

STATUS REPORT

INSURANCE INSTITUTE for HIGHWAY SAFETY

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SENATE COMMITTEE APPROVES SAFETY AMENDMENTS . . .

The Senate Commerce Committee has approved amendments to a House-passed motor vehicle safety authorizations bill which, if passed by Congress, will substantially strengthen the 1966 Traffic and Motor Vehicle Safety Act.

The Committee, chaired by Sen. Warren Magnuson (D-Wash.), approved an amendment to require auto manufacturers to correct all safety related defects at their own expense. Major controversy arose during the Committee's deliberations when auto industry representatives actively opposed the Department of Transportation-backed amendment. In the past, the industry claimed, it has usually followed the practice of voluntarily bearing the expense of replacing and repairing defects at no charge to the automobile owner.

The automobile manufacturers advanced a counter proposal requiring that "substantial evidence" of a defect must exist before a recall campaign could be initiated. But DOT Under Secretary James M. Beggs, in a letter to the Committee, said that the term "substantial evidence" is a "legal term of art" and "could be construed to require the Secretary to hold a formal adjudicative hearing. . ." If the "substantial evidence clause" passed, Mr. Beggs said, the public would be deprived of "speedy notification" of defective vehicles and equipment.

Other features of the Committee-approved bill (H. R. 10105) include:

-- \$23 million for enforcement of auto safety standards and additional NHTSB personnel for fiscal 1970. \$2.8 million of the total was earmarked for hiring 150 additional NHTSB staff members by June 30, 1970. (The House bill authorized an equal amount of funding but made no provisions for new employees. The Bureau presently has 518 employees -- 101 fewer than authorized under the 1966 Act. Understaffing is exemplified by the fact that there is only one person each handling school bus safety and development of safety standards for used cars.)

-- \$10 million, over a three-year period, for planning of the traffic safety research and test facility envisioned by the 1966 Act. The House put a limit of \$100,000 on the development of such a test facility.

-- \$40 million -- \$5 million more than authorized by the House -- for implementation and enforcement of auto safety regulations for fiscal 1971.

-- Broadening of the definition of "motor vehicle equipment," giving DOT the authority to establish safety standards for such items as motorcycle helmets and goggles, and tire repair equipment.

-- A requirement that data comparing safety performance characteristics of new cars be made available to prospective, as well as actual, car purchasers. (DOT now requires this under a recently adopted administrative regulation.)

-- Authority for DOT to conduct a study of farm tractor accidents, and report to Congress by January 1971. The Department of Agriculture would be asked to submit data and views on such accidents to DOT by June 30, 1970. The House amendment said DOT should submit the report "no later than April 1, 1970."

Senate and House differences on the safety authorizations bill will be resolved when designated Committee members meet in a joint conference committee. Final Congressional action will follow the conference committee report.

. . . BUT HOUSE CUTS FUNDS

The House has approved Appropriations Committee cuts in the Administration's highway safety requests for fiscal year 1970.

Spending levels for state and community highway safety programs received the most substantial reductions.

House-approved Committee recommendations for fiscal 1970 safety funds include:

-- A decrease in highway safety funds for implementation of motor vehicle standards research and administrative expenses from the Administration's requested \$34,146,000 to the Committee's recommended \$27,550,000. The Committee noted that "highest priority requirement" in the area of highway safety is "for additional personnel." The Committee, while recommending the cutback in funds, asked for approval of 38 safety positions within DOT as well as 13 of 23 positions associated with the administration of state and community highway safety programs.

-- A ceiling of \$65 million on obligations to state and community highway safety programs for fiscal 1970 -- the same amount as provided in fiscal 1969. The Administration's budget requested appropriations of \$75 million for fiscal 1970.

-- A decrease, from the requested \$50 million to \$30 million, in liquidating funds for state and community safety programs. The Highway Safety Act program operates under contract authorization, and the \$50 million liquidating cash request was included in the budget. The reduction, according to the Committee, was "based on the most recent estimates of the Administration and the Department of actual requirements for the fiscal year."

