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The National Association for Pupil Transportation (NAPT) is pleased to comment in support of NHTSA's November 2, 2020 Notice of Proposed Rulemaking (NPRM) to amend Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child restraint systems." (Docket No. NHTSA-2020-0093)

NAPT is a diverse community of people and organizations that share a passion for safe and efficient student transportation. We are a non-profit §501(c)(6) organization dedicated to helping our 2,000 members engage in and influence policy making that will enhance operational safety and administrative efficiency. In concert with the NAPT Foundation Inc., our §501(c)(3) nonprofit educational affiliate, and NAPT Business Intelligence, LLC, our data analytics and consulting subsidiary, we offer school districts and their transportation and transportation-related service providers a variety of communication, leadership, education, advocacy and research services.

NHTSA is proposing to update the standard seat assembly on which child restraint systems (CRSs) are tested to determine compliance with the standard's dynamic performance requirements.

It also proposes amendments to modernize FMVSS No. 213, including a lessening of restrictions in some owner registration and labeling requirements to give manufacturers more flexibility in communicating with parents to increase owner registrations for recall notifications and increasing the correct use of child restraint systems; and streamlining the use of test dummies to assess restraint performance, including simplifying compliance tests to make them more reflective of real world uses of child restraints.

Specific to school buses, NHTSA proposes to include in FMVSS No. 213 a new type of CRS manufactured for exclusive use on school bus seats to allow the sale of these products. The agency estimates there would be no cost impacts of the proposed changes because products currently available covered by the new definition of a school bus CRS already meet the proposed requirements.

The benefits of the proposed changes are associated with the popularity of such CRSs for transporting preschool and special needs children (although NHTSA cannot quantify these benefits at this time).

FMVSS No. 213 currently permits a type of CRS designed for exclusive use on school buses—a "harness" that the standard defines as "a combination pelvic and upper torso child restraint system that consists primarily of flexible material, such as straps, webbing or similar material, and that does not include a rigid seating structure for the child."

They are permitted because many school districts and school bus operators need a product with a seat back mount to transport preschoolers, children who need help sitting upright, and children who need to be physically restrained because of physical or behavioral circumstances. The seat back mount of these specialized harnesses for school buses does not use a seat belt to attach to the seat, and can be used on large school buses without seat belts.

NHTSA noted in the proposed rulemaking that it has become aware of another CRS designed exclusively for school bus use. This restraint system uses a seat back mount to attach to the school bus seat without the use of a seat belt. However, because this CRS is not a harness, it does not qualify as a school bus harness under the wording of the standard it is not permitted under FMVSS No. 213. Accordingly, the agency is proposing amendments to make Standard No. 213 more design neutral regarding CRSs designed for exclusive use on school bus seats. The amendments would include a new design-neutral definition for this type of CRS.

NHTSA listed these other proposed school bus-related amendments to FMVSS No. 213:

- CRSs manufactured for exclusive use on school bus seats could be certified using a seat back mount or a seat back and seat pan mount attachment method. Specifically, NHTSA proposes to add a definition of “school bus child restraint system” that would define the term as a child restraint system (including harnesses), sold for exclusive use on school bus seats. That has a label conforming to FMVSS No. 213 (S5.3.1(b)).
- Require school bus CRSs to bear a permanent warning label affixed to the part of the harness or strap that attaches the CRS to a vehicle seat back. This label must be plainly visible when installed and easily readable, the message area must be white with black text and no less than 20 square centimeters, and the pictogram shall be gray and black with a red circle and slash on a white background, and no less than 20 mm in diameter.
- Regarding specifications for the head and knee excursion requirements, school bus CRSs would be subject to the current excursion limit requirements for harnesses manufactured for use on school bus seats when installed using a seat back mount or seat back and seat pan mounts. Also, NHTSA proposes to amend the Standard to indicate that school bus CRSs must meet the relevant requirements of the standard when attached with a seat back mount or seat back and seat pan mounts.
- Requiring that printed instructions accompanying these school bus CRSs include the warning statement: “Warning! This restraint must only be used on school bus seats. Entire seat directly behind must be unoccupied or have restrained occupants.”
- School bus CRSs would not be required to have lower attachments to install the CRS using the child restraint anchorage system, nor would they be required to

meet performance requirements when tested using seat belt and lower anchorage attachment methods. School bus CRSs would not need to have the alternative methods of attachments other than the seat back mount or seat back and seat pan mounts because school bus seats do not always have seat belts and/or lower anchorages.

As stated above, NAPT supports these changes and appreciates NHTSA's interest in updating FMVSS No. 213 to facilitate school bus CRS use. We would be pleased to answer any questions NHTSA staff may have during the rulemaking process. We can be contacted at (800) 989-NAPT.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Martin". The signature is fluid and cursive, with the first and last names being the most prominent.

Michael J. Martin,
Executive Director and CEO