



October 14, 2020

The Honorable James Owens
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
West Building, Fourth Floor
Washington, D.C. 20590

**RE: Docket No: NHTSA-2020-0075-Receipt of Petition for Temporary Exemption
From Shoulder Belt Requirement for Side-Facing Seats on Motorcoaches**

Dear Acting Administrator Owens:

Russell Coachworks, LLC submits the following comments to the National Highway Traffic Safety Administration's Notice of receipt of a petition for a temporary exemption; request for comment, Docket No. NHTSA-2020-0075, published at 85 Fed. Reg. 51550 (August 20, 2020). We strongly support granting the exemption from the shoulder belt requirement for side-facing seats on motorcoaches to the final-stage manufacturers identified in the petition.

Russell Coachworks, LLC is a final-stage manufacturer in the entertainer motorcoach market. Russell Coachworks customizes and finishes interiors in entertainer coaches. Russell Coachworks, LLC is aligned with Russell Coach Company, LLC which is a motor carrier that leases coaches to entertainers and politicians. There are 15 employees between both companies. Russell Coach Company, LLC has been in business for over 25 years and Russell Coachworks, LLC has been in business for over 13 years.

Entertainer motorcoaches are a unique form of transportation specifically designed and manufactured for small groups such as music bands or political candidates. Although constructed on the same bus chassis or platform as a 55-passenger motorcoach, entertainer coaches generally are customized in two or more stages from an "incomplete vehicle" and finished to seat fewer than 16 persons, while providing the amenities more closely associated with a "motor home." Amenities in entertainer motorcoaches typically include couch seating, galleys, tables, showers, bunk beds, satellite television, a cooking area with counter tops, and refrigeration units.

These vehicles, which typically include side-facing, perimeter seating are custom built, rather than mass produced. Fewer than 100 entertainer motorcoaches are manufactured each year. The 3-point seatbelts required to be installed in all new second stage vehicles manufactured after November 28, 2017 have never been tested for use in sideways-facing seats. The belts and their anchorages were only tested for

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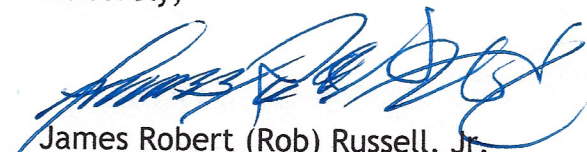
use in forward-facing seats. As set out in the final rule that established this requirement, comments from American Seating claimed that shoulder belts "may cause serious neck injuries when applied to side-facing passenger seating positioning." 78 Fed. Reg. 70474, 70447 (November 25, 2013).

We understand that NHTSA also has some concern that shoulder belts may cause serious neck injuries when applied to side-facing seats. The 2013 final rule states the agency is "aware of simulation data that are indicative of potential carotid artery injury when the neck is loaded by the shoulder belt." 78 Fed. Reg. at 70448, and n.108, citing Fildes, B., Diggs, K., "Occupant Protection in Far Side Crashes," Monash University Accident Research Center, Report No. 294, April 2010, pg. 57. NHTSA conducted no testing on the impact or injuries to passengers in side-facing seats in motorcoaches before imposing the requirement in the 2013 final rule. Nor has the agency conducted any such testing since the rule was published. Thus, there is no available credible data that supports requiring a Type 2 belt at the side-facing seating positions. As a result, we are concerned that serious injury to passengers could result from the good faith efforts made by operators and manufacturers to comply with this rule.

We hope that this petition would be approved and granted, as the petition published under NHTSA-2019-0019 for the Hemphill Brothers Leasing Co. was similarly granted. If it is not granted, an imbalance will be created within our marketplace, where only one final-stage manufacturer will be able to complete vehicles for the entertainer motorcoach market.

We look forward to continuing our strong partnership with NHTSA to ensure the safety of the traveling public.

Sincerely,



James Robert (Rob) Russell, Jr.
Managing Member