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April 23, 2004

Mary E. Peters
Administrator
Federal Highway Administration
400 Seventh Street, SW
Washington, DC 20590

REFERENCE: COMMERCIAL VEHICLE WIDTH EXCLUSIVE DEVICES; SUPPLEMENTAL NOTICE OF PROPOSED RULEMAKING – 23 CPR 658 [Docket No. FHWA-2003-16164; RIN 2125-AE99]

The Truck Manufacturers Association (TMA), whose members include all of the major North American manufacturers of medium and heavy-duty trucks (greater than 8845 kilograms (19,500 pounds) gross vehicle weight rating) submits the following comments in response to the subject SNPRM. TMA member companies include: **Ford Motor Company, Freightliner LLC, General Motors Corporation, International Truck and Engine Corporation, Isuzu Motors America, Inc., Mack Trucks, Inc., PACCAR Inc, and Volvo Trucks North America, Inc.**

Background - On July 29, 2002, the agency issued a Notice of Proposed Rulemaking (NPRM) (67 FR 48994, Docket No. 2001-10370) that proposed, among other things, extending the distance that non-property carrying devices could protrude from the side of commercial motor vehicles from 3 inches to 4 inches. One of the principal reasons for this proposal was the desire to facilitate harmonization size and weight limits for the North American Free Trade Agreement (NAFTA) countries (Mexico, Canada, and the United States). In 1999, the Land Transportation Standard Subcommittee (LTSS), created by the NAFTA Working Group 2 issued a discussion paper, "Highway Safety Performance Criteria in Support of Vehicle Weight and Dimension Regulations" that contained a definition of "overall width" that included a description of width exclusive devices. It was recommended that these devices not extend beyond the side of the vehicle more than 10 centimeters (3.937 inches). This recommendation was the basis of the FHWA proposal to change the current U.S. requirements in this regard, from the current 3 inches limit to 4 inches.

Comments – In this SNPRM, the FHWA has posed a number of questions that it acknowledges it researched and for which it was unable to find answers. This is not surprising given the obscure and essentially unresearchable nature of the underlying question – namely, will one inch of additional width of a vehicle, all things else being equal, cause more crashes. While it is certainly possible to mathematically model the offtracking performance characteristics of vehicles of different widths to determine swept

path encroachments of the side/edge of vehicles, there simply is no way to equate the findings to crash outcomes. First, the swept path encroachment differences will be extremely small. More importantly, the wider vehicles in question are likely to be extremely few in number and are not readily identifiable in crash data bases. Thus, no crash history exists upon which to base a comparison. Also, the SNPRM would not propose to increase the width of the whole vehicle, but rather would only allow non-property-carrying devices such as the mounting hardware of some tarping systems to extend an additional inch. This makes researching the crash cause and effect relationship of this difference even more difficult.

Recommendation – Given the *de minimus* nature of this proposal, and the administrative and practical benefits of harmonizing with our NAFTA partners on this issue, TMA supports the common-sense proposal that FHWA has put forward in this SNPRM.

Sincerely,

Robert M. Clarke
President