

DOT SAYS 19 STATES FAIL ON STANDARDS

In a just-completed evaluation of states' compliance with the federal government's 16 highway safety program standards, the Department of Transportation has found that 19 states — the same number as a year ago — are completely "failing to demonstrate acceptable progress" in one or more of the federally-assisted program areas.

Transportation Secretary John Volpe has dispatched a letter to each governor disclosing that the new review of state activity under the Highway Safety Act of 1966 reveals "some advances and, unhappily, some retrogression" from a similar state-by-state evaluation performed last year.

A similar ranking of the 50 states, Puerto Rico and the District of Columbia was made in early 1970 but was withheld from public release until very recently. Volpe's transmittal to the governors shows that:

1. Periodic motor vehicle inspection remains the most prominent area in which states are completely failing to comply with the federal standard. Ten states are shown as not "demonstrating acceptable progress" under the standard at this time. Eight states were shown in that category in last year's evaluation.

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2. Alcohol-highway safety is the most prominent area in which states have moved beyond "progress" to "full implementation." Fourteen states are shown as fully implementing the federal standard, compared with eight in that category a year ago.

3. Twenty-three states are "fully implementing" one or more of the standards at this time, as compared with 16 in that category a year ago.

Attached to the letters from Volpe are a table ranking each state's level of compliance with the standards, a point-by-point explanation of the individual state's program deficiencies and a table "grading" each state's performance in individual safety program standards areas.

HOW THE STATES RANK:

Each state falls into one of 14 places, with the best states in first place and the others in descending order. DOT also has "graded" each state's programs under the 16 individual standards on a scale ranging from "A" for "full implementation" to "D" for "failure to demonstrate acceptable progress." Although most programs for most states have received "B" and "C" grades, which denote less than full levels of compliance, a few have received either the "A" or "D" grades. In those cases, the program and grade are shown in parentheses after the state's name.

- **First:** New York (A in alcohol-highway safety), Virginia (A in motorcycle safety).
- **Second:** California (A in alcohol-highway safety), Louisiana (A in motorcycle safety, A in alcohol-highway safety), South Carolina (A in motorcycle safety, A in alcohol-highway safety).
- **Third:** Delaware (A in alcohol-highway safety), Pennsylvania (A in alcohol-highway safety), Rhode Island (A in motorcycle safety, A in traffic courts, A in alcohol-highway safety), Utah, Washington (D in periodic motor vehicle inspection).
- **Fourth:** Colorado (A in motorcycle safety), Minnesota (A in alcohol-highway safety), Nebraska (A in alcohol-highway safety), Puerto Rico (A in traffic courts).
- **Fifth:** Arkansas (A in alcohol-highway safety), Connecticut (A in traffic courts, D in periodic motor vehicle inspection), Michigan, Vermont (A in periodic motor vehicle inspection, A in alcohol-highway safety, D in pedestrian safety), West Virginia (A in periodic motor vehicle safety inspection).
- **Sixth:** Florida, Hawaii (A in traffic courts), Kansas (D in periodic motor vehicle inspection, D in motorcycle safety), Maine, Ohio (D in periodic motor vehicle inspection), District of Columbia (A in motorcycle safety, D in police traffic services).
- **Seventh:** Idaho, Indiana, Maryland, Nevada, New Hampshire, New Jersey.

