

STATUS REPORT**FEDERAL ROLE
IN
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DIVERGENT SAFETY VIEWS AIRED

Sharply contrasting views of the nation's highway safety picture emerged as the Roads Subcommittee of the Senate Public Works Committee concluded its hearings to review programs under the Highway Safety Act of 1966.

Witnesses voiced opinions of progress under the Act ranging from unbridled optimism about impending safety breakthroughs to deep doubts about the program's chances of even surviving.

Some 20 witnesses representing the federal administration, state officials, and private sector organizations expressed views at the hearings. Despite disagreements on some points, most agreed that the program needs more money and a higher status in the Department of Transportation.

Secretary of Transportation John A. Volpe deplored the rising highway death toll, but added that "death tolls would have been much higher and future projections much more unfavorable were it not for the gains which we were able to make with the authority provided us in the 1966 safety legislation."

He told the Subcommittee his office is developing a program of safety "priorities" to enable concentration on critical areas such as alcohol and highway safety. "We plan to come up with a tough and workable program through which such (drinking) drivers can be identified to responsible officials and the courts, and firm measures taken to preclude their use of the roadways for the safety of the rest of us," the Secretary testified.

(At a press conference a few days earlier, Secretary Volpe said he is optimistic that National Highway Safety Bureau activities will achieve great reductions in highway deaths over the next two to three years. But he gave no encouragement that a director will soon be named for the Bureau, or that its organizational problems within DOT will soon be resolved.)

Subcommittee members indicated interest in a British alcohol testing device, exhibited and explained by Dr. Robert Brenner, acting director of the Bureau. Other areas mentioned by Dr. Brenner and Federal Highway Administrator Francis C. Turner as holding promise for high-yield results were crash survivability, data contribution, driver behavior, emergency medical services, enforcement, public information and education, and speed and vehicle standards compliance.

Mr. Turner said his office has established "task forces" to isolate specific items on which concentrated effort will bring the greatest reduction in accidents and injuries, but did not elaborate. He also said, "We plan to take measures to delegate to the field establishment of appropriate operational authority, reserving our headquarters staff operation for matters of overall guidance and decisions on major policy, novel questions, and particularly troublesome matters."

Expressing hope that a director will be appointed to the Bureau in a short time, J. Sam Winters, Austin, Texas attorney and executive committee chairman of the National Highway Safety Advisory Committee, said, "Unless strong leadership is provided it would be difficult for the program to meet the level of success contemplated by Congress." He also deplored the inadequate funding of the highway safety program thus far, saying the Advisory Committee is "deeply concerned" about this. (See also next item.)

Donald L. Schaffer, vice president and general attorney for Allstate Insurance Companies, urged that the Senate Public Works Committee recommend to the DOT Secretary that "the NHSB be separated from the Federal Highway Administration and given equal status" in the Department. Warning that those in charge of highway construction "should not be in charge of our federal safety effort," Mr. Schaffer said NHSB should be "sufficiently independent" of FHWA to "recommend to the Secretary . . . safety standards for highway design, construction and improvement."

"The exact opposite presently exists," he said, because "the highway is just one element of the safety system and yet all other elements are subordinate to it in our administrative machinery."

Mr. Schaffer reported on his company's national magazine advertising campaign in support of the federal highway safety standards, particularly that applying to the drunk driver. He said "some half a million Americans" across the country had taken time to clip and mail an accompanying coupon from the ad to their state governor urging him and legislators to pass laws conforming to the drunk driving standard.

The need for increased NHSB funding and greater support at the federal level was stressed by the witness for International Association of Chiefs of Police. Executive Director Quinn Tamm said IACP believes that in passing the Safety Acts of 1966, "Congress made a commitment to the people of the Nation; and, although we are aware of and can understand the circumstances which have led the Congress to back away from its commitment, the extent of retrenchment concerns us."

Florida State Sen. Lee Weissenborn, chairman of a highway safety subcommittee for that body, said state legislators are not being kept adequately informed by DOT to enable them to do the job the federal government is now asking of the states. Delaware State Rep. Joseph R. Murphy, for the Council of State Governments, made a number of recommendations including graduated bonus funds to states as an incentive to compliance with the standards.

Dr. William Haddon, Jr., president of the Insurance Institute for Highway Safety and former director of the Bureau, told the Subcommittee that its actions might represent one of the last legislative opportunities to get the federal highway safety program back on the track that Congress originally intended.

"The federal highway safety program mandated by you in the public interest three years ago is fast becoming a victim of bureaucratic encirclement, resource starvation and an antiquated notion reflected in government priority setting that nothing should or can be done to reduce the nation's appalling highway losses in damaged people and property," Dr. Haddon said.

The situation has become worse during recent months, Dr. Haddon said. He called attention to the apparent DOT policy of denying public access to its evaluations of state highway safety programs, and urged the Committee to examine that and other "grave symptoms of Federal Highway Administration and Department attitudes and policies sharply at variance with those demanded by the trust that is theirs to exercise on behalf the life and injury-free health of every American."

The Committee voted to ask the Secretary of Transportation to comment on Dr. Haddon's testimony.

Criticizing NHSB's administrative practices -- which he said "frustrated attempts of state and local governments to develop comprehensive and coordinated highway safety improvement programs," -- Patrick Healy, executive director of the National League of Cities appearing also for the U. S. Conference of Mayors, charged the Bureau with failure to adhere to its own priorities, with setting of priorities that are not relevant to local government units, disapproval of projects not deemed "sufficiently fancy or innovative," and with giving small amounts of money to many projects rather than concentrating limited dollars on a few high potential projects.

Mr. Healy said NHSB had misinterpreted the intent of Congress concerning the allocation of 40 per cent of each state's funds to political subdivisions, by applying the provision to mean "by or for the benefit of political subdivisions."

