

STATUS REPORT**FEDERAL ROLE
IN
TRAFFIC SAFETY****INSURANCE INSTITUTE for HIGHWAY SAFETY**

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SUBCOMMITTEE TO EXAMINE VEHICLE SAFETY PROGRAM

A House subcommittee headed by Rep. John E. Moss (D-Calif.) plans to begin hearings March 17 on extending the spending authorization for the National Traffic and Motor Vehicle Safety Act.

The funding basis for the entire vehicle safety program will expire June 30. Unless it is renewed, the Department of Transportation and its National Highway Safety Bureau after that date could not legally commit new money to issue or enforce vehicle standards, carry out vehicle safety research, or meet other provisions of the Traffic Safety Act.

While the main purpose of the hearings before Representative Moss' Subcommittee on Commerce and Finance of the Interstate and Foreign Commerce Committee will be to renew the authorization, it is expected the hearings will get into a far-ranging examination of the entire 30-month history of the vehicle safety program. Sources indicate the Subcommittee also will examine the question of whether vehicles under 1,000 pounds, not now covered by federal standards, should be included by the DOT.

The main witnesses will be officials of the Department of Transportation, but outside interests also are expected to testify.

The bill around which the hearings will revolve (HR-8190, introduced by Rep. Harley Staggers, D-West Va.) calls for authorization for the years 1970 through 1972 at 1969 levels. That amounts to \$23 million annually for vehicle provisions of the Act and \$1,450,000 for tire safety.

A bill in the Senate that reflects the position of the previous Administration would authorize \$23 million for the vehicle and tire program together for 1970 but expand that to \$40 million for 1971. It would also authorize \$10 million for the planning and design of highway safety research and test facilities. All safety funds would come out of the Highway Trust Fund under the Senate measure, introduced by Sen. Warren Magnuson (D-Wash). This feature is not included in the House bill.

No hearing dates have been set by the Senate Commerce Committee.

Spending authorization for the Highway Safety Act was approved by Congress last year as part of the Federal-Aid Highway Act of 1968. "Authorization" must be followed up with annual appropriations, which blow hot and cold based upon the spending attitude of Congress, the success of a given program, and the public attitude toward it, and other factors.

Appropriations for the safety program for fiscal 1970 will be part of a DOT appropriations bill which has not yet started to move through Congress. (See Status Report No. 72 dated January 31 for budget requests made by the Johnson Administration and which are subject to amendment by the Nixon people.)

SENATE CONFIRMS TURNER AS HIGHWAY ADMINISTRATOR

The Senate on March 12 confirmed the nomination of Francis C. Turner to be the new Federal Highway Administrator.

The Senate Public Works Committee recommended confirmation following an amicable two-hour hearing the day before during which several senators praised the qualifications of the 60-year-old Director of the Bureau of Public Roads. Mr. Turner has been part of the BPR since 1929 except for two brief periods of detached service.

Senate approval of such nominations is largely pro forma, since a new President traditionally is given wide latitude in making his initial appointments.

The questioning of Mr. Turner was friendly, although several aspects of the Federal Highway Administration's mission were examined. Mr. Turner told the Committee, for example, that officials in the Department of Transportation were discussing "new approaches" to the highway accident problem. He did not elaborate, other than to note that the "major factor" in fatal crashes was alcohol and to suggest that remedial action may lie more "in the broad framework of social action" than in highway safety programing per se.

He said he believed in a cautious application of the penalty feature in the Highway Safety Act, under which a state's share of federal safety and highway construction funds can be withheld for failure to have an "approved" safety program. He said the penalty could be "a self-defeating proposition" since money would be denied to states that theoretically needed it most.

Mr. Turner advocated the greater use of buses to alleviate urban congestion and said he was opposed to the use of the Highway Trust Fund for non-highway expenditures.

Noting that the allegation had been made in some quarters that he was a member of the "highway lobby," he commented: "The highway lobby in this country is 205 million people, and I believe that lobby is telling us that they want an improved highway program."

Adding that recent polls had shown a positive attitude of the public toward the nation's highway system, he said he was "proud" to be associated with efforts to meet the nation's burgeoning needs. At the same time, he pledged the "highest priority" for safety considerations.