- **Eighth:** Massachusetts (A in traffic courts), Missouri, Montana, New Mexico, South Dakota.
- **Ninth:** Oklahoma (D in motorcycle safety), Wisconsin (D in periodic motor vehicle inspection).
- **Tenth:** Alaska (D in periodic motor vehicle inspection), Arizona (D in highway design/construction/maintenance, D in traffic control devices), Illinois (A in traffic courts, D in periodic motor vehicle inspection, D in motorcycle safety, D in accident location surveillance), North Carolina, North Dakota (A in alcohol-highway safety, D in periodic motor vehicle inspection).
- **Eleventh:** Iowa (D in periodic motor vehicle inspection, D in accident location surveillance), Oregon (D in periodic motor vehicle inspection), Wyoming.
- **Twelfth:** Kentucky (A in motorcycle safety, A in alcohol-highway safety, D in traffic control devices), Texas (D in police traffic services).
- **Thirteenth:** Georgia (A in alcohol-highway safety, D in driver licensing, D in highway design/construction/maintenance), Mississippi, Tennessee (D in accident location surveillance, D in highway design/construction/maintenance).
- **Fourteenth (Last):** Alabama (D in accident location surveillance, D in highway design/construction/maintenance, D in traffic control devices).

STATE PROGRAM STANDARDS UNDERGOING MAJOR RESTRUCTURING

The Department of Transportation has organized a task force within the National Highway Traffic Safety Administration to "review, refine and re-issue" the 16 standards used by states and local governments as guidelines for highway safety programs.

The task force, headed by Dr. Earl Heath of NHTSA's Office of Traffic Safety Programs, is examining the form and substance of highway safety standards now in effect and two proposed standards (one involving pupil transportation and another involving accident investigation) that are still under safety administration consideration.

(Two other agency task forces created at the same time are dealing with administrative and management aspects of standard implementation — including state reporting procedures. The safety administration hopes to increase informational feedback from state safety programs.)

The safety standards as now constituted were established along guidelines set forth in the Highway Safety Act of 1966. Although they have been "extremely beneficial," Heath says, they're structured like "apples, pears and wheelbarrows," without a rational overall framework.

States have voiced concern that federal highway safety standards would proliferate in unmanageable numbers and that current standards do not lend themselves to program development, he said.

Although it is too early to tell what the effect of its proposed changes will involve, the task force hopes to solve those problems by restructuring the standards. For example, rather than having several standards that require educational programs, all educational programs would be included in one standards area. This, Heath hopes, will bring the standards into "sharper focus."

The plan that is now considered most feasible is a "user-vehicle" categorization. Under such a system the current standards would be broken down into five elements according to function:

1. Drivers and pedestrians (for instance, education and licensing);
2. The vehicle (registration and inspection);
3. Laws and codes affecting drivers and pedestrians (traffic courts and "rules of the road");
4. Emergency services (hazard control and cleanup and emergency medical care);
5. The highway (traffic control devices, highway design and construction).

Before any changes are made the task force intends to solicit comments from the states, non-government organizations and the safety administration's own staff. Congress must also be notified of the proposed changes. Although a final draft of the proposed changes is expected by the end of April, Heath estimates it will be more than a year before any changes are put into effect.

TWO U. S. SENATORS OFFER FEDERAL BUMPER BILLS

Two U. S. senators have introduced bills requiring damage-resistant front and rear ends on new cars. Hearings on the bills are set to start March 10 before the Senate Commerce Committee.

Sen. Philip A. Hart (D-Mich.), chairman of the Senate subcommittee that investigated auto repair problems and costs last year, introduced a five-pronged bill (S. 976) entitled the "Motor Vehicle Information and Cost Savings Act of 1971." Similar to legislation he proposed in 1970, according to Sen. Hart it would require that:

1. All cars manufactured after Jan. 1, 1975, have front and rear "energy absorbing bumpers" able to withstand five mile per hour barrier crashes without damage to the cars;
2. Car manufacturers "rate their cars by their relative susceptibility to damage in low-speed collisions" and publicize the results — a provision that

Sen. Hart believes would offer "an incentive for manufacturers to produce less fragile cars";

3. DOT carry out a feasibility study of "how autos could be rated for relative occupant safety," with the hoped-for end result of providing manufacturers with "a similar incentive . . . for production of a safer car";

4. Creation of a "nationwide system of diagnostic inspection centers" to carry out the state programs of periodic motor vehicle inspection required by DOT's highway safety program standards, as well as to perform post-repair inspection, and early DOT issuance of the used car safety standards envisioned in the National Traffic and Motor Vehicle Safety Act of 1966;

5. A uniform national auto titling code aimed at reducing car thefts that lead to resales and at easing recovery of cars stolen by joy riders.

