**[Logo/Letterhead]**

July XX, 2024

Ms. Sophie Shulman

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–2024–0026–Receipt of Petition for Remewal of Temporary Exemption From Shoulder Belt Requirement for Side-Facing Seats on Motorcoaches**

Dear Acting Administrator Shulman:

**[Company name]** 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-2024-0026, published at 89 Fed. Reg. 54958 (July 2, 2024). We strongly support granting the temporary exemption from the shoulder belt requirement for side-facing seats on motorcoaches to the 13 final-stage manufacturers identified in the petition.

Our company is a **[original manufacturer/final-stage manufacturer /operator /related vendor]** in the entertainer motorcoach market. **[Describe nature of operations; number of employees; how long you have been in business.]**

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 motorcoaches generally are customized in two or more stages from an “incomplete vehicle” and finished to seat fewer than 16 persons, while providing 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.

Entertainer motorcoaches 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 following the publication of the Final Rule “Requiring Installation of Seat Belts on Motorcoaches, FMVSS No. 208” (NHTSA-2013-0121), have never been tested for use in sideways-facing seats. The belts and their anchorages were only tested for use in forward-facing seats in compliance in the final rule. In comments highlighted in the final rule, American Seating stated 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 NHTSA has concerns over shoulder belts causing serious neck injuries when applied to side-facing seats. The 2013 final rule stated 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 to support 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 this petition for renewal will be approved and granted, as the petition published under NHTSA-2019-0019 for the Hemphill Brothers Leasing Co. and this group of petitioners (NHTSA-2020-0075) was similarly granted. If it is not granted, a competitive imbalance will be created within the entertainer motorcoach marketplace, where only one final-stage manufacturer will be able to complete vehicles for the entire entertainer motorcoach market.

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

Sincerely,