. в	1 <u>5.6'</u> N	61.1' E_	BEGINNING OF RE	GHT FRONT	<u>SKID VEHIC</u>	LE 1	
<u> </u>	20.0° N	76.1 E	LEFT FRONT SKIL	VEHICLE 1	CONTINUED	<u> </u>	<u> </u>
D	14.8' N	75.1° €	RIGHT FRONT SK	ID VEHICLE	CONTINUE	<u> </u>	
E	18.3' N	104.3 E	BEGINNING OF LE	FT REAR SC	<u>UFF VEHICL</u>	<u> </u>	
F	19.4' N	108.4 E	END OF LEFT FRO	<u>ynt ski</u> d vei	HICLE 1		
G	13.2' N	10B.5' E	END OF LEFT REA	AR SCUFF VE	HICLE 1	· · · · · · · · · · · · · · · · · · ·	
. н	10.0' N	109,0° E	BEGINNING OF R	GHT REAR S	CUFF VEHIC	LE 1	
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	14.3' N	113.9° E	END OF RIGHT FE	ONT SKID V	EHICLE 1/	AREA OF IMPAC	т
<u>_K</u>	7.8' N	115.6' N	END OF RIGHT RI	AR SCUFF V	EHICLE 1		
. L	10.2' N	118.2' E	END OF SECOND	BCUFF LEFT	REAR VEHI	CLE 1	
М	23.2' N	119.0' E	START OF LEFT 6	NDE SKID VE	HICLE 2		
Ņ	12.1' N	119.0' E	LEFT REAR TIRE	VEHICLE 1			
o ·	23.2° N	123.8' E	END OF LEFT SID	E SKID VEHIC	CLE 2 AFTER	MPACT	
P	17.6' N	127.2' E	RIGHT FRONT TU	RE VEHICLE 1			
0.	17.2' N	128.8' E	RIGHT REAR COR	NER OF VEH	ICLE 2		
R	24.4' N	128.3' E	BEGINNING OF LE	FT SIDE SKII	VEHICLE 2	AFTER SKIP	· · · · · · · · · · · · · · · · · · ·
S	16,0' N	135.2' E	RIGHT REAR TIRE	VEHICLE 2			
Т.	24,4' N	139,3' <u>E</u>	LEFT REAR TIRE	AND END OF	LEFT SIDE S	KID	
U	24.2' N	147.0 E	LEFT PRONT TIRE	VEHICLE 2			
_ v	33.6' N	155,6' E	LEFT MINROR FR	OM VEHICLE	1		
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