Sen. Lloyd Bentsen (D-Tex.) meanwhile introduced a bill (S. 949) that would order DOT to set standards requiring that any car manufactured after Jan. 1, 1973, have bumpers able to protect both the car and its occupants from damage at barrier impact speeds, front and rear, up to ten miles per hour. DOT would be allowed to slip the date by one year if it found "compelling reason" to do so.

In a floor statement, Sen. Bentsen stressed "the enormous cost in property damage and injuries caused by weak and ineffective bumpers."

FOUR MORE STATES GET BUMPER BILLS

Four more states have joined the ranks of those whose legislatures are considering bills to upgrade bumper strength. This brings to 20 the total number of states where such legislation has been introduced.

Connecticut, South Carolina and South Dakota have bills tracking a Florida law passed last year. They would set no-damage requirements in a five mile per hour barrier crash, front and rear, by Jan. 1, 1973. The three bills would raise the no-damage speed to 10 miles per hour by Jan. 1, 1975.

An identical bill introduced in Colorado has been amended in committee, following auto maker testimony, to require no damage in front end crashes at five miles per hour and no damage in rear end crashes at 2.5 miles per hour by July 1, 1973. The 10 mile per hour no-damage requirement by July 1, 1975, has been deleted from the Colorado bill.

A second bill in Connecticut would set five and 10 mile per hour no-damage requirements by Jan. 1, 1974, and Jan. 1, 1976, respectively.

SCIENTIST, AAA RAP DOT BUMPER PLAN

A University of Denver scientist and the American Automobile Association have expressed sharp criticism of the Department of Transportation's proposed bumper standard. (See Status Report, Vol. 5, No. 21, Dec. 1, 1970.)

Prof. Arthur Ezra, chairman of the mechanical sciences and environmental engineering department at the university, told DOT in a formal docket filing that its proposed standard — aimed, the agency says, at protecting safety-related car parts in low-speed crashes — actually "decreases the overall safety of an automobile instead of increasing it"

DOT's proposal, Prof. Ezra said, would permit "a rigid or very stiff bumper" that might protect some safety components in repeated low-speed impacts, but at the cost of directing the resulting shock forces so as to "damage the car frame, which is not mentioned in the proposed standard."

Worse, he warned, in a front-to-rear collision at an intersection, the rigid bumper permitted by the proposal would act to "maximize the energy delivered to the impacted car, propelling it into the stream of cross traffic"

Solutions both to existing bumper problems and those generated by rigid bumpers that could meet DOT's proposed rule involve "interposing energy absorbers between the bumper and the car frame, something the proposed standard ignores," the scientist said. ". . . The energy absorbing capability for each energy absorber could be easily specified, along with a maximum permissible force that is low enough to protect the car frame and minimize the forward velocity given to the stationary (front) car" in a front-to-rear low-speed crash.

AAA's filing also criticized the proposal for failing to provide for energy absorbing bumpers, failing to cover vehicles other than passenger cars, failing to outlaw "hood ornaments and other sharp exterior vehicle equipment or designs" that "greatly increase serious injury hazard to pedestrians" and permitting compliance tests with pendulums instead of rigid barriers.

NEW YORK SAFETY ADVOCATE DIES

New York State Sen. Edward J. Speno, a pioneer legislator in highway and motor vehicle safety and chairman of the Department of Transportation's National Motor Vehicle Safety Advisory Council, died Feb. 17, 1971, following a heart attack in Albany, New York.

Sen. Speno, known as the father of the New York "safety car," was a leading force in the New York Senate for 17 years. He championed highway safety legislation in the state long before federal action was taken in that direction. In 1962 he was responsible for legislation to require seat belts in cars sold in New York.