Joint proposals of the League, the Conference, and the National Association of Counties to remedy these alleged failings were offered by William L. Mainland, testifying for NACO. He recommended a "demonstration project" approach under which:

-- During the next two years, the 40 per cent of federal safety funds now earmarked for local projects be used to fund only a few projects in each state to demonstrate the effectiveness of at least one of the highway safety program standards applicable to local governments. These would be funded over a long enough period and at an amount necessary to adequately develop a particular program for that community.

-- That the demonstration projects be initiated either by a local government or a state with a continuation of present approval procedures. Federal surveillance would be limited to ensuring that each project is funded adequately and of sufficient duration to obtain effective results, leaving as much discretion as possible to state and local officials.

-- All highway safety funds continue to go through the states on the current allocation formula. Sixty per cent of these funds would continue to be expended at state discretion on statewide programs in accordance with the approved state plan.

COMMITTEE URGES DOT TO UPGRADE SAFETY

The Presidentially-appointed Highway Safety Advisory Committee has urged DOT Secretary Volpe to remove all highway, car, and commercial vehicle safety activities from the Federal Highway Administration and upgrade them within the Department.

In support of its proposals the Committee says that upgrading of highway safety activities would resolve "conflicts between the safety objectives" of the Safety Acts of 1966 and other DOT transportation objectives.

"We have been forced to conclude," it says, "that it is not reasonable to expect the basic conditions to change within the Federal Highway Administration so as to create a better environment for the progressive development of the broader approach to highway safety" required by the public interest.

The Committee recommendations were made on the basis of a study requested by Sec. Volpe, but have not been acted upon by the Department. This was revealed at the Senate Public Works Committee safety oversight hearings last week in testimony by J. Sam Winters, executive committee chairman within the Advisory Committee.

Winters told the hearings the Committee recommended that Sec. Volpe create a new "Federal Highway Safety Administration" embodying all safety activity now subordinated to the Federal Highway Administration, which is predominantly concerned with highway construction. The new agency, he said, would report to the Secretary either directly or through a proposed "Assistant Secretary for Safety."

VEHICLE AUTHORIZATION BILL MOVES . . .

The House Commerce Committee has approved a much-modified motor vehicle safety authorizations bill (H. R. 10105) and sent it to the House floor for action. The bill would:

-- Authorize \$23 million, \$35 million, and \$35 million, respectively, for DOT vehicle and tire safety regulation and research under the Traffic and Motor Vehicle Safety Act for the three fiscal years beginning June 30, 1969. For fiscal year 1969, the authorization was \$24.4 million. (Hearings have not yet been held this year on actual appropriations of funds for either the vehicle safety or state-local safety aid programs.)

-- Omit funds provided in draft versions of H. R. 10105 for building the Bureau testing and research facility called for in the Motor Vehicle Safety Act of 1966. Instead, the bill as reported forbids Bureau spending of more than \$100,000 on the facility without advance permission of the House and Senate public works committees as well as the commerce committees.

-- Provide DOT with authority to set standards for protective headgear sold to or used by vehicle drivers and passengers. This would allow DOT to specify durability of helmets required by motorcycle riders under state laws.

-- Require that vehicle safety performance and technical data be made available to car buyers before vehicle purchases. The law now says that such consumer assistance information, while intended to assist prospective buyers in comparing new vehicles, need not be made available until actual time of purchase.

-- Require tire dealers to directly notify first purchasers of defective tires being recalled under the Act. Under the present law tire manufacturers need notify only their dealers.

. . . BUT PROGRAMS TEMPORARILY FUNDLESS

As a new fiscal year begins, programs under the Traffic and Motor Vehicle Safety Act are -- at least technically -- out of money.

In the House, the year-late authorizations bill awaits floor action. The Senate Commerce Committee is still working on its version of vehicle safety authorizations legislation.

Meanwhile, fiscal year 1969 ended on June 30 and so did money for the National Highway Safety Bureau vehicle safety programs. Virtually every other government program has an interim operating budget under the so-called continuing appropriation resolution passed by Congress in late June. But that resolution does not seem to apply to agencies that have no current spending authorizations.

The vehicle safety programs will remain moneyless until new authorizations are passed. It is expected, however, that DOT will be able to keep the programs temporarily by internal "borrowing" from Highway Safety Act funds.

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TRUCK BILL -- Rep. John C. Kluczynski (D-Ill.), chairman of the Subcommittee on Roads of the House Public Works Committee, has introduced a bill that would permit bigger and heavier trucks to use the Interstate Highway System. A similar bill passed the Senate last year but, after a protracted fight, was defeated in the House. Rep. Kluczynski's bill would, among other features, increase the maximum weight per tandem axle from 32,000 to 34,000 pounds, increase maximum width from 96 to 102 inches, and raise the maximum gross weight permitted from 73,280 pounds to a flexible maximum based on vehicle design. Hearings have been announced for July and August. Rep. Fred Schwengel (R-Iowa), an opponent of the truck bill in the past, has indicated he will again lead the attack against the measure becoming law.

TIRE REGULATIONS -- Regulations concerning tires which may be used on commercial vehicles have been issued by the Federal Highway Administration. The regulations, which become a part of motor carrier safety regulations, were developed by the FHWA's Bureau of Motor Carrier Safety. They require that any tire used on the front wheels of a bus, truck, or truck-tractor must have a tread depth of at least 1/8 inch. Tread depth on tires must be at least 1/16 inch.

KROUSE RESIGNS -- Charles A. Krouse, assistant to the president of the IIHS and editor/writer of the Status Report, has resigned from the Institute to become assistant vice president for public relations of the Pharmaceutical Manufacturers Association, Washington, D. C.

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