-- An increase of more than \$2 million in appropriations for the National Highway Safety Institute contract research program. The Administration's request for \$19 million for the research program was approved by the Committee for fiscal 1970. Last year the Institute received \$16,950,000 to carry out its program.

The Senate Appropriations Committee is presently considering the DOT safety appropriations request for fiscal 1970. Prior to House Committee action, two national safety organizations -- The National Safety Council and the Insurance Institute for Highway Safety -- testified before the Appropriations Committee urging approval of the full spending levels sought by DOT.

NHSB COMPLIANCE TEST DATA AVAILABLE

The DOT's National Highway Safety Bureau has released 91 of 800 completed independent laboratory reports on levels of vehicle compliance with federal safety standards. The test results revealed that 11.5 per cent of the new 1968 cars failed safety tests, while 10 per cent of new parts and equipment did not comply.

Previously, car-test compliance data was withheld from the public until the NHSB checked and verified results. Under a new system announced last month, results of compliance tests conducted by the NHSB contractors will in most cases be made available to the public immediately.

The Bureau said that each week a new group of reports will be released until the backlog is taken care of. At that time, the NHSB will begin "either monthly or bi-monthly" summaries of the new reports as they are accepted by the Bureau and released to the Clearinghouse.

The release of the first 91 test results showed the following vehicle failures:

<u>Standard</u>	<u>Per Cent of Tested Vehicles that Failed</u>
105 Hydraulic Service Brake, Emergency Brake and Parking Brake Systems -- Passenger Cars	13.7%
110 Tire Selection and Rims	12.3%
204 Steering Control Rearward Displacement -- Passenger Cars	0%
207 Anchorage of Seats -- Passenger Cars	5.4%
210 Seat Belt Assembly Anchorages -- Passenger Cars	10.8%
301 Fuel Tanks, Fuel Tank Filler Pipes, and Fuel Tank Connections -- Passenger Cars	28.6%

Percentages of equipment failures were as follows:

<u>Standard</u>	<u>Per Cent of Tested Components that Failed</u>
106 Hydraulic Brake Hoses	9.3%
108 Lamps	0%
109 Tires -- to Standard Tires -- Special Test	6.1% 22.7%
116 Hydraulic Brake Fluid	11.8%
203 Impact Protection	0%
205 Glazing Materials	Less than 1.0%
206 Door Latches -- Hinges	0%
209 Seat Belt Assemblies	13.8%

Because the 86 tire compliance tests were brief, NHTSB combined them into 10 documents selling for \$3 each. These reports deal with tests conducted on tires manufactured by the General Tire and Rubber Company and the Mohawk Rubber Company. The remaining five documents on car compliance also may be purchased at \$3 per copy.

Copies of the documents may be purchased from: Clearinghouse for Federal, Scientific and Technical Information, 5285 Port Royal Road, Springfield, Virginia 22151.

The NHTSB will release 150 more reports.

NAMING OF NHTSB DIRECTOR IMMINENT ?

As Status Report went to press, reliable sources reported that Douglas W. Toms, director of the Washington State Department of Motor Vehicles, has resigned that post. Whether this means that Mr. Toms has agreed to fill the long-vacant post of National Highway Safety Bureau Director still was unknown. Mr. Toms has been serving as a consultant to DOT Secretary John Volpe since mid-September, during which time he reportedly has recommended a series of changes in NHTSB's structure and operation designed to strengthen the federal safety program.

PRE-ARREST BREATH TEST LAW TRIED

For the first time in the United States, a city has passed and is enforcing a law permitting police to request a breath test of drivers for blood-alcohol content before arresting them on drunk driving charges.

Baton Rouge, La., passed the ordinance in October and began its enforcement November 15.

Similar to the much publicized drunk driver detection statute adopted in Britain in 1967, the law permits police to request the test of drivers charged with a moving violation, or involved in a collision, if the officer has reason to suspect the driver had been drinking. The test is offered on site prior to arrest and the driver may refuse -- but if he does, he may be fined up to \$200 and/or be sentenced to up to 60 days in jail. Implied consent laws in Louisiana and the other 44 states having them come into play only after the suspect has been arrested.