INSURER ASKS AUTO MAKERS TO JOIN LOSS REDUCTION EFFORT

Rather than allowing themselves to get caught in a confrontation, auto manufacturers and insurers should recognize that their interests overlap in the marketplace, a vice president of State Farm Mutual Automobile Insurance Company has told the leadership of the automobile industry.

"The cold reality is that car makers and car insurers are running a headlong race with crashes and their costs to keep what each sells within the means of its customers," Thomas C. Morrill said in an address to the Economic Club of Detroit.

The address covered basic ground in the field of highway loss reduction, including the roles played by highway design strategies, automobile engineering and design, and government regulation.

ON MUTUAL INTERESTS: "Today, consumer and governmental unrest as to the nature and cost of our products is stimulating a recognition that we have overlapping concerns and that the way each of us runs his business affects the other I see little to be gained by the use of 'ad hominem' arguments, or by attacking anybody. Your business (auto manufacturing) and ours must live with the 'pocketbook vote' of the customer

"Your products . . . carry a hidden 'sticker price,' the inherent damageability of the vehicle and the cost of repair. These costs are reflected in our premium charges and become a part of the price of the private transportation system. We both face the fact that every step-up in the price of what we sell tends to take us out of the reach of additional strata of the consuming public. We face the reality of vigorous consumer resistance"

ON INSURER ACTIVITY: "The crash loss reduction efforts of automobile insurers, which are growing in scope and effectiveness, are held together by the glue of self-interest — and I know of no better glue. There is every reason for insurers to assert their role in crash loss reduction; it is difficult to conceive of any other form of private enterprise in which the same congruity of public and private interests exists."

ON HIGHWAY DESIGN: "We have been guilty of accepting half a loaf from those who profit from the proliferation of pavement It is true that substantial knowledge exists as to the safe design of modern roads, but it is not true that we have built new roads with full use of the knowledge we have. We still tolerate steel and concrete sign supports, unguarded concrete overpass pillars adjacent to the roadway, guardrails with ends pointed like spears at straying vehicles and bridge railings designed to put concrete obstacles in the way of traffic."

ON AUTO DESIGN: "It is undoubtedly true that the crushability of many modern cars has produced a type of crash energy absorption which lessened the energies to be absorbed by (car) occupants and has contributed to injury reduction. It is undoubtedly not true that the only way to achieve this result is by destroying expensive sheet metal, grilles, lamps, radiators, air conditioners, fan assemblies and non-functional bumpers.

" . . . What we want are bumpers that bump and fenders that fend. We want vehicles which will protect people, and we also want vehicles which will not sustain costly damage in the low speed crashes, which are most of the crashes It is clear that the technology exists to achieve this."

ON INSURANCE RATES: ". . . The (low speed crash) tests that we have done (through the Insurance Institute for Highway Safety) reveal not only the high damageability of many cars, the high cost of repairs and the inadequacy of the bumpers, but also the fact that there is a substantial difference by make and model of car The information now in hand may well lead to different (insurance) rates by make and model."

ON GOVERNMENT'S ROLE: "We see the federal power asserted through the National Highway Traffic Safety Administration . . . as the strongest possible ally in the achievement of real progress There will be a continuing need to support its appropriations and to encourage the maintenance of the highest available levels of competence in its staff. Our 'pocketbook vote' will be for support of excellence in the crash loss reduction programs of government."

Morrill is a member of the board and a former board chairman of the Insurance Institute for Highway Safety. Full texts of his address are available from the Department of Public Relations, State Farm Mutual Automobile Insurance Company, 112 East Washington Street, Bloomington, Ill. 61701.

\$175 MILLION ASKED FOR VEHICLE, HIGHWAY SAFETY

President Nixon has requested a spending level of \$175 million for the nation's highway and motor vehicle safety programs for fiscal year 1972, a nearly \$80 million increase over last year's level.

As provided for in the Federal-Aid Highway Act of 1970, two-thirds of the highway safety funds would come from the Highway Trust Fund. The remainder would be financed from the general treasury.

The requests were contained in the President's recent budget submission to Congress.

Proposed increases in the National Highway Traffic Safety Administration's budget request are to finance an expanded alcohol countermeasures program, 100 additional staff positions (which are also requested) and a long awaited vehicle research and test facility.

Construction of the research and test facility would be financed with a requested \$9.6 million. (The administration indicated it plans to spend \$1.4 million in fiscal 1972.) Although construction of such a facility was mandated by the Traffic and Motor Vehicle Safety Act of 1966, the Congress has consistently failed to authorize sufficient funds for its construction. Last year the Congress placed a \$100,000 limit on construction of the facility after Transportation Secretary John Volpe told the House Commerce Committee that the limitation would be "acceptable."

In millions, the FY 1972 budget request compares with the congressionally authorized levels for FY 1972 as follows:

	Authorized Level	Budget Request
Research and Development (Sec. 403)	\$70	\$44.7
State and Community (Sec. 402)	\$75	\$70
FHWA for 3 State and Community Standards (Sec. 402)	\$10	\$10
Traffic and Motor Vehicle Safety	\$40	\$40.9

KEMPER URGES NHTSA TO ADOPT SPEED CONTROL RULE

The Kemper Insurance Group has urged DOT to adopt a federal proposal to limit the speed capability of all motor vehicles driven in the U. S.

Kemper made its views known in comments submitted to DOT's National Highway Traffic Safety Administration, which is considering adoption of the rule. (See Status Report, Vol. 5, No. 22, Dec. 15, 1970.) Kemper is believed to be the first insurance company to respond to NHTSA's request for public comment.

The insurer said that the proposal to limit to 95 m. p. h. the speed to which a vehicle can be engineered to operate should be adopted as a "minimum first step." It pointed out that evidence is mounting that the speed a vehicle can go should be lowered even further. Kemper suggested that NHTSA immediately consider doing this.

The insurance company said that industry data show speed to be a "principal generator" of large highway losses, and noted that NHTSA itself, in a 1969 report entitled "Maximum Safe Speed for Motor Vehicles," disclosed that speed plays a number of roles in highway losses.

The insurer also pointed out that Cornell Aeronautical Laboratory, working under a federal contract, has found that the production of automobiles that can withstand 60 m. p. h. crashes with a fixed object without experiencing "serious" passenger compartment intrusion is a "reasonable objective."

"The goal should be to eliminate any gap between the speed at which a vehicle occupant will incur injury and the speed to which a vehicle is engineered to operate," said Kemper. "We believe this proposal by the National Highway Traffic Safety Administration is a necessary step in that direction."

REP. BLATNIK QUESTIONS PACE OF 'BOOBY TRAP' ACTION

The new chairman of the House Public Works Committee is displeased with the slowness of roadside "booby trap" correction by highway officials, he has indicated in a recently published interview.

Rep. John A. Blatnik, the Minnesota Democrat who assumed the chairmanship at the opening of the current session of Congress, told "Highway User" magazine that some committee members — including himself — "are questioning the pace at which we are accomplishing improvement in the field of highway safety, particularly in regard to the hazards created by highway design and construction."

Rep. Blatnik said that while the Department of Transportation's current emphasis on the drunk driving problem is "good," he would "caution against a past tendency to overemphasize any one aspect of the highway accident problem to the detriment of other, less appreciated factors.

"I refer, for instance, to the (fact that) . . . some of the features of even our newest roads continue to contain hazards of such a nature that, drunk or sober, the nation's drivers are unnecessarily subject to peril.

