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March 9, 1994

Mr. Charles Medalen
Office Of The Chief Counsel HCC-10 Room 4232
Federal Highways Administration
Department of Transportation
400 Seventh St. S.W.
Washington, D.C. 20590

RE: COMMENTS BY **MOTOR COACH INDUSTRIES (MCI)** TO:
DOCKET NO. MC-93-94 FHWA

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Dear Sir:

Please submit the enclosed, signed, copies of comments, by MCI, into the above noted docket file. Thank you for consideration regarding this matter. With kindest regards, I remain,

Respectfully yours,
MOTOR COACH INDUSTRIES

C.N. Littler
Administrator, Regulatory Affairs

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BEFORE THE
DEPARTMENT OF TRANSPORTATION

49 CFR PART 393

(DOCKET NO. MC-93-34 FBWA)

PARTS AND ACCESSORIES NECESSARY FOR
SAFE OPERATION; SLEEPER BERTHS ON
MOTORCOACHES

ADVANCE NOTICE FOR PROPOSED
RULEMAKING (ANPRM)

COMMENTS OF
MOTOR COACH INDUSTRIES

These comments are filed by Motor Coach Industries (MCI) in response to the Advance Notice of Proposed Rulemaking (ANPRM) published in the Federal Register on January 12, 1994 (59 Fed. Reg. 1706 et seq.).

The ANPRM propounds nine (9) questions concerning the use and design of sleeper berths in the motorcoach industry; and the suitability of existing regulations as applicable to motorcoach sleeper berths.

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IDENTIFICATION OF MCI

MCI is the largest manufacturer and provider of intercity motorcoaches in the U.S. marketplace. We currently hold between 67-70 percent of the market share. MCI coaches are produced by Motor Coach Industries, Inc. of Pembina, N.D. MCI, Inc. is a wholly owned subsidiary of Motor Coach Industries International, Inc., a publicly held company, trading on the New York Stock Exchange (symbol MCO).

II PRELIMINARY OBSERVATIONS

We commend DOT for its continuing efforts in developing improved standards relating to motor carrier safety. The questions contained within the subject ANPRM allow MCI, as the manufacturer of the majority of intercity motorcoaches operating on U.S. highways, the opportunity to respond in an adequate fashion, to an issue which presents certain important manufacturing concerns.

III GENERAL RESPONSE TO THE ANPRM

MCI believes that any rules relating to sleeper berths incorporated into motorcoaches may have profound, though not necessarily obvious, effects upon coach manufacturers specifically and the motorcoach industry in general. We further believe that rules relating to sleeper berth incorporation on motorcoaches should be tailored to the unique nature of coach services provided and to vehicle construction. The differences between intercity coach services provided and to vehicle construction to those of highway box truck and truck tractors are substantial.

IV SPECIFIC RESPONSES TO ANPRM QUESTIONS

1. Should existing sleeper berth regulations be amended to account for design differences between motorcoaches and trucks? If so, what changes should be made and why?

Response: Yes. The current § 393.76 standard was clearly developed around a box truck or truck-tractor configuration. It does not consider passenger compartment space in an intercity coach available and usable for possible sleeper berth locations. The current § 393.76 standards, regarding dimensions and safety related requirements, appear sound and should be readily transferrable to coach passenger compartment located sleeper berths.

2. What is the current extent of sleeper berth usage within the motorcoach industry?

Response: The current usage of sleeper berths on motorcoaches within the industry are not known clearly to MCI. However, upon information and belief based on previous customer requests and from industry sources (ie. ABA, UBOA, various coach operators) it is thought to be very small at this time.

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3. How many motorcoaches have been manufactured with sleeper berths as part of their original equipment? How and where are these sleeper berths installed? How many comply with § 393.76? How many do not?

Response: MCI has not and does not build motorcoaches with sleeper berths as original equipment. Furthermore, MCI believes that any sleeper berth equipped coaches currently operating within the United States, were modified by coach converter operations after the initial vehicle sale. Also, MCI is aware of only one Mexican coach manufacturer that offers a baggage compartment located sleeper berth as a factory option. This manufacturer does not currently supply coaches into the United States.

