

## NHTSA Plans Extensive Vehicle Rule Delays

In an "update" of its "Program Plan for Motor Vehicle Safety Standards," the National Highway Traffic Safety Administration has quietly postponed projected effective dates for more than 25 new safety standards, amendments to existing safety standards and regulations by a combined total of more than 30 years.

The agency eased a revised schedule of its projected rulemaking activity into a public docket file with no official signature, official letter of transmittal or annotation as to where the document originated. Although the file is open to public inspection, it is seldom reviewed by other than motor vehicle industry representatives.

Virtually the only major rule to escape the widespread postponements is NHTSA's passive restraint rule. That rule is currently under court review because of auto maker dissatisfaction with its requirements. (See *Status Report*, Vol. 7, No. 5, March 13, 1972.)

NHTSA issued its first "program plan" in August, 1970. A revised plan was issued two months later. A third revision was published and circulated in October, 1971. The October, 1971, version of NHTSA's projected rulemaking activity said that the publication is intended as a "guideline and working document." It said that the schedules in the plan "represent the best estimates" of NHTSA's timetable, and cautions that those plans "are subject to change at any time."

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The current revision in the plan, which reflects across-the-board delays, is dated Nov. 1, 1972. According to an official stamp on the document, it was placed in the public file Nov. 8, 1972.

A Nov. 6, 1972, story in *Automotive News*, by Helen Kahn, a veteran Washington and Detroit reporter, had said that the automobile rulemaking "atmosphere in Washington is expected to be considerably more relaxed" during the next four years.

In addition to the blanket postponements, NHTSA has altogether dropped plans to upgrade its exterior protection standard (FMVSS 215). The standard is now aimed at

protecting a limited number of “safety related” items from damage during low speed crashes. In its October, 1971, “program plan,” the agency said it expected to extend “the scope of the no-damage requirements to any subsystem of the vehicle that (when damaged) may adversely affect the vehicle’s safe operation.” The new revision gives no schedule for issuing property damage standards mandated by the “Motor Vehicle Information and Cost Savings Act.” (See *Status Report*, Vol. 7, No. 19, Oct. 16, 1972.) However, a safety administration official told *Status Report* that the agency “is working on that now.”

The most noteworthy safety standard postponements include:

- A four year delay (Sept. 1, 1976, to Sept. 1, 1980) in the effective date of a new standard that would be aimed at protection of pedestrians and cyclists when they are hit by a motor vehicle. The planned rule is directed at improving vehicle exteriors in order to “reduce injury levels to pedestrians and cyclists during initial vehicle impacts and if possible . . . control his trajectory to reduce the severity of secondary impacts,” NHTSA said in its October, 1971, “program plan.”

- A delay of almost two years (Jan. 1, 1973, to Sept. 1, 1974) on an amendment to the consumer information regulation on vehicle stopping distance that would give consumers information on wet pavement stopping performance.

- A delay of almost two years (Sept. 1, 1972, to May 1, 1974) on a new consumer information regulation that would “provide the consumer with qualitative information to assist him in making an informed choice when purchasing tires.” (See *Status Report*, Vol. 6, No. 18, Oct. 4, 1971.)

In the National Traffic and Motor Vehicle Safety Act of 1966, the Congress mandated that NHTSA issue a uniform quality grading system for motor vehicle tires. The law called for that standard to be issued before 1969.

- A two year delay (Sept. 1, 1973, to Sept. 1, 1975) in a new standard that would seek “to deter and limit excessive speeds” by limiting the maximum attainable speed of a vehicle and by using visible and audible warnings as a vehicle approaches that speed. (See *Status Report*, Vol. 5, No. 22, Dec. 15, 1970.)

- A two year delay (Sept. 1, 1975, to Sept. 1, 1977) in “major revisions and additions to the present requirements for defrosting, defogging, wiping and washing systems” (FMVSS 103 and 104).

- A two year delay (Sept. 1, 1975, to Sept. 1, 1977) in a new standard to require “installation of spray protectors where existing vehicle structure permits spray produced by the vehicle’s wheels to impair the visibility of following traffic.”

- A one year delay (Sept. 1, 1973, to Sept. 1, 1974) in applying indirect visibility standards (mirrors) to trucks, buses, multipurpose passenger vehicles and motorcycles.

- A one year delay (Sept. 1, 1976, to Sept. 1, 1977) is also anticipated for improvements in indirect visibility (mirrors) on passenger cars (FMVSS 111).

- A one year delay (Sept. 1, 1973, to Sept. 1, 1974) in the effective date of a new standard to “specify requirements for passenger seats in buses.” The new rule is supposed to carry requirements for “strengthened seats and seat anchorages, seat back protection and increased seat back height.”