As the new Baton Rouge ordinance was taking effect, William Haddon, Jr., M. D., president of the Insurance Institute for Highway Safety, was pointing out to a seminar at the University of Michigan that existing chemical test and implied consent laws of the states offer "by no means the complete answer since they do not permit the officer to test the individual who is in a crash, or who has committed a serious violation, to determine, for example, whether intoxication is present and therefore whether a charge on such a basis can be reasonably made, as in the United Kingdom and other countries at present."

His comments came during the Conference on Community Responses to Alcoholism and Highway Crashes conducted by the Highway Safety Research Institute at the University.

To enforce their new law, Baton Rouge police may call to the scene of the crash or violation a special van in which an intoximeter is mounted. The initial breath test is given in the van at the scene. (Equipment and technical assistance in operating the van unit were provided to Baton Rouge by the Insurance Institute for Highway Safety.)

A pre-arrest breath test law was passed this year in New York but the constitutionality of its language has been seriously questioned. Michigan and Minnesota considered pre-arrest breath test laws during the 1969 legislative session but they died in committee.

STATE REPS MULL NHSB POLICIES, PROBLEMS

Governors' highway safety representatives have been urged by DOT Undersecretary James M. Beggs to implement the National Highway Safety Bureau's "annual highway safety work program" as "soon as possible." The new program, announced by NHSB earlier this year, calls on each state to submit its complete, detailed highway safety program to the regional DOT office once a year, rather than submitting it project by project to DOT in Washington.

The new program will be optional for fiscal 1970, Mr. Beggs told the state officials at their recent annual meeting in Denver, but "the annual work plan for fiscal 1971 must be submitted by May 1, 1970, and for later years by the first of January preceding the next fiscal year."

Detailed procedures are being developed by DOT to implement the program, he said, and meetings will be held early next year to acquaint Governors' representatives with them. "Our chief hope," Mr. Beggs said, "is to reduce red tape and the multitude of Federal requirements which you must deal with."

The Governors' representatives drafted two resolutions dealing with the federal role in highway safety. The first asked that NHSB "discontinue the present priority system" and allow each state to establish its own highway safety priorities "based upon the needs of the individual state" as determined by the Governor. The group also urged Secretary of Transportation John A. Volpe "to consider an immediate appointment of a director to the National Highway Safety Bureau." The resolution stressed that the absence of an NHSB director has "adversely affected the leadership of the highway safety program."

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MORE TIRE VIOLATIONS? -- Four automobile tire manufacturers have been given 30 days to submit information, data and arguments relevant to the imposition of civil penalties, after the Federal Highway Administration found that some of their tires "may be in violation of Federal tire safety standards." Letters to the Mansfield Tire and Rubber Co., the Armstrong Rubber Co., the Dunlop Tire and Rubber Corp., and the Firestone Tire and Rubber Co. informed the manufacturers that the National Highway Safety Bureau's compliance tests have produced "results which give the Bureau good reason to believe that the companies are in violation of the 1966 National Traffic and Motor Vehicle Safety Act."

"WEAK" TEXAS SAFETY PROGRAM APPROVED -- The second of 50 Department of Transportation evaluations of state highway safety programs has been made available DOT's Records Management Branch. Status Report will furnish a summary of each report as it is made available. All final evaluations are scheduled for completion by December 31, 1969. States with unacceptable highway safety programs, under the 1966 Highway Safety Act, can lose up to 10 per cent of their federal-aid highway safety funds.

Texas: Program approved (initial program submission was rejected in April because of "shortcomings") but still contains "significant weaknesses in almost all highway safety functional standards areas" -- particular weaknesses remain in Periodic Motor Vehicle Inspection, Driver Education, Traffic Courts and Alcohol in Relation to Highway Safety. Emergency Medical Services is termed "vague" and Highway Design, Construction and Maintenance, Pedestrian Safety and Police Traffic Services have deficiencies, "none of them minor."