MCI is not aware of any motorcoach installed sleeper berths that meet current § 393.76 specifications.

4. How many motorcoaches have been retrofitted with sleeper berths? How and where are these sleeper berths installed? How many comply with § 393.76? How many do not?

Response: See the response to Query no. 3.

5. DO after-market changes, such as cutting holes in the floor or modifying the cargo compartment, affect the structural integrity of the motorcoach?

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Response: Possibly. Any after sale modificati.. to a certified vehicle which may effect that certification or the vehicle integrity, is cause for concern if the original equipment manufacturer (OEM) is not consulted prior to the modification being made. As an example; if a structural floor support is removed to provide for a floor mounted access door to a sleeper berth located within a baggage compartment; then the overall coach structural integrity will be degraded. Any modification to vehicle structural components should not be attempted until finite element analysis and failure mode and effect analysis indicate that the proposed modification does not degrade structural performance.

6. The FHWA notes that if a driver sleeper berth is located within the baggage area and occupied while the motorcoach is in operation, the occupant could be vulnerable to a side impact collision. Are special requirements needed to ensure the occupant's safety?

Response: MCI would support the proposal of locating a driver's sleeper berth in the passenger compartment. We believe, however, that the placing of any person at a height level below that of current passenger/driver occupancy, will result in that person being provided with a lesser degree of security and safety than that provided to persons located above the passenger floor. Occupants of a sleeper berth located in a baggage compartment may be at risk not only to side impact intrusions (most side impacts underide the passenger floor), but also to

risks arising from rollover entrapment, or the inability to egress during fire or water immersion. Therefore a placement below the coach floor would be ill advised.

7. If a driver sleeper berth is located in the baggage area of a motorcoach, should its location be restricted (e.g., only the forward-most portion of the baggage area)? If the sleeper berth is used while the vehicle is in operation, would having the sleeper berth near the rear of the motorcoach subject persons occupying the berth to excessive heat, noise, or exhaust?

Response: See response to Query No. 6. Notwithstanding MCI's position as stated in response No. 6; any baggage compartment located sleeper berth would require substantial insulation to reduce noise and temperature extremes, as well as the introduction of the coach HVAC system venting or ducting to provide stabilized climate control.

8. The current requirements of § 393.76 for a direct and ready means of exit from the sleeper berth into the driver's seat or compartment may be design-restrictive for motorcoaches. Should the exit requirements allow a ready means of exit into the passenger compartment of the motorcoach instead of the driver's seat or compartment?

Response: MCI takes the position that § 393.76 was developed for and around box truck and/or truck-tractor configurations.

As such, the standard is design restrictive with respect to sleeper berth positioning within a motorcoach interior space. We believe that the FHWA should review this provision with the intent of broadening the standard to incorporate the unique and differing features of motorcoach vs. truck designs. For instance, it may be technically feasible and possibly beneficial to certain segments of the motorcoach industry to allow sleeper berths. These might be designed for a variety of locations within the passenger compartment. No changes are envisioned to the security and dimensional portions of § 393.76 for the above mentioned location options.

The question appears to be one of ready access by an auxiliary driver to vehicle controls in emergency conditions. MCI believes this is possible from any sleeper berth located within the passenger compartment.

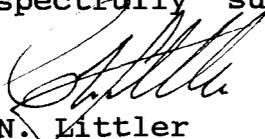
9. Would separate motorcoach sleeper berth regulations enhance motorcoach safety or benefit the motorcoach industry? If yes, how?

Response: MCI is uncertain of the possible benefits to the industry of any sleeper berth proposed rule changes now under consideration the FHWA. This appears to MCI as a service provider query. However, this notwithstanding, MCI believes that the current provisions of § 393.76 are design restrictive with respect to placement of sleeper berth within the passenger compartment.

A potential benefit of having an auxiliary driver available would be; the ability of that driver to take over from the primary driver if fatigue or illness prevents that individual from safely or adequately performing their task.

Comments prepared &

Respectfully submitted by:



C.N. Littler

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