- A one year delay (Sept. 1, 1973, to Sept. 1, 1974) in an amendment that would combine “seat and head restraint performance requirements and upgrade(s) these performance requirements.”

- A one year delay (Aug. 15, 1973, to Sept. 1, 1974) for passenger cars and a four year delay (Sept. 1, 1977) for forward control vehicles (such as vans) on an amendment to upgrade protection for drivers against impacts with steering assemblies.

Projected amendments to other existing standards that have been postponed include: Occupant Protection in Interior Impact (FMVSS 201), Child Restraint Systems (FMVSS 213), Windshield Mounting (FMVSS 212), Steering Control Rearward Displacement (FMVSS 204), Motor Vehicle Brake Fluid (FMVSS 116), Brake Hoses and Brake Hose Assemblies (FMVSS 106), Retreaded Tires (for vehicles other than passenger cars) (FMVSS 117), New Pneumatic Tires for Passenger Cars (FMVSS 109) and New Lighting Systems (FMVSS 108).

Other projected or postponed new standards for which planned effective dates have been postponed include: Windshield Zone Intrusion, (for vehicles other than passenger cars), Gaseous Fuel System Equipment for Motor Vehicles, Motorcycle Rider Protection Systems, Motorcycle Headgear, Tires, Rims and Wheels (for vehicles other than passenger cars), Direct Fields of View and Passenger Car Tire Traction.

## **NHTSA Proposes That Auto Makers Supply VIN's**

The National Highway Traffic Safety Administration has proposed that auto makers supply the agency with the vehicle identification numbers (VIN) of all vehicles involved in defect notification campaigns.

State Farm Mutual Automobile Insurance Co. and the Center for Auto Safety had asked NHTSA to require such information from auto makers in order that insurance companies and others could help identify and locate defective cars.

In a letter to safety administrator Douglas Toms, State Farm's vice president, Thomas C. Morrill, had suggested that his and other insurance companies could aid in removing defective vehicles from the road by notifying policy holders when their car is involved in a defect notification campaign. Insurance companies would be most effective in locating second and third owners of defective cars whose names and addresses are not available to auto makers, he said. (See *Status Report*, Vol. 7, No. 13, July 17, 1972.)

In his letter to Toms, Morrill said that earlier this year the *New York Times* reported "that 40 per cent of cars and trucks sold in this country since 1966 have been recalled for a safety related defect, and that only 50 to 85 per cent of such vehicles actually have been returned for correction of the defect." Based on those figures, "State Farm is now insuring 1.9 million cars with a safety related defect that has not been corrected," Morrill said.

The Center for Auto Safety had also asked the agency to require the information. The center maintained that the numbers could be used at state inspection stations to determine whether defective vehicles have been repaired.

The proposed effective date of the requirement is July 1, 1973. Comments on the proposal should be sent to Docket 69-31, Docket Section, National Highway Traffic Safety Administration. Room 5221, 400 Seventh Street, S.W., Washington, D.C. 20590, prior to Feb. 2, 1973.

## NHTSA Investigating 63 Possible Defects

The National Highway Traffic Safety Administration is currently investigating 63 possible defects in motor vehicles and motor vehicle equipment. Of those investigations almost one quarter are two or more years old.

Andrew Detrick, NHTSA's director of defect investigations, told *Status Report* that most of the cases that are more than two years old were originally established because they involved "a category of items" that the agency "wanted to watch." According to Detrick, the cases are considered to be of low priority and have not been given staff attention. Thus, the investigations have "not progressed far enough to determine whether or not a defect actually exists," he said. NHTSA now has a "concerted program" to complete those investigations, Detrick claimed.

Since *Status Report* last published NHTSA's list of defect investigations (See *Status Report*, Vol. 7, No. 13, July 17, 1972), the agency has initiated 18 new investigations and completed 17 others. Four investigations have been moved from a "priority II" status to a "priority I" status. (Charts listing NHTSA's current defect investigations begin on page 5 . Investigations that are two or more years old are indicated in bold type.)

Significant investigations recently closed by NHTSA include:

- **Windshield wiper arms on 1949-1969 Volkswagens (case 60).** Volkswagen has agreed to recall these vehicles because their windshield wipers may become "erratic and may cease (to function) entirely, especially during heavy rain or snow storms." However, the company is not providing owners with free replacements for the defective wipers.

