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August 19, 2019

Mr. Ian MacIntire
Office of Crashworthiness Standards
National Highway Traffic Safety Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE, West Building
Washington DC, 20590

**Re: Notice of Proposed Rulemaking to Amend Visual Inspection Labeling Requirement for
Federal Motor Vehicle Safety Standard No. 304,
Docket No. NHTSA-2019-0055**

Dear Mr. MacIntire:

Agility Fuel Solutions ("Agility") is the leading global provider of highly-engineered and cost-effective clean fuel solutions for medium- and heavy-duty commercial vehicles. Its solutions include natural gas, hydrogen, and battery electric energy storage and delivery systems, Type 4 composite natural gas cylinders, propane and natural gas engine fuel systems, and propane dispensers. Agility's solutions enable the safe and effective use of natural gas, propane, hydrogen, and electricity as transportation fuels. These clean fuels reduce greenhouse gas and other air emissions and save money for fleet operators and their customers. Agility is the most recognized brand for performance, reliability, durability, and safety of its fuel systems as well as its engineering capabilities and superior end-to-end customer service.

Agility has a track record of success. Agility's products have proven real-world reliability, having been used on over 60,000 commercial vehicles. Agility has been manufacturing and servicing safe and reliable clean fuel solutions for commercial vehicle fleets and OEMs for more than 20 years, logging billions of miles on the road per year.

Agility has reviewed the Notice of Proposed Rulemaking issued by the National Highway Traffic Safety Administration ("NHTSA") on June 21, 2019 relating to amending the visual inspection labeling requirement for Federal Motor Vehicle Safety Standard No. 304 ("Proposed Rule"). See 84 Fed. Reg. 29145 (Jun. 21, 2019). As set forth in further detail herein, Agility supports the Proposed Rule and agrees with NHTSA that the amended labeling provisions would result in significant cost savings without sacrificing safety. Agility also has a few minor suggestions regarding how to reduce the amount of words on the proposed label, in order to maximize readability. Agility appreciates NHTSA's continued efforts to improve highway safety in a cost effective and efficient manner.

1. The Proposed Rule Will Not Decrease, And Will Likely Increase, Highway Safety.

Agility is passionately committed to safety, both on the road and in the workplace. Agility's products incorporate the most advanced safety systems and features, with use of the highest-quality materials and designs. Agility offers the broadest product portfolio that sets the industry standard in safety and reliability. All of Agility's products undergo extensive safety testing and quality-control evaluations; qualified professionals perform rigorous safety examinations, beyond what is required by applicable law or regulation. Among others, Agility's Type 4 cylinders¹ undergo drop tests (i.e. successive drops at various angles), bonfire tests (i.e. extreme thermal exposure); penetration tests (i.e. .30 caliber bullet shot at cylinders), and pneumatic cycling tests (i.e. applying 1,000 times traditional service pressure), all of which are carefully designed to test residual strength and durability. Agility also makes every effort to ensure a safe environment for its employees, contractors, customers, visitors, or anyone who may be affected by its business operations, all while protecting the environment by managing its business in an environmentally sensitive and responsible manner. It is based on this set of values that Agility offers its support for the Proposed Rule.

As NHTSA acknowledges, field data indicate that there are very few instances of container failures across all CNG-fueled vehicles. 84 Fed. Reg. at 29149. Agility appreciates NHTSA's acknowledgment that this low number is attributed to the high quality of CNG fuel containers. *Id.* Nonetheless, Agility recognizes that container failures may occur, albeit rarely, and that routine inspections are necessary to detect damage or deterioration to CNG cylinders. Under the current version of Safety Standard No. 304, high-mileage fleets are forced to perform visual inspections too frequently, while low-mileage vehicles perform such inspections too infrequently. Agility believes that the Proposed Rule strikes an appropriate balance between these two extremes. Put another way, in Agility's view, requiring a visual inspection every 12 months for all heavy-duty vehicles will promote and ensure highway safety, while also limiting repetitive or unnecessary inspections.

In Agility's experience, routine inspections are the most effective way to identify degradation to CNG cylinders, whether due to abrasion, rubbing, or some other source. Agility is aware of routine inspections that have prevented, among other things, ruptures, acid leaks, and hydraulic fluid leaks. In many instances, there are also ancillary benefits to routine inspections, as they often function as a forewarning to unrelated issues. Agility is not aware of any instance in which a cylinder was damaged as a result of a visual inspection. Further, Agility is not aware of any safety risk associated with performing a visual inspection.

Based on Agility's extensive experience relating to CNG cylinders and fuel systems, Agility believes that the Proposed Rule appropriately balances the competing interests of various heavy-duty vehicle fleets. The Proposed Rule will improve safety for low-mileage commercial fleets that are currently inspected at intervals greater than 12 months. In Agility's experience, waiting approximately 36 months for a visual inspection increases the risk of a cylinder rupture or other damaging event. Agility recognizes that, for these low-mileage fleets, the Proposed Rule may result in increased costs and decreased productivity due to additional inspections. To Agility, improved safety is worth this additional cost.

¹ As NHTSA explains in the Proposed Rule, there are generally four types of compressed natural gas ("CNG") fuel containers; Type 4 containers are cylinders with a polymer liner wrapped in carbon fiber. 84 Fed. Reg. at 29149 n.25. Because Agility exclusively manufactures Type 4 cylinders, its comments are limited solely to instances involving and expertise relating to these cylinders.

Furthermore, Agility is unaware of any instance in which inspections that occurred every three or four months uncovered an issue that would not have been identified during an annual inspection. Due to the high quality and durable nature of CNG cylinders in the marketplace, damage and deterioration do not occur overnight. As such, annual inspections are sufficiently frequent to identify and therefore prevent any potential issues; highway safety is not improved by more frequent inspections. Agility therefore agrees with and supports NHTSA's conclusions in this regard. 84 Fed. Reg. at 29145, 29150.

2. Slight Modifications To The Proposed Cylinder Label Will Increase Readability.

As described briefly above, Agility is the leading global provider of Type 4 composite cylinders for medium- and heavy-duty trucks. Agility is a recognized expert on Type 4 cylinders, setting the standard for excellence within the clean energy industry.

While Agility wholeheartedly supports the premise of the Proposed Rule, Agility is concerned that the amended language of the applicable regulation may be difficult to read or understand because it contains so many words. Thus, Agility suggests the following modest revisions to improve readability:

(g) The statement: "This container should be visually inspected for damage and deterioration after ~~an motor vehicle~~ accident or fire, and at least either (a) ~~at least~~ every 12 months when installed on a vehicle with a GVWR of greater than 4,536 kg or (b) ~~at least~~ the earlier of every 36 months or 36,000 miles, ~~whichever comes first~~, when installed on a vehicle with a GVWR of 4,536 kg or less than or equal to 4,536 kg."

3. Conclusion

Agility appreciates your consideration of the foregoing comments, which are based on Agility's unique perspective and considerable expertise relating to CNG fuel systems and containers. Agility looks forward to continuing to work with NHTSA to achieve improved highway safety on the nation's roads.

Best regards,



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