Sen. Jennings Randolph (D-West Va.), the committee chairman, praised Mr. Turner for his outstanding record with the BPR, particularly his cooperation with Congress. He said Mr. Turner's thinking and action had remained "creative and resourceful" through the years.

Mr. Turner succeeds Lowell K. Bridwell as Administrator. Included in his jurisdiction as the DOT is now constituted are the National Highway Safety Bureau, the Bureau of Motor Carrier Safety, and the BPR.

RIBICOFF URGES CHANGES IN SAFETY PROGRAM

Sen. Abraham Ribicoff (D-Conn.), one of the first members of Congress to become exercised over the highway crash problem, spoke recently on the Senate floor of the need to give greater autonomy to highway safety functions within the Department of Transportation.

He also called upon Congress and the executive branch to produce a highway safety effort "commensurate with the size of the problem."

"We accept the highway toll as if it were beyond our control," Senator Ribicoff lamented. "It is not. Technology and human effort together can reduce the horrible figures. But it cannot be done quickly or cheaply. Time and large sums of money will be required."

Senator Ribicoff said under the present DOT organizational structure, with the National Highway Safety Bureau a component of the Federal Highway Administration, "the voice of safety is muffled by those whose interest is building roads." He charged: "Safety is a secondary concern in the FHWA. The primary interest is simply extending the road network of the nation."

Senator Ribicoff urged the establishment of a separate Highway Safety Administration, headed by an administrator responsible directly to the Secretary of Transportation. The functions of the NHSB and the Bureau of Motor Carrier Safety should be transferred to this new administration, he said.

The senator called attention to the difficult conditions under which the fledgling NHSB has operated. He noted the Bureau's request for funds had been pared by both the executive branch and the Congress, with the result that only \$57.5 million was available for the first three years of the program (excluding grant-in-aid funds for the states). The number of personnel in the NHSB has been "frozen" at 382 since the early summer of 1968 and the result is "the staff remains skeletal in every area of operation," he added.

"Plainly. . .the traffic safety program has been starved and today is suffering from severe malnutrition," Mr. Ribicoff declared.

It is expected that the safety program will receive a thorough review in the present session of Congress, with perhaps as many as four separate committees holding "oversight" hearings. Within the DOT, too, functional restructuring is being discussed, but these efforts are handicapped by the fact that a new permanent director of the NHSB has not been designated.

BUREAU DELEGATES AUTHORITY TO REGIONS

The National Highway Safety Bureau has acted to decentralize administration of the highway safety grant program.

A February 26 memorandum from Dr. Robert Brenner, Acting Director of the NHSB, to the states and nine regional offices of the Federal Highway Administration spelled out new authority granted to the regional offices in approving state safety grants.

Henceforth, the regional administrators will be permitted on their own to:

- (1) Extend a grant or project period up to 90 days.
- (2) Approve increases in project costs up to 20 per cent over that approved by the Bureau.
- (3) "Reclassify" estimated costs within a project, that is, switch funds from one designated purpose to another.
- (4) Revise downward estimated project or grant period costs.
- (5) Release (or "restore") federal funds for approved projects -- for which funding may have been held up -- whenever new funds become available.

The memo states that the authority given to the Regional Administrator may be further redelegated to the Director of the Highway Safety Programs Office in the region.

A Status Report survey of state and regional officials last November (see Status Report No. 68, dated November 15) showed dissatisfaction among personnel at both levels over the functioning of the grant program, particularly growing out of delays in the processing of grants and Washington's alleged insensitivity to special local problems.

President Nixon, Secretary of Transportation John Volpe, and other top officials in the new Administration have stressed the need to transfer more authority from Washington in dealing with social problems of all kinds. It is feasible that further decentralization will occur in implementation of the Highway Safety Act -- discussions in this regard are going on right now -- but the rigid personnel limitations that still apply to the NHSB are a major obstacle. NHSB officials point out that any substantial transfer of authority would necessitate the need to place more safety people in the regional offices.

SAFETY GRANTS PASS \$41 MILLION

Since the start of the federal highway safety grant program early in 1967, more than \$41.5 million has been obligated by the states and their local communities for highway safety purposes.