Sen. Warren Magnuson (D-Wash.), Chairman of the Senate Commerce Committee, has written the company expressing concern about the "adequacy of notice" to owners of recalled Volkswagens. Magnuson said that he understood that the company "only began recording the first purchasers of Volkswagens during the latter 1960's upon adoption of the Motor Vehicle Safety Act. Accordingly, only 220,000 owners will be receiving defect notification letters out of a potential population of 3.5 million." Magnuson urged the company to use the "mass media" to inform Volkswagen owners who would not receive a letter.

Sen. Magnuson also urged the company to repair the defective wiper system at no cost to the consumer. He pointed out that in 1969, the Senate passed a bill requiring manufacturers to repair safety-related defects free of charge. The "mandatory recall" provision was later deleted in a conference committee "upon the assurance from the auto industry that all repairs would be made voluntarily by the manufacturers," according to Magnuson. He pointed to General Motors' earlier refusal to "absorb the cost of repair of defective heater systems on 760,000 Corvairs" and said that Volkswagen's action "marks the second time in a 12-month period that a major automobile manufacturer has rescinded on the industry promise. In view of this record, I see no other alternative but for the Congress to adopt a mandatory recall provision."

NHTSA had warned its staff of the hazardous condition created by the defective Volkswagen windshield wipers in its April "in-house" newsletter; two months later NHTSA issued a public warning on the hazard. (See *Status Report*, Vol. 7, No. 10, May 22, 1972.)

- **1960-1963 Corvair chassis and suspension (case 279).** NHTSA concluded that the handling and stability performance of the Corvair "does not result in an abnormal potential for loss of control or rollover." However, the agency sent letters to Corvair owners explaining that "in emergency situations of hard cornering . . . it (the Corvair) may exhibit unusual handling characteristics."

(cont'd on page 9)

**Subjects Of Current NHTSA  
Safety Related Defect Investigations**

Priority I

November 27, 1972

CASE	MAKE	MODEL	YEAR	COMPONENT	POSSIBLE PROBLEM
161	American Motors, Chrysler, Ford, General Motors	All Models	1963-1971	Power brake vacuum check valve	No power assist with loss of valve cover
C3-09*	B.F. Goodrich	7.35-14	All	Space saver tire	Insufficient in- structions for mounting tire to rim
C3-17*	British Leyland	Triumph TR-6	1971-1972	Fuel tank and filler neck con- nection	Leaks when filling tank
150†	Budd, Firestone, Kelsey-Hayes	RH5 <sup>0</sup> Wheels for medium trucks	Various	Wheels	Accidental ex- plosive disas- sembly
C3-03*	Chrysler	All full-size Chryslers, Dodges, Plymouths	1969-1972	Bulkhead elec- trical connec-	Becomes dis- connected
297	Firestone	Front tires on GMC parcel delivery vans 4903 & 4905	1969-1970	Front tires	Excessive heat buildup
C3-10*	Ford	Lincoln Conti- nental Mark IV	1972	Tie rod sleeve	Breakage
C3-12*	Ford	LTD Country Squire	1972	Steering wheel nut	Lack of quality control during assembly
98	Ford	Cougar, Mustang	1966-1970	Ford drop-in fuel tank vent	Certain vents ex- posed to rupture by shifting luggage
140	Ford	Cougar, Mustang	1968-1969	Seat back pivot arm	Inboard pivot failure
287	Ford	Galaxie	1968-1969	Front wheel spindle	Fatigue crack in heel area
212	Ford	Full size	1965-1969	Lower con- trol arm	Fatigue failure
266	Ford	Full size	1969	Ignition switch	Poor connection between harness plug and switch

CASE	MAKE	MODEL	YEAR	COMPONENT	POSSIBLE PROBLEM
128†	Ford	Light trucks	Various	16" two-piece wheels	Lock ring gutter failure
215†	Goodyear	KB-KW wheels for medium & heavy trucks	Various	20" two-piece wheel	Accidental explosive disassembly
C3-11*	Cadillac	All models	1959-1960	Steering pitman arm	Fatigue failure
209†	Chevrolet	Biscayne	1969	Rear track bar	Failure under load
C3-18*	Chevrolet	Impala	1969-1970	Steering wheel	Breakage
C2-40	Chevrolet	Full size and Chevelle	1971-1972	Steering mechanism	Possible lockup due to foreign objects
252	Chevrolet	½-ton van and passenger cars	1969	Tie rod	Suspected fatigue failure in thread section
C3-07*	General Motors	GMC Astro-95 truck	1971-1972	Steering pitman arm	Deterioration of steering control
258	General Motors	Buick, Cadillac, Oldsmobile and Pontiac	1965-1969	Engine mount	Secondary effects from shearing of engine mount
132	General Motors	All models	1965-1966	Quadrajete carburetor	Fuel leakage at plug
C3-02*	Honda motorcycle	CB 750, CB 500, & CB 450 (K3 & K4)	All	Gas filler cap	Becomes dislodged allowing gas to be ignited
C2-23	Mack trucks	Mack truck tractor	1969-1970	Front suspension, saddle block & U-bolt	Breakage
C3-20*	Nissan Motors	Datsun 240-Z	1970-1972	Front disc brake piston	Corrosion of disc brake caliper pistons
C2-60	Volkswagen	All models	Pre-1963	Heater	Engine fumes in passenger compartment
278	Volkswagen	All models	1965-1971	Seat and seat track	Seat track separation during crashes
C2-59*	Volkswagen	Karmann Ghia	1971-1972	Fuel tank	Leakage

