



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue SE.  
Washington, DC 20590

August 30, 2021

The Honorable Jennifer Homendy  
Chair  
National Transportation Safety Board  
490 L'Enfant Plaza East, SW  
Washington, DC 20594

Dear Chair Homendy:

Congratulations on your recent confirmation by the United States Senate to Chair the National Transportation Safety Board (NTSB).

We have reviewed NTSB's May 10, 2021, report, *Medium-Size Bus Roadway Departure, Return, and Rollover, Bryce Canyon City, Utah, September 20, 2019* (NTSB/HAR-21/01), and the safety recommendations to the National Highway Traffic Safety Administration (NHTSA). NHTSA's responses to the recommendations are discussed below.

### **NTSB Recommendations and Requested Designations:**

#### **H-21-01**

Require all newly manufactured commercial motor vehicles with gross vehicle weight ratings above 10,000 pounds to be equipped with lane departure prevention systems. [*Supersedes Safety Recommendation H-10-1.*]

#### **NHTSA Action:**

On October 16, 2015, NHTSA published a notice (80 FR 62487) granting a petition for rulemaking submitted by the Truck Safety Coalition, the Center for Auto Safety, Advocates for Highway and Auto Safety, and Road Safe America (dated February 19, 2015), to establish a safety standard to require automatic forward collision avoidance and mitigation systems on certain heavy vehicles. NHTSA has spent the last several years engaged in research into forward collision avoidance and mitigation technology on heavy vehicles, including forward collision warning and automatic emergency braking systems. In addition, the agency's recently published regulatory agenda included a regulatory action (2127-AM36) for proposed rulemaking on heavy vehicle Automatic Emergency Braking, which is anticipated to include test procedures for measuring the performance of these systems. The agency is also conducting research to evaluate how drivers perform using heavy vehicle lane departure prevention systems and will publish the results of this study once completed.

NHTSA requests this recommendation be classified as **Open, Acceptable Response**.

**H-21-02**

Require all newly manufactured buses, other than school buses, with gross vehicle weight ratings above 10,000 pounds to meet a roof strength standard that provides maximum survival space for all seating positions and accounts for typical window dimensions. *[Supersedes Safety Recommendations H-99-50 and -51 and H-10-3, and it is initiated with the status “Open—Unacceptable Response.”]*

**NHTSA Action:**

NHTSA published a notice of proposed rulemaking (NPRM) on August 6, 2014, for improving the structural integrity of motorcoaches and other large buses to maintain occupant survival space. The NPRM discussed and requested comment on extending the application of the rollover structural integrity requirements to medium-size buses (buses with a gross vehicle weight rating 10,000 pounds to 26,000 pounds). The agency expects to publish a final rule responding to all the comments received on the 2014 NPRM by December 2021.

NHTSA requests this recommendation be classified as **Open, Acceptable Response**.

**H-21-03**

Require all newly manufactured buses, other than school buses, with gross vehicle weight ratings above 10,000 pounds to meet a window glazing standard that prevents occupant ejection. *[Supersedes Safety Recommendations H-99-49 and H-10-3, and it is initiated with the status “Open—Unacceptable Response.”]*

**NHTSA Action:**

NHTSA published an NPRM on May 6, 2016, that would lead to the installation of advanced glazing on motorcoaches and other large buses to mitigate occupant ejection. NHTSA’s strategy is first to seek improvements to the rollover structural integrity of motorcoaches and then pursue measures that would drive advanced glazing. This ordered approach is based on findings from a Joint U.S. and Canada study that found that integrity of the bus structure has a profound impact on the effectiveness of glazing as an anti-ejection safety countermeasure. This study concluded that, in the absence of a threshold of performance for bus structural integrity, a twisting motion of a bus in a rollover could simply pop out any advanced glazing used in the windows and negate its potential benefits in mitigating occupant ejections. NHTSA expects to complete the May 2016 rulemaking in 2022.

NHTSA requests this recommendation be classified as **Open, Acceptable Response**.

**H-11-07**

Develop stability control system performance standards for all commercial motor vehicles and buses with a gross vehicle weight rating greater than 10,000 pounds, regardless of whether the vehicles are equipped with a hydraulic or a pneumatic brake system.

**H-11-08**

Once the performance standards from Safety Recommendation H-11-7 have been developed, require the installation of stability control systems on all newly manufactured commercial vehicles with a gross vehicle weight rating greater than 10,000 pounds.

**NHTSA Action:**

On June 23, 2015, NHTSA issued Federal Motor Vehicle Safety Standard (FMVSS) No. 136, *Electronic Stability Control (ESC) systems for heavy vehicles*. It applies to truck tractors and buses with a GVWR greater than 11,793 kilograms (26,000 pounds), with some exceptions. NHTSA excluded vehicles that have a GVWR greater than 4,536 kilograms (10,000 pounds) but not more than 11,793 kilograms (26,000 pounds) and single-unit trucks because the complexity of the single-unit truck population and the limited crash data available presented a significant challenge to determining the effectiveness of stability control on these vehicles. However, we note that several manufacturers offer ESC systems as standard equipment for school buses and heavy vehicles that are not subject to the requirements of FMVSS No. 136. In addition, the agency's recently published regulatory agenda included a regulatory action (2127-AM36) for proposed rulemaking on heavy vehicle Automatic Emergency Braking (AEB) and on AEB combined with ESC. The agency continues to evaluate and consider all available technologies that could improve the safety of both medium and heavy duty vehicles for future regulatory action.

NHTSA requests that recommendations H-11-07 and H-11-08 be classified as **Closed**.

**H-18-59**

Amend FMVSS No. 208 to require lap/shoulder belts for each passenger seating position on all new buses with a gross vehicle weight rating of more than 10,000 pounds but not greater than 26,000 pounds.

**NHTSA Action:**

FMVSS No. 208, *Occupant crash protection*, does not require passenger seat belts on medium-size buses. FMVSS No. 208 does not prohibit the voluntary installation of passenger seat belts in medium-size buses, and bus manufacturers can install and are installing belts in these vehicles. NHTSA continues to assess the safety considerations of installing seat belts at all passenger seating positions in these vehicles, given the varied uses and seating configurations that exist for these vehicles.

NHTSA requests this recommendation be classified as **Open, Acceptable Response**.

If you have any questions, or require additional information, please contact me or Darren Hall, Governmental Affairs, Policy and Strategic Planning, at 202-366-7463.

Sincerely,



Steven S. Cliff, Ph.D.  
Acting Administrator