

**15 PASSENGER VANS And 12 PASSENGER VANS**  
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The use of 15 passenger vans to transport athletic participants has come under intense scrutiny because of the documented “rollover” risks and the associated “catastrophic” liability potential resulting from serious injuries or deaths to multiple passengers.

The National Safety Transportation Board examined single vehicle crash data from seven states for the years 1994-1997 and issued multiple reports and warnings with the latest in 2005, detailing the following concerns:

- \* Loading a 15 passenger van causes the center of gravity to shift rearward and upward, increasing the likelihood of rollovers.
- \* When a 15 passenger van is loaded with 10 or more occupants, it is three times as likely to rollover as compared with less than 10 occupants.
- \* When loaded with 5 to 9 occupants, it is almost two times as likely to roll over as compared to less than 5 occupants.
- \* The rollover propensity of 15 passenger vans is greatly increased at speeds greater than 50 mph and on curved roads
- \* Improperly inflated tires can change the handling characteristics of 15 passenger vans resulting in an increased risk of rollover. Recent studies indicate that 74% of all 15 passenger vans had significantly mis-inflated tires (both over and under). By contrast only 39% of passenger cars had significantly mis-inflated tires.
- \* The standard design of the 15 passenger van does not meet the structural reinforcement requirements of passenger cars or school buses in the area behind the driver’s seat.
- \* Federal law prohibits the sale of 15 passenger vans for the school related transportation of high school aged and younger students.
- \* Many state laws prohibit the use of 15 passenger vans to transport public school students to and from school and to and from school related events.
- \* Additional research indicates that 12 passenger vans don’t fare much better and some SUV’s pose even worse rollover risks. It should be noted that not all SUV’s are identical in risk characteristics. Those with a lower center of gravity and improved suspension system tend to more readily resist rollovers.

In response to these concerns, it is recommended that sports organizations that transport high school aged and younger children should adopt the following regulations:

1. Always require parents to transport their children whenever feasible.
2. For those sports organizations that rent or borrow their vehicles, 15 passenger and 12 passenger vans should never be used and should be replaced with either 7 passenger mini vans, passenger cars, or school buses which have a much lower rollover propensity at higher occupant loads.
3. For those sports organizations that already own 15 passenger and 12 passenger vans, such vans should be replaced with safer alternatives such as mini vans or school buses as soon as feasible.

If a sports organization is going to use a 15 or 12 passenger van to transport occupants despite the warnings, the following precautions should be followed:

1. Always use a trained, experienced driver who is not a student. Although the driver of a 15 or 12 passenger van is not required to have a Commercial Drivers License (CDL), such driver should understand and be familiar with the handling characteristics of a fully loaded van. The driver should be well rested and attentive and not under the influence of drugs. A motor vehicle record (MVR) should be run on all drivers to make sure that they have no more than two minor violations in the prior three years and no major offenses in the prior five years such as a DUI or reckless driving offense.
2. Drivers should be aware of the following conditions that most often result in rollovers:

- \* The van goes off a rural road and hits a ditch, embankment, or soft soil.

- \* The driver is fatigued, falls asleep at the wheel, or is driving too fast for conditions. Vans traveling at high speeds where the driver loses control often slide sideways off the road.
  - \* The driver overcorrects the steering as a panic reaction to an emergency or to a wheel that leaves the pavement.
3. Insist that all occupants wear safety belts for the entire duration of the trip. 76% of those who died in 15 passenger van rollovers in single vehicle crashes from 1990 to 2002 were not buckled up. An unrestrained 15 passenger van occupant involved in a single vehicle crash is about three times as likely to be killed as a restrained occupant.
  4. If possible, move passengers and cargo forward of the rear axle and avoid placing loads on the roof.
  5. Check tires before any trip to make sure that they are properly inflated and not excessively worn. The pressure of each tire should be checked when “cold” and set to the recommended inflation pressure as specified on the vehicle placard in the owners manual. It may be surprising to many that the typical recommended pressure for the rear tires can be much higher than for the front tires. Vans should always be equipped with a tire gauge.

The public seems to be responding to the NHTSA warnings on 15 passenger vans as fatalities have declined by 35% since the first warning was issued in 2001.

### **Further Concerns**

Under most state laws, the sports organization can be sued along with the owner and driver of the vehicle whenever there is an auto accident resulting in injuries. Many insurance carriers that provide Non Owned/Hired Auto Liability insurance for sports organizations exclude coverage for lawsuits arising out of the use of 15 passenger vans to transport persons. You need to be aware if your insurance carrier has this restriction. Some sports organizations transfer the risk of group transportation by hiring a charter bus service. Always request that charter bus service provide a Certificate of Insurance evidencing that they carry a Business Auto policy with a liability limit of at least \$1,000,000 for all owned autos.