CASE	MAKE	MODEL	YEAR	COMPONENT	POSSIBLE PROBLEM
190	All manufacturers	Travel trailers	1965-1970	Wheels, axles and tires	Overloading of suspension components
C2-09	All manufacturers	All models	All	Motorcycle helmets	Units providing inadequate protection
C3-08*	American Motors	All	1971-1973	Fasteners for front suspension	Insufficient torque control on critical fasteners
C3-13*	American Motors	Ambassador, Matador	1973	Fuel tank	Leakage due to poor soldering
C2-05	American Motors	Jeepster	1971	Service brake	Rear brake lockup
C2-51	Avco Motor Homes	Grand Lodge	1971	Gas tank location	Fume intrusion into electrical circuitry box
169	Bonanza	15', 17' Trailers	Various	Wheel lug bolt	Lug nuts not compatible with wheels
264	Dodge	S500 Chassis	1964-1967	Brake drum	Flawed contact surface
291	Ford	Capri	1971	Evaporative emission system	Charring of air cleaner element
C2-50	Ford	B7000 school bus	Various	Air brake hose	Incorrect routing of air lines
C2-25	Ford	School bus	1966	Brake line	Corrosion failure
C2-46	Ford	LTD	1972	Power steering hose	Hose failure
C3-14*	Ford	LTD Country Squire	1973	Rear bumper support	Incomplete welds
282	Ford	Full size	1965-1970	15x5 wheel	Inner bead seat failure
C2-53	Ford	All models	1967-1971	Brake master cylinder	Corrosion in cylinder
C2-61	Ford	Full size	1968-1971	15x6.5 wheel	Rivet, weld and/or disc failure
C2-20	Oldsmobile	Cutlass	1971	Service brake	Excessive heat buildup

CASE	MAKE	MODEL	YEAR	COMPONENT	POSSIBLE PROBLEM
C2-32	General Motors	GMC, Chevrolet pick-up	Various	15",16" single-piece wheel	Inner bead seat failure
C3-15*	Plymouth	Valiant	1973	Upper control arm cam bolt	Low or insufficient torque control on bolt
C2-33	Pontiac	Firebird	1972	Lower B-post	Inadequate support welding
C2-45	Hamill Manufacturing Co.	Protecta-tot Model 9013	Various	Child seat	Potential restraint problem
C3-16*	International Harvester	Travelall	1972	Fuel tank and front suspension fastener bolts	Miscellaneous quality control
C3-06*	International Harvester	DCF 400	1971-1972	Exhaust system	Exhaust leakage, engine fume intrusion into cab
248	International Harvester	1600, 1700S 1800 bus	1958-1970	Brake shoe	Shoe separation from reinforcement web
276	International Harvester	1200D	1970	Front spring U-bolt	Breakage
C2-08	International Harvester	Step-in van	1970-1971	Steering linkage	Wheel oscillations on rough surfaces
C2-54	Norton Villiers, Ltd. Motorcycle	Commando 750 cc	Various	Yoke	Cracking
C2-55	Open Road Motor Home	Chevrolet 350 chassis	1970-1972	Front axle	Possible overloading
C2-18	Rockwell Standard	Various trucks	1970-1971	Front axle hub	Failure to meet manufacturer's specifications
C2-19	Rockwell Standard	Tandem axle trailers	1960-1963	Axle spindle	Overstress condition
C3-19*	Toyota	Land Cruiser	1972	Heater hose and gas tank	Routing of hoses through interior of vehicle and location of gas tank
C2-28	Warner Electric Brake Co.	Various	Various	Electric brake	Magnet clutch failure



CASE	MAKE	MODEL	YEAR	COMPONENT	POSSIBLE PROBLEM
C238	Webb Wheel Div.	Various	Various	20" wheel	Possible flaw in casting
303	Volkswagen	Microbus	1970	Brakes	Brake fade
51	(In litigation)			3-piece wheel	

