

STATUS REPORT

FEDERAL ROLE
IN
HIGHWAY SAFETY

INSURANCE INSTITUTE for HIGHWAY SAFETY

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NATIONAL SAFETY COUNCIL URGING BETTER BUMPERS . . .

Two key policy conferences of the National Safety Council have called on the organization to "urge the auto industry to immediately incorporate . . . design improvements and techniques" to make cars more crashworthy and repair resistant in low-speed collisions.

The NSC's Labor Conference, followed by its Traffic Conference, has voted to put the organization on record in support of testimony on the low-speed crash cost problem presented to the Senate Antitrust and Monopoly Subcommittee by the Institute.

The testimony, given last year and earlier this year by Dr. William Haddon, Jr., the Institute's president, pointed up the needless inability of currently-designed automobiles to withstand crashes of five and ten miles per hour without sustaining many hundreds of dollars to their "cosmetic" exteriors. Haddon told the subcommittee that bumper design improvements to eliminate such needless damage are available and should be introduced on all new cars.

On learning of the testimony, the NSC's Labor Conference adopted a policy urging that "design improvements and techniques referred to in this testimony" be immediately incorporated "in automobiles that are manufactured in the future." The Traffic Conference, meeting some weeks later, joined in the policy, and also voted to have NSC urge the U. S. Department of Transportation to "expedite a performance standard on exterior vehicle protection." DOT's National Highway Safety Bureau now is considering a standard to deal with bumper adequacy from the standpoint of passenger protection but not, in a major way, low-speed crash repair costs.

A council spokesman said that NSC's next step will be transmittal of letters from Howard Pyle, its president, to the Automobile Manufacturers Association and the Department of Transportation. AMA will be asked to forward the council's views to individual auto makers; the letter to DOT will call on it to speed development of a bumper standard.

NSC's action toward the low-speed crash design problem represents a departure from the organization's customary stance of not taking policy positions toward new vehicle safety and cost issues. Vehicle safety has been described by one NSC official as an "aspect

of the (federal) traffic safety acts that we have generally left alone" because "we haven't felt that we had any particular competence to judge what ought to be done." It is on this basis that NSC has declined to testify on funding of motor vehicle safety programs carried out by the National Highway Safety Bureau.

. . . AND FLORIDA MAY LEGISLATE THEM

The Florida House and Senate are considering newly-filed bills to require that new cars sold in the state in future be built to withstand low-speed crashes without sustaining damage.

Introduced by ranking members of the House and Senate insurance committees, the bills were explained at an April 22 press conference by State Insurance Commissioner Broward Williams. He was joined by Dr. William Haddon, Jr., Institute president, who briefed the meeting on the results of the Institute's research into low-speed car crash losses and countermeasures.

The Florida legislation, if adopted, would be the first of its kind in the United States. It would require that all new cars sold in the state after Jan. 1, 1973, be equipped with bumpers capable of withstanding impact into a standard barrier at five miles per hour without damage. As of Jan. 1, 1975, the no-damage speed would be increased to ten miles per hour.

REGIONAL SAFETY R & T CENTERS PROPOSED

The Department of Transportation should establish regional centers for developing professional manpower and research talent for highway safety, says a DOT sponsored report by Stanford Research Institute.

The regional centers would remedy the current and projected shortage of professionally trained personnel in the field of highway loss reduction on federal, state and local levels, the report said.

Under the recommendation, regional research centers at university-level institutions would engage in training, education and research, with areas of emphasis in law, medicine, business and public administration, education, police sciences, engineering and psychology as they pertain to highway safety.

Alternatives cited in the study to the regional approach include a federal academy, a center for each state, and a consortium of universities. But the study endorsed the regional approach because:

-- "Regional centers can train all classes of safety manpower-research, professional and technical. Both credit (degree-related) and noncredit courses can be given. "

-- "Attempts to create centers in each state would overtax the professional capability that exists in this country for training, research, and education in the general field of highway safety. "

-- "The regional center type of organization is flexible, in that it can be structured in different ways to meet the training requirements of several states and the educational interests of universities servicing these states. "

-- "The NHSB administrative and programming problems would be less complicated with regional centers than with a large number of individual state centers. "

PASSIVE RESTRAINT CONFERENCE SET

An international conference on automotive safety technology, sponsored by the North Atlantic Treaty Organization, will be held at the General Motors testing facility in Milford, Mich., May 11-12.

The International Automotive Passive Restraints Conference, co-hosted by the Department of Transportation and the "big four" U. S. auto manufacturers, is being held for the purpose of "sharing" current technological developments in the field of passive restraints with foreign automobile manufacturers

In the words of NHSB Director Douglas Toms, "for the first time we will see a full, voluntary sharing of technical and highly marketable information"

The conference was first announced in early April by Presidential Advisor Daniel P. Moynihan during the closing sessions of NATO conferences in Brussels. Moynihan explained that forthcoming safety standards requiring passive restraint systems on automobiles sold in the U. S. would, in effect, exclude foreign cars from the American market "if we didn't take this initiative now to share our knowledge. "

The two-day meeting will include technical workshop seminars and demonstrations of passive restraint safety devices -- notably the highly promising air bag. Transportation Secretary Volpe has set Jan. 1, 1972 as target date for requiring air bags in all cars.

EXEMPTION POSITION "UNREVIEWABLE," SAYS DOT

The National Highway Safety Bureau's decision to temporarily exempt a car manufacturer from its windshield retention standard is "unreviewable" and in keeping with the "legislative intent" of the National Traffic and Motor Vehicle Safety Act of 1966, maintains a Department of Transportation memorandum filed in the District of Columbia federal district court.

The DOT memorandum was filed in response to court action initiated by attorney Ralph Nader contending that NHSB has no legal authority to grant exemptions from safety standards except as allowed by the Act. Nader's suit resulted from a six-month NHSB exemption granted to Checker Motors Corporation when Checker was unable to meet the Jan. 1, 1970 deadline for compliance with the windshield retention standard.

In claiming DOT authority for postponing the effective date of a safety standard, the memorandum argues that ". . . the action taken in the Checker matter was committed to

the unreviewable discretion of the agency charged with administering the National Traffic and Motor Safety Act . . . and was not prohibited by the Act nor contrary to the legislative intent. "

The memorandum also argues that:

-- Failure to grant the exemption ". . . would severely impair Checker's financial stability. The prospect of the company going out of business would be very real"

-- ". . . If Checker were to go out of business it would . . . clearly not be in the public interest since it would lessen competition in America's largest industry where the number of manufacturers presently offering motor vehicles for sale is already small. "

-- ". . . Checker has advised that beginning April 15, 1970, its passenger cars are being made in conformity with Safety Standard No. 212 (covering windshield retention) . . . It is our understanding that Checker intends to place an appropriate label on the 1,000 (non-conforming) passenger cars manufactured between January 1, 1970 and April 15, 1970. "

-- Nader "has made no showing of irreparable injury. For the chances of plaintiff (Nader) ever riding in a Checker taxicab produced between now and July 1 is extremely remote. There are approximately 9,000 registered taxicabs in the District of Columbia of which about five per cent were made by Checker. Certainly, no more than 50 of the vehicles produced by Checker between now and July 1 can reasonably be expected to be put into operation in the District of Columbia. The likelihood of plaintiff ever hailing one of these vehicles in the District of Columbia, or for that matter in any other city, is very slim. And, in the rare instance where the taxicab hailed turns out to be a Checker cab manufactured between now and July 1 plaintiff could wave the Checker cab on and travel to his destination in another cab. In any event, should plaintiff find himself one day in a Checker taxicab, he can totally alleviate his stated concern by simply sitting in the vehicle's rear seat and wearing the safety belt installed there. "

BROADCASTERS' CODE ACTS ON TV ADS

Moving under its new authority to disapprove television commercials that portray unsafe driving practices, the National Association of Broadcasters "Code Authority" has secured deletion or modification of sixteen objectionable commercials since the beginning of 1970.

