



TO: Scout Executives, High-Adventure Bases, and Facility Managers

FROM: Steven McGowan, General Counsel

DATE: January 20, 2015

RE: Prohibition on Use of Pre-2005 Manufactured 15-Passenger Vans

Effective September 1, 2015, the use of 15-passenger vans manufactured before 2005 will no longer be allowed in connection with Scouting programs and activities. Any 2005 or later 15-passenger vans may be used if equipped with Electronic Stability Control and seat belts for all passengers as well as the driver. This applies to all vehicles, regardless of ownership.

This prohibition must be effectively communicated to all unit leaders and chartered organization representatives in a manner that ensures it is received and understood. The use of pre-2005 15-passenger vans could result in there being no BSA GLIP insurance coverage available in the event of an accident.

Background

In the late 1970s, vehicle manufacturers began modifying cargo vans by adding seats and marketing them as passenger vans. The length of these vehicles was extended and additional seats were added; however, the wheel base remained the same. The result was a proliferation of passenger vans that had handling characteristics unfamiliar to even the most experienced drivers.

The National Highway Traffic Safety Administration (NHTSA) subsequently determined that 15-passenger vans with 10 or more occupants had a rollover rate nearly three times that of one carrying fewer than five passengers. A major factor was the high center of gravity of the vehicle when loaded.

In 2001, NHTSA issued a cautionary warning to the public about the increased rollover risk under certain conditions. Key findings in the report from NHTSA indicate that:

- Fully loaded 15-passenger vans are three times more likely to roll over during an emergency maneuver, such as steering overcorrecting to avoid a hazard
- Nonprofessional drivers overestimate their skills
- Failure to wear seat belts dramatically increased the likelihood of not surviving a rollover





Since 2001, NHTSA has issued five additional warnings regarding the operation of 15-passenger vans. Some organizations have prohibited or limited the use of the vehicles, especially in connection with the transportation of children. A local council–operated van was involved in a significant accident several years ago in which the risks associated with these vehicles was alleged to have been a factor.

Beginning around 2004, vehicle manufacturers began equipping these vans with Electronic Stability Control, or ESC. While ESC has not totally eliminated the rollover hazard, ESC vehicles are reportedly more stable and thus pose less of a risk in operation.

The BSA has determined that the risk posed by the use of 15-passenger vans manufactured before 2005 are such that they should not be used. Most pre-2005 vans without ESC have already been retired and are no longer in use.

Below are safety tips issued by NHTSA for anyone planning a trip in 15-passenger vans, which should be provided to all Scouters who may be called on to operate a 15-passenger van in connection with Scouting:

- ✓ Make sure that the vehicle is properly maintained (correct size tires, steering, brakes, ESC, etc.). The best practice is to complete an inspection checklist daily or before use.
- ✓ Make sure drivers are trained and experienced in operating 15-passenger vans and are properly licensed. (There are online resources for drivers to learn about the safe operation of these vehicles. For example, see http://www.safetyworksmaine.com/training/online_classes/15passvan.pdf).
- ✓ 15-passenger vans are very sensitive to loading and should not be overloaded under any circumstances. Agency research shows overloading not only increases rollover risk but also makes the vehicle more unstable in any handling maneuvers. For example, passenger capacity should be reduced by one for every 150 pounds of gear, and roof-mounted storage units should not be used.
- ✓ Make sure that properly sized tires are being used on the vehicle.
- ✓ Before every trip, drivers should check the tires for proper inflation and make sure there are no signs of excessive or uneven wear. The “penny test” is a good indicator of whether tread depth meets the minimum requirements.
- ✓ Make sure all passengers wear seatbelts.

Questions regarding this change in policy or other safety issues may be addressed to:

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FREQUENTLY ASKED QUESTIONS

Q. Where will this policy be published?

A. We will be adding this to the next update of the *Guide to Safe Scouting* and other BSA publications as they are modified.

Q. Can we remove seats from our 15-passenger vans to meet this new policy?

A. No. Improper loading of cargo can be just as much of a hazard to the driver as a passenger loaded vehicle is to occupants.

Q. Does this apply to our chartered organizations?

A. Yes. The prohibition applies to any vehicles used in connection with Scouting programs or activities. This applies regardless of ownership, including rental vehicles.

Q. Does this apply to camp vehicles used off public roads at low speed if they are not registered for highway use?

A. Yes. The prohibition applies to any vehicles used in connection with Scouting programs or activities. This applies regardless of ownership, including rental vehicles.

Q. Why is the BSA taking this action?

A. The history of injuries due to accidents involving these vehicles coupled with the availability of vehicles with ESC makes it appropriate to take this additional precaution to prevent injuries.