\* Initiated since July 17, 1972

† Moved from Priority II to Priority I

(cont'd from page 4)

- **Rusty frames in all pre-1968 vehicles (case C2-21).** NHTSA had previously closed and then reopened this investigation after issuing a public advisory on rusty frames. (See *Status Report*, Vol. 7, No. 6, March 28, 1972.) NHTSA's renewed investigation, which concentrated on 1965 Chevrolet frames, found that "severe frame corrosion is principally confined to the New England and North Central states." General Motors told NHTSA that Chevrolet owners have reported a total of 303 cases of alleged rusty frames. 282 of those cases involved 1965 Chevrolets. GM said that 228 of that number "were in need of some type of repair." In concluding that the frames were not defective, NHTSA said "frame corrosion appears to be primarily a result of the driving environment" and "appears to be unrelated to the manufacturing process."

- **Carbon monoxide intrusion in 1955-1971 GMC school buses (case 280).** NHTSA established this case in March, 1971, "when it appeared we (NHTSA) would need to know which (school bus) engines generate high levels of carbon monoxide," according to an NHTSA staff memorandum, which is the only document in the case file. The file shows that no investigation was actually initiated. The case was closed in July, 1972.

The following investigations were closed after a vehicle or equipment manufacturer conducted a defect notification campaign: Rear spring cap failures in Mack trucks (case C2-30); idle stop solenoid bracket failures in 1971-1972 Chevrolet Vegas (case C2-35); throttle sticking in the 1969 Volvo (case 228) and inadequate welds on Rockwell Standard torque arms (case 296).

The following investigations were closed after NHTSA determined that no defect existed: Steering tie rod end separation in 1971 full size Fords (case C2-31); weld failures in 1971 International Harvester Travelalls (case C2-49); axle failures in 1969 International Harvester Loadstar trucks (case 283); excessive exhaust system temperature in 1968-1971 Austin America 1300's (case 289); brake master cylinder failures in 1969 Fords (case C2-37) and axle failures in 1966 Trailmobile 40 foot trailers (case C2-39).

NHTSA has not made information public on the following closed investigations: Drawbar and dolly-bar failures in Western Unit Corporation's Butler trailers (case 307); inadequate restraint in Model 63 of Peterson child seats (case C2-10) and cracks in Holland Hitch Company fifth wheels for trucks (case C2-52).

Complaints of suspected safety related defects should be sent to the National Highway Traffic Safety Administration, Office of Defects Investigation, 400 Seventh Street, S.W., Washington, D.C. 20950. *Status Report* requests that a copy of the letter be sent to "Defects", Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037. Letters should contain the make, model and model year of the vehicle, the date purchased, vehicle identification number, vehicle mileage, and a description of the defect.

(The following appeared in the Nov. 12, 1972, *Washington Post*.)

## ***Seat Belts: 'They're So Bad People Don't Use Them'***

**By Peter Weaver**

Automobile seat belts are a disgrace. They're so bad, most motorists aren't using them.

The Insurance Institute for Highway Safety says only 3 or 4 out of every 100 drivers and passengers use the complete lap-belt, shoulder-harness protective system provided in most cars.

Some people in the auto business hint darkly that we're not using the seat-belt systems because we must have some kind of death wish. Baloney. The main reason many motorists and passengers aren't using the seat belts is that the belts aren't designed for humans.

Look at the belts in your car. The buckles have different sizes for lap and shoulder straps and the snarled, spaghetti-like mess is often hard to untwist before each use.

After unsnarling all this, you're faced with trying to reach the shoulder harness without getting a shoulder separation. Then, after you're all buckled in, you almost have to choke yourself in an attempt to claw away at the emergency-brake release. You're strapped in tight.

A Chrysler official admitted to the Federal Trade Commission that there were some 9 million ways you could buy one of his company's automobiles. You could get special engines, wheels, tinted glass, hubcaps, anything. But you could only get one lousy kind of seat belt.

Somehow ignoring the inhuman design of today's seat belts, the government and the major auto manufacturers are now bent on forcing people to wear the belts. First they tried the shock treatment of TV spots showing horribly disfigured children who weren't wearing seat belts.

Then came the buzzers that buzzed if you didn't buckle up. The buzzers made an annoying sound but many motorists are finding ways to disconnect them. According to the Insurance Institute for Highway Safety, the TV spots and the buzzers have been a monumental failure. In a survey of those not wearing the belts, the IIHS found it "significant . . . that many people consider them inconvenient or uncomfortable."

Now the Department of Transportation and the two biggest auto manufacturers are suggesting that the states enact laws to make the wearing of seat belts mandatory. If the police spot you "unbