

DOCKETED

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Commission Agreement Officer
California Energy Commission
1516 Ninth Street, MS-18
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Subject: Bus Type A definition and construction

We have just been informed that Lion Electric buses have passed the Type A evaluation of the California Energy Commission. We wish to inform you that they are built using a monocoque architecture rather than a proven body on frame construction using a cutaway chassis. By legal definition The Lion Electric Co does not offer a Type A and should not be listed as a CEC awardee for Type A.

As a responsible manufacturer engaged in ensuring the safety of school children riding in school buses, Micro Bird would like to advise you to be cautious about promoting unproven monocoque vehicles for school bus usage.

Even if California standards define buses as Types 1 and 2 based on the number of passengers (13 CCR § 1201), the Type A definition is still part of the California School transportation industry vocabulary. In fact, since these definitions are recognized and applied throughout North America, we believe their application and related standards participated in making school buses the safest means to get to and from school, and thus cannot be ignored.

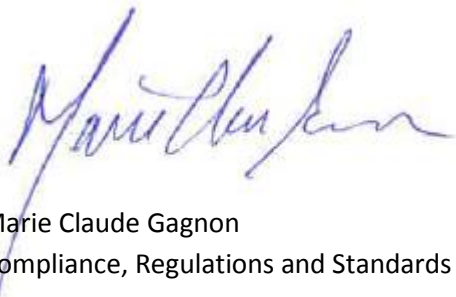
Other jurisdictions also face the issues of monocoque vehicles. In April 2019, New York Office of General Services has suspended Lion Electric Co's monocoque electric school buses (listed as Type A) listing, and they may no longer be purchased in New York State. In Canada, during discussion of the CSA D250 committee regarding whether monocoque school buses should be included in the next revision of the standard, the Lion Electric Co recognized that "their vehicles could not and should not be considered as Type A". Discussions and further analysis are ongoing to determine whether they should be written into the current Type C and D definitions, added as a new Type E with particular safety requirements or barred from the Canadian school transportation industry. As more states and provinces envision the integration of electric powertrains, their integration should never require the compromise of established safety standards and requirements.

In this regard, since other monocoque bus manufacturers may be tempted to enter the school bus market, it is essential to broaden the discussion and the analysis and decide, as an industry, whether or not monocoque construction should be allowed as a safe design for school buses, while maintaining harmonized Type definitions, so purchasers and the public are well informed.

The fact remains that monocoque constructions have not been fully tested and vetted for safety by the school bus industry. This is evidenced by the absence of monocoque constructions in school bus regulations and from the Types A, B, C and D definitions. Although “monocoque architectures” are frequent in the over-the-road and intercity bus industry, these buses have been recognized over and over as not being as safe as school buses. We are particularly concerned by reports and comments showing that school bus incidents where there were no or only minor injuries may have resulted in critical injuries and even deaths if monocoque buses had been used instead of school buses. One has only to look at pictures of a commercial bus implicated in a crash with a semi-trailer, such as the accident that cost the lives of 16 people of the Humboldt Broncos hockey team in Saskatchewan last year, to agree that we should be careful. Showing laxity toward an unproven technology may have a lasting impact on the entire school bus industry’s enduring credibility as the safest form of transportation, not to mention potential legal and liability implications.

In conclusion, as the Lion Electric Co has admitted themselves, monocoque buses should not be presented and offered for sale as Type A – or even as Types C or D - since they have not been vetted for safety and California state purchasers would not be fairly informed of the true nature of their buses. Respectfully, we firmly believe that monocoque school buses cannot be listed as Proposed Awardees by the California Energy Commission.

Best Regard,



Marie Claude Gagnon
Compliance, Regulations and Standards

Cc : John Landherr – A-Z Bus Sales
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