

STATUS REPORT

FEDERAL ROLE
IN
HIGHWAY SAFETY

INSURANCE INSTITUTE for HIGHWAY SAFETY

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NHSB REORGANIZATION DELAYED

The promised transfer of the National Highway Safety Bureau from its present location in the Department of Transportation's Federal Highway Administration to an independent status directly under the DOT Secretary has been held up by a Congressional committee.

When he announced the planned transfer in December, 1969, Secretary John Volpe said it would take place "within a month," or no later than the end of January. And, it is understood, the Secretary soon after that prepared a notice for the Federal Register announcing the reorganization's completion.

However, House Public Works Committee members strongly urged that the Secretary hold the transfer in abeyance until they had examined its implications. The chairman of the committee, Rep. George Fallon (D-Md.), and the chairman of its roads subcommittee, Rep. John Kluczynski (D-Ill.), reportedly insisted that Secretary Volpe refrain from publishing the notice in the Register until committee members had been fully briefed on the transfer.

As a result, since early January a delegation from the Department has been holding a series of discussions on the NHSB reorganization with committee staff members. Participants have included Federal Highway Administrator Francis Turner and National Highway Safety Bureau Director Douglas Toms.

Whether the discussions will impede the reorganization much longer beyond its scheduled completion in January remains to be seen. This probably will depend in part on how the meetings resolve such issues as whether the Federal Highway Administration -- which will consist mainly of the Bureau of Public Roads once the NHSB is removed -- should be given authority to administer federal-aid programs under some of the 16 National Highway Safety Standards. The committee reportedly believes that the Highway Administration should be in charge of programs under the standards for Identification and Surveillance of Accident Locations; Highway Design, Construction and Maintenance; Traffic Control Devices; Pedestrian Safety; Debris Hazard Control and Cleanup, and possibly also Traffic Records and Police Traffic Services.

Meanwhile it has been learned that when the reorganization finally takes place, the

Bureau's structure will be substantially modified so that, among other changes, two deputy directors will report to the NHTSB director rather than a single deputy, as at present. One of the two will be responsible for "research and technology" and the other, "programs."

SENATOR KENNEDY QUESTIONS DOT ON SCHOOL BUS SAFETY

Sen. Edward Kennedy (D-Mass.) has asked DOT to look immediately into a "critical area of concern" -- the lack of minimum national standards governing school bus safety.

In a letter to Secretary of Transportation John A. Volpe, the senator said that, "Despite the clear authority vested in your office by the (1966 Traffic and Motor Vehicle Safety Act) law, no national performance standards have been established for the manufacture, operation or maintenance of the nation's 250,000 school buses. Although some 10 rules have been issued for buses in general, the Department has not issued a single rule applicable to school buses."

Senator Kennedy noted that although the number of pupils using school buses increased only 45 per cent from 1960 to 1965, the number of accidents increased 75 per cent in the same period. "Some 34,000 school buses were involved in accidents in 1968, with 3,600 pupils and some 1,400 other persons suffering injuries," Senator Kennedy said.

He pointed out that approximately 140 persons are killed each year in accidents involving school buses, and recommended that the following steps be "a matter of immediate concern and action" by DOT:

-- "Performance standards for seats and for the padding of seat backs, the latter also affecting school buses now in service.

-- "Requirements that at least lap-type seat belts be installed in all school buses for drivers, and an immediate study of requiring seat belts for all passengers where the recommended safe seats permit such passenger restraint systems.

-- "An investigation of the possibility of prohibiting standees.

-- "Rules requiring maintenance and inspection programs specifically geared to school buses.

-- "Requirements that states establish standards for qualifications and training of school bus drivers based on Federal minimums.

-- "Guidelines to the states for the planning of school bus routes and loading zones.

-- "Re-examination of the minimum standards of the National Conference on School Transportation with the object of immediately improving safety features of school buses.

-- "Research to produce a prototype safe school bus concurrent with your scheduled efforts to do the same for the passenger auto."

In a letter of reply to Senator Kennedy, Secretary Volpe assured that the Department has "plans for the realistic implementation of a meaningful program in the immediate future." He also described standards already proposed by DOT which would encompass some of the senator's recommendations.

TURNPIKE CRASH HEARING RECORD DUE -- A complete transcript of the National Transportation Safety Board's public hearing on the November 29, 1969 multi-vehicle collision on the New Jersey Turnpike, which killed six persons, will be available for public inspection at the Board's Washington office during the week of February 23.

