

ABA Position Paper

Motorcoach Occupant Crash Protection

Issue

Recently there has been increasing public focus on questions relating to bus passenger safety because of several highly publicized crashes and legal actions. Much of the attention continues to turn on the matter of whether or not motorcoaches should be equipped with passenger seat restraints.

Background

Consumer protection advocates and the plaintiff's attorneys continue to maintain that buses should be equipped with a seat restraint for every passenger. On the other hand the National Highway Traffic Safety Administration (NHTSA), the federal agency charged with establishing and maintaining motor vehicle safety performance standards, continues to hold to its belief that "compartmentalization"¹ provides bus passengers adequate protection in the majority of crash circumstances and that it has "expressly determined" that sufficient evidence does not exist to show that seat restraints in buses would improve passenger safety. Therefore it concludes it will not require that seat restraints be installed; specifically in Standard Number 208, *Occupant Crash Protection* (49CFR571.208) NHTSA expressly determined that there is not a safety need for safety belts or another type of occupant crash protection.

A series of safety recommendations issued to NHTSA by the National Transportation Safety Board (NTSB) in its 1999 Bus Crashworthiness Study concludes by recommending that NHTSA engage in crashworthiness testing of motorcoach type buses to determine whether seat restraint, window material and construction methods and roof strength enhancements might provide improvements to passenger protection during rollover type crashes. To date NHTSA has not acted on the NTSB's recommendations.

Particularly troubling to the industry is NHTSA's publicly stated position that they do not believe a safety benefit will accrue from the installation of seat restraints on buses, while at the same time they claim that there is nothing preventing coach manufacturers from "voluntarily" installing the devices. We believe this position is misleading and disingenuous. The installation of passenger restraint systems is a highly complex process as evidenced by the four sections in Federal Motor Vehicle Safety Standards (FMVSS) that deal with passenger cars and light trucks seat restraint installation. NHTSA sets the testing and installation procedures for restraints, the restraint and seat securement hardware, and structural integrity within these standards. However, these standards were developed based on rigorous vehicle crash testing efforts. To apply the same light passenger vehicle standards to a motorcoach, which weighs fifteen times more than a typical car, and which also carries more than eight times the number of passengers, is inappropriate. For this reason the NTSB has recommended that NHTSA conduct motorcoach specific testing.

¹ Compartmentalization is the concept of creating a passenger compartment through the use of high-backed seats and calculated seat spacing. Compartmentalization has been held by the NHTSA as providing bus passengers with the greatest level of safety in the majority of crash occurrences, which are the frontal or rear-end type crash.

ABA Position

ABA believes we must be certain that in trying to enhance existing occupant protection that we do not interfere with or detract from the excellent and effective protections currently provided to passengers. We urge that the recommended testing be conducted and that the program be fully federally funded. We would support and assist NHTSA in this effort.

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