

Truck Trailer Manufacturers Association

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LEGS, REGS. DIV.

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ADMINISTRATION

FHWA-97-2289-10

FHWA Docket No. MC-96-41
Room 4232, HCC-10
Office of the Chief Counsel
Federal Highway Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Subject: Docket MC-96-41, North American Standard for
Protection Against Shifting or Falling Cargo

Ladies and Gentlemen:

Even though the FHWA rules pertain to carriers, the existing rules also may affect the design of trailers.

393.100, General Rules

393.100 states that trailers must have either front structure, side structure, rear structure, or tie-downs (including intermodal container fittings).

In 393.100(b)(2), the requirement that the trailer for this option of compliance must have one tiedown assembly for each 10 linear feet of lading does not appear necessary for all types of lading which may be transported. Cargo varies greatly in size and weight from steel coils, pipes, lumber, to foam slabs, so it would appear difficult to establish specific strength and number of anchor points for a wide variety of cargo.

We offered a comment on intermodal container securement in a letter of November 29, 1993 to Docket No. MC-93-24. We assume that this docket will be incorporated into this rulemaking activity.

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393.102, Securement Systems

393.102 specifies the strength of tiedown assemblies. 393.102(d) states that the trailer anchor be at least as strong as the tiedown assembly, however, the trailer manufacturer may not know the strength of the tiedown assembly. This rule appears to state that if a carrier needs to secure cargo with a tiedown assembly rated at 3000 lbf working load and if the anchor point is rated at 4000 lbf working load, that the carrier may not use a tiedown assembly rated at 5000 lbf working load. The securement hardware strength should be related to the cargo being secured instead of being related to the strength of other hardware in an assembly or securement system.

393.106, Front-End Structure

393.106 states that a front-end structure, headerboard, or other device performing the same function (with some exceptions) is required. This rule also specifies the location, height, width, and strength, and penetration resistance of a front-end structure if used to comply with the rule. The penetration resistance requirement in 393.106(e) is ambiguous and impractical and should be eliminated.

North American Standard

We support the development of a North American Standard for cargo securement. Transport Canada, however, intends to issue a final rule as early as spring of 1997 on the number and minimum strength of trailer anchor points without achieving a North American consensus. This action may well preclude the development of a North American Standard.

We have recently become aware of the activity of the North American Cargo Securement Standards Harmonization Committee which has been meeting in conjunction with the meetings of the Commercial Vehicle Safety Alliance and we were represented at their last meeting. We intend to participate in future meetings. We have expressed concern that the Drafting Committee for this group consists of only representatives of FHWA and Transport Canada without a representative of the regulated industries. We have also recommended changes to the draft North American Cargo Securement Standard.

While a cargo securement recommended practice appears to provide for a "field test" of the practicality of a practice which may later be incorporated into a rule, we question how the recommended practice will be put into practice and evaluated. Will Federal, state, and provincial inspectors somehow record the quantity of movements in accordance with the recommended practice and the success and failure of such movements?

It is our understanding that the cargo securement accidents of concern in Canada involved metal coils. We would appreciate information as to whether cargo securement accidents in Canada and the U.S. were the result of present rules being violated and, if violated, whether overtly or through inadequate training or knowledge. We recommend that the FHWA obtain and publish information on cargo securement accidents and/or violations, so a solution to the cause of such accidents may be developed.

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It appears that the draft North American cargo securement standard is being developed primarily due to accidents involving metal coils carried on platform type trailers. However, the present FHWA rules apply to cargo transported in van, livestock, closed side open top, dump, auto transporter, container chassis, and other unique and specialized trailers. It may be prudent to draft a recommended practice or rule for metal coils transported on platform trailers first and then if accident statistics warrant, to draft a recommended practice or rule for other types of cargo transported in or on other types of trailers.

Sincerely,



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Vice President-Engineering

DWW/mm

cc: TTMA Engineering Committee
John Neufeld, Transport Canada
John Billing, Ontario Ministry of Transportation

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