The Code, an industry-supported agency that acts as overseer of radio and television's "voluntary regulation" system, said that portrayals in television commercials found unacceptable under its highway safety policy that took effect last year included:

-- A shirt advertisement using the device of a man leaping into his car and driving off without having first fastened his safety belts.

-- A cigarette commercial in which a female celebrity, after being interviewed by a reporter, drives off in her chauffeured limousine without use of her safety belts.

-- A candy bar ad in which a young man is shown hazardously driving a beach buggy on the public highways -- and using no belts in the bargain.

-- An airline commercial in which a cab driver, busily praising the airline's service to a customer in the back seat, fails to watch the road ahead.

-- Three commercials for an imported car that showed non-use of belts and reckless driving.

The Institute has been monitoring commercials and, when possible infractions of the Code's highway safety policy are observed, reporting them to Code officials for appropriate review.

* * *

ASSOCIATIONS SURVEY "BOOBY TRAPPED HIGHWAYS" -- The Federation of Insurance Counsel, the National Association of Insurance Agents and the National Association of Mutual Insurance Agents have jointly launched a national "Booby Trapped Highways" campaign to identify and inventory roadside hazards on local, state and interstate highways.

The organizations, through their some 1,300 state and local chapters, will seek out and bring to the attention of government agencies and the public, inadequate guardrail installations, unprotected bridge piers and abutments, cluttered highway gore areas and other highway hazards. The program includes follow-up checks to insure that measures have been taken to correct roadside "booby traps."

STANDARD TO STRENGTHEN SIDE DOORS? -- DOT's National Highway Safety Bureau has proposed a safety standard for minimum side door strength of automobiles. Announcement of the proposed standard follows by two months the Bureau's proposal to require manufacturers to furnish consumer information on side door strength and resistance to penetration.

In issuing the proposed standard, NHTSB Director Douglas Toms pointed to recent studies demonstrating that "in side impacts the percentage of dangerous and fatal injuries increases sharply as the maximum depth of penetration increases."

Under the proposed standard side doors would be required to satisfactorily pass a three-phase static test in which the side door would be expected to yield not more than six inches to an external force of 2,500 pounds, 12 inches to an external force of 3,750 ("corrected by a factor involving the vehicle's weight"), and 18 inches to an external force not less than twice the curb weight of the vehicle.

Though still in the status of "proposed rule making," target effective date for the standard is September 1, 1971. Comments by interested parties should be sent to: Docket Section, National Highway Safety Bureau, Room 4223, 400 Seventh Street, S.W., Washington, D.C. by July 15, 1970.

McENNIS JOINS FTC -- Leonard J. McEnnis, Jr., formerly assistant vice president, communications, of the Institute, has accepted a post as deputy director of information for the Federal Trade Commission. He had served on the Institute staff for more than 10 years. Prior to joining the Institute he held editorial positions with the National Safety Council and the Traffic Institute of Northwestern University.

BMCS DIRECTOR NAMED -- Dr. Robert A. Kaye has been named director of DOT's Bureau of Motor Carrier Safety. Dr. Kaye has served with the Atomic Energy Commission since 1957 as Chief of the Transportation Management Branch.

Kenneth L. Pierson, who has served as acting director of the Bureau of Motor Carrier Safety since the retirement of former director George A. Meyer, has been named deputy director. The bureau is part of DOT's Federal Highway Administration.

STUDY RELEASED -- "A Study of Procedures Used to Deter Driving While Under Revocation or Suspension" has been released by the Traffic Institute, Northwestern University.

The study, sponsored by the Insurance Institute for Highway Safety, concludes that "the 'state of the art' of deterring driving by persons who are under suspension or revocation is not good. There is a need for upgrading information systems; a need for developing an interest in deterrent programs; and a need for implementation of systems for identifying the revocation scofflaw."

A copy of the study may be obtained for \$3.50 by writing Traffic Institute, Northwestern University, 1804 Hinman Ave., Evanston, Illinois 60204.

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