The four-day public hearing, the Board's first dealing with auto-truck collisions, was held in Cherry Hill, N. J. The hearing was designed to determine the facts, conditions and circumstances relating to the crash, but not "to determine the rights or liabilities of private parties," according to a Board statement.

Major controversy during the hearing centered around the causes of multiple fires in the crash. Automobile industry representatives objected to testimony which linked the cause of the fires to ruptured auto gasoline tanks that ripped open during the chain-reaction collision.

Witnesses included New Jersey Turnpike authorities, state and local law enforcement and emergency medical facility officials and eyewitnesses. "Parties-in-interest" at the hearing included the American Automobile Association, American Trucking Associations, Automobile Manufacturers Association, Federal Highway Administration, International Brotherhood of Teamsters, New Jersey State Police, New Jersey Turnpike Authority, Truck-Trailer Manufacturers Association and representatives from major automobile manufacturers.

Interested parties are invited to review testimony in Room 206, 1626 K St., N. W., Washington, D. C., phone: 202-382-7840.

NEW TEST FACILITY WON'T BE FOR SAFETY -- Department of Transportation officials report that there are "presently no plans for National Highway Safety Bureau use" of DOT's planned 30,000 acre surface test facility near Pueblo, Colo. The facility, which will require an initial \$1.19 million in funding and envisions two 20-mile test tracks, will be used primarily for testing a 250 MPH linear induction-powered ground test vehicle.

Construction of the newly announced high-speed ground test facility should be completed within two to three years, according to DOT press announcements.

Meanwhile, the Department remains without funds to move forward with construction of the vehicle safety test facility called for in the National Traffic and Motor Vehicle Safety Act of 1966. The facility's funding currently is being held up by delays in congressional action on H. R. 10105, the bill to authorize funds for vehicle safety standards development and research activities during the fiscal year that ends on June 30, 1970. Differing versions of the bill were passed by the House and Senate last year, but no conference to resolve the differences is planned before next month.

DOT GETS REPAIR COMPLAINTS -- Sen. Philip A. Hart (D-Mich.), chairman of the Antitrust and Monopoly Subcommittee which is investigating auto repair issues, has forwarded 2,000 consumer complaint letters to Secretary of Transportation John A. Volpe. The letters, all received by the Committee since October, 1969, concern automobile warranties and repairs. Senator Hart asked that the Secretary report on DOT's "analysis" of the complaints, as well as its views on 4,000 complaint letters which Senator Hart forwarded to Secretary Volpe in September, 1969, in DOT testimony scheduled for March 17 before the Committee.

FOR NATION'S CAPITAL, NO IMPLIED CONSENT -- Three sessions of Congress have considered but failed to pass implied consent laws in the District of Columbia. The national capital thus ranks with Illinois, Mississippi, Montana and Wyoming as lacking in such drunk driving laws although they have been called for since June, 1967 under the DOT's national highway safety standards.

The bill introduced in Congress to give the District an implied consent provision is S. 2980. It passed the Senate last year, but since then has been tied up in the House Committee on the District of Columbia, which is chaired by Rep. John L. McMillan (D-S. C.).

Wisconsin was the most recent in a 46-state list to pass an implied consent statute. Under such laws, persons receiving driving licenses are regarded as having given their implicit consent to taking a chemical test -- usually of the breath -- to detect the presence and concentration of alcohol in their blood if they are arrested for drunken driving. Refusal of the test can result in license suspension.

NEW DOT APPOINTEE -- Dr. Robert H. Cannon, Jr. has been nominated by President Nixon to be Assistant Secretary of Transportation for Advanced Systems Development and Technology. He will replace Secor D. Browne, who resigned the post last year to become chairman of the Civil Aeronautics Board. According to an announcement by DOT Secretary John Volpe, Dr. Cannon will provide "support of DOT in planning and developing future transportation systems and establishing supporting technology programs." The Senate Commerce Committee has scheduled a hearing on Dr. Cannon's nomination for February 25.

HAZARDOUS MATERIALS -- The Bureau of Motor Carrier Safety is considering complete revision of its regulations dealing with driving and parking rules for vehicles transporting hazardous materials. Proposed changes would include complete driver knowledge of cargo, periodic inspection of tires, and guidelines for parking and other emergency situations. Comments will be accepted by the Bureau until the close of business on April 23, 1970. Interested persons should direct comments to: Kenneth Pierson, acting director, Bureau of Motor Carrier Safety, 400 7th St., S. W., Washington, D. C. 20591.

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