SAFETY FEATURES INCLUDED IN '70 PRICE RISE -- Quality improvements in 1970 automobiles worth \$46 will be costing new car buyers an average \$107 increase over last year's car prices, according to the Bureau of Labor Statistics. A portion of the \$46 over-the-year rise is attributed to the addition of safety-related items. Federal safety standards requiring improved visibility of signal lights, side-marker lights and rear lights, and improved anti-theft locking devices and glove box locks accounted for quality improvements worth \$7.50. Manufacturers deemed it desirable to equip most new models with safety improved fiberglass belted tires, which the Bureau of Labor Statistics said resulted in an increase of \$19 over last year's car prices. The remaining \$19.50 increase was attributed to an improved exhaust emission control system (\$5.50) and non-safety improvements (\$14).

ACCIDENT-FIRE DATA ISSUED -- During 1968, 735 motor carrier incidents involving fire resulted in 157 fatalities, 356 injuries, and property damage involving almost \$8 million, according to an FHWA Bureau of Motor Carrier Safety report entitled Analysis of Accident Reports Involving Fire -- 1968. It said passenger carriers (buses, limousines, etc.) accounted for 13 of the 735 incidents involving fire, resulting in 25 fatalities, 92 injuries, and property damage of \$156,655. The reports included all vehicle fires, not only those caused by collision. Copies of the report may be obtained from the Bureau of Motor Carrier Safety, 6th and D Streets, S.W., Washington, D. C. 20591.

WIDER USE OF BREAKAWAY SIGNS -- Federal Highway Administrator Francis C. Turner says that breakaway signs, already mandatory for new signs erected along high speed federal-aid highways, "may be" applied also to the large "sign bridge" mounting structures which span Interstate highways. The sign bridges presently are mounted on extra heavy steel supports. Mr. Turner described crash tests performed by Texas A&M's Texas Transportation Institute on breakaway posts used with the large signs as "very encouraging." He said that crash tests at 25 miles an hour resulted in only minor damage, from which safety belted passengers in the crashing auto would have escaped without injury.

BUMPER HEIGHT-EFFECTIVENESS DATA SUBMITTED -- At the request of the National Highway Safety Bureau, the Insurance Institute for Highway Safety has filed its low-speed crash test film and accompanying testimony by Dr. William Haddon, Jr., Institute president, for consideration in the Bureau's current development of bumper standards. NHTSB has proposed standards to specify height requirements for contact surfaces of front and rear bumpers, and requirements for bumper performance. Dr. Haddon's testimony, given before the Senate Antitrust and Monopoly Subcommittee on October 6, 1969 explained the results of five and ten mile-per-hour crashes of 1969 automobiles to determine their delicacy.

HOOD LATCH AMENDMENT PROPOSED -- The federal hood latch system standard which took effect January 1, 1969, may soon be amended by a provision calling for performance requirements to "minimize the likelihood of hoods penetrating the windshield as a result of impact." The Federal Highway Administration said it also is considering independent release mechanisms that will engage automatically from the weight of the hood when the vehicle is not moving, and a method of showing visible evidence of improper latching for separately mounted primary and secondary hood latches.

The proposed amendment to Motor Vehicle Safety Standard No. 113 would become effective January 1, 1972. FHWA asked that information and comments on the proposed amendment, including testing methods and data on aerodynamic forces to which hoods are subjected at various speeds, be submitted in 10 copies to: Federal Highway Administration, Docket Clerk, Docket No. 69-17, Room 4223, 400 7th St., S.W., Washington, D. C. 20591.

RESEARCH PROCEEDINGS -- Man and the Traffic Process, proceedings of the Third Insurance Institute for Highway Safety Traffic Safety Research Conference, is now available. Single copies may be obtained without cost by writing: Proceedings, Insurance Institute for Highway Safety, Watergate Office Building, Washington, D. C. 20037.

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