A tabulation prepared by the NHSB for the period ended January 31 showed total obligations were \$41,596,733 for grants to help the states plan and administer their programs and move toward compliance with 16 highway safety standards.

Of the \$63.8 million available for obligation in the fiscal year to end June 30, only \$16.9 million had been claimed, leaving a balance of more than \$46.8 million. The figures reflect a rather deliberate pace by the states in claiming the safety moneys, which must be matched on a 50-50 basis.

In terms of dollars obligated, driver education remains the most popular program area, followed by traffic records and police traffic services.

"Obligation" in federal jargon is a contractual arrangement under which the federal government agrees to help pay for certain state and local safety expenditures, providing qualifications are met.

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BARTELSMEYER NOMINATED -- Secretary of Transportation John A. Volpe has announced the Presidential nomination of Ralph R. Bartelsmeyer to be Director of the Bureau of Public Roads. Mr. Bartelsmeyer served as chief engineer of the Illinois State Department of Highways from 1953 to 1963 and more recently has been Vice President of H. W. Lochner, Inc., a Chicago consulting engineering firm. A 1931 graduate of the University of Illinois, Mr. Bartelsmeyer has held engineering positions with state and county highway agencies almost continuously since that time. The American Public Works Association named him "Public Works Man-of-the-Year" in 1962.

KELLEY JOINS IIHS -- Albert B. (Ben) Kelley, former Director of Public Affairs for the FHWA, has been named Vice President for Communications of the Insurance Institute for Highway Safety. The appointment was announced by the new President of the IIHS, Dr. William Haddon, Jr., former Director of the NHSB. Dr. Haddon said Mr. Kelley would be responsible for initiating and directing programs to "increase awareness of highway safety problems and solutions." Before joining the FHWA, Mr. Kelley was Manager of Transportation and Communications for the U.S. Chamber of Commerce. He has held various other executive and editorial positions.

GIAMO BILL -- Rep. Robert N. Giamo (D-Conn.) has introduced a bill in the House to encourage the states to require the compulsory licensing of auto mechanics. He would make federal matching grants available to the states to help establish licensing programs. The measure also would authorize the Secretary of Transportation to "certify" mechanics that met federal requirements on a voluntary basis. Representative Giamo said it was not his intention to "indict an entire industry for the misconduct or lack of skill of a few," but there was "increasing evidence of nationwide dissatisfaction with the quality and cost of automobile repairs."

OTHER BILLS -- Other bills related to highway safety are beginning to show up in the hoppers of both houses of Congress. Rep. Charles S. Joelson (D-N.J.) would require that the Department of Transportation set special standards for safety seats and other equipment used to restrain children under age six. Rep. Henry Helstoski (D-N.J.) would make it a federal offense for anyone to tamper with a speedometer and subject violators to a maximum fine of \$10,000 and one year in prison. Rep. Samuel S. Stratton (D-New York) wants to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require safety standards for tractors used for agricultural purposes. He would require them to be equipped with roll bars and safety harnesses.

MISSOURI WARNED -- Secretary of Transportation John A. Volpe has reasserted the "tough" policy enunciated in the past by the DOT toward states seeking to repeal or weaken motor vehicle inspection laws. In a February 27 letter to Missouri Gov. Warren E. Hearnes, Secretary Volpe warned that a repeal law now in the Missouri Legislature, if enacted, could result in the withholding of federal approval of the Missouri highway safety program. Without such approval, a state can be subjected to penalties under the Highway Safety Act. In Missouri's case, the letter pointed out, the penalties could amount to \$28.9 million in federal-aid highway apportionments for the period 1970-72, and an estimated \$2.9 million in highway safety apportionments annually beginning in 1970. Missouri's periodic motor vehicle inspection law went into effect January 1 and immediately came under attack.

TIRE, CHILD RESTRAINT REGULATIONS -- The Federal Highway Administration, at the request of outside petitioners, has postponed the effective date of new regulations related to the sale and use of regrooved tires from February 28 to April 1, 1969. In separate action, the FHWA also changed the deadline for receiving comment on a proposed standard for children's seats from February 21 until April 25, 1969, and announced it planned to make requirements applicable to all motor vehicles, not just child restraints in passenger cars.

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