"And yes, I think the (hazard removal) program needs more financing Beyond that, we must insist that whatever funds are available be spent in the most effective manner. I suggest that this has not always happened. For example — it hurts when we have to spend additional money to correct mistakes we never should have made in completing a recently opened highway High hazard locations exist by the thousands on our roads. Do we truly have an adequate program to improve them? I doubt it"

Since 1959 Rep. Blatnik has chaired the committee's special subcommittee investigating highway hazards.

NHTSA TIGHTENS DEFECT CAMPAIGN RULE

Auto makers will have to file more timely and more comprehensive defect notification campaign reports with the National Highway Traffic Safety Administration under new regulations issued recently. Follow-up progress reports on defect corrections are also required.

The new rules require manufacturers to submit "defect information reports" to the safety administration within five working days after a safety-related defect has been determined. No time limit was imposed prior to this.

Among other things, the report must contain information on the number of vehicles affected by the defect, a description of the defect, how the defect was discovered and how the defect will be corrected, and copies of all defect related correspondence that is sent to more than one dealer or purchaser. Although manufacturers have made a practice of submitting such information in the past, they were not required to do so.

The safety administration has dropped earlier proposals that would have required auto makers to evaluate the risk of injury due to the defect, an analysis of the cause of the defect and a list of "incidents related to the defect." Those requirements were deleted from the final rule after manufacturers complained that "the information would be inherently speculative."

In addition to individual campaign reports, quarterly reports are also now required. Those reports are to include, among other things, the number of vehicles inspected during the campaign, the number found to contain the defect, the number of vehicles that were actually repaired and the number of vehicles that could not be located during the campaign.

The rule becomes effective Aug. 16, 1971.

COURT UPHOLDS REGROOVED TIRE REGULATION — The National Highway Traffic Safety Administration's regulation on regrooved tires has been upheld by the U. S. District Court for the District of Columbia.

The regulation had been challenged in court by the National Association of Motor Bus Owners, the American Trucking Association and the American Transit Association. They claimed, among other things, that the safety administration's rule, which sets standards for and limits the use of regrooved tires, would reduce the useful life of the tires.

The court ruled that the regulation is within the statutory authority of the safety administration.

A regrooved tire is defined by the safety administration as "a tire, either original tread or retread, on which the tread pattern has been renewed or a new tread or retread has been produced by cutting into the tread of a worn tire to add depth equal to or deeper than the molded original groove depth."

NAMBO has announced that it is appealing the court ruling.

CONSUMER INFORMATION PROGRAM IMPROVED — With introduction of 1972 model year automobiles, manufacturers may be required to make consumer information more readily available to prospective car buyers.

Under a new NHTSA proposal, manufacturers would be required to supply consumer information in "sufficient quantity" that it could be retained by a prospective buyer for comparison with other model cars.

Currently, manufacturers are required only to have consumer information for cars available in the dealers' showrooms. Such a system, "which permits examination of data only in the dealer's showroom under sales-oriented conditions," may impede "effective comparison" of safety performance features, according to NHTSA. Auto makers are required to supply consumer information on stopping distance, acceleration and passing ability, and tire reserve loads.

The new requirement would become effective Sept. 1, 1971. Comments should be sent to Docket Section, National Highway Traffic Safety Administration, Room 4223, 400 Seventh Street, S. W., Washington, D. C. 20591, by March 15, 1971.

LOCKS AND LATCHES STANDARD CHANGE PROPOSED — The National Highway Traffic Safety Administration proposes to extend applicability of its "Door Locks and Door Retention Component" standard (FMVSS 206) to include motor homes and chassis-mounted campers that are not covered under the present standard.

The standard now applies "only to those side doors that are laterally opposite designated seating positions." The proposed amendment would alter the standard to apply to "all side doors leading into a passenger compartment."

The proposed effective date is Jan. 1, 1972. Comments should be sent to Docket Section, National Highway Traffic Safety Administration, Room 4223, 400 Seventh Street, S. W., Washington, D. C. 20591, prior to April 5, 1971.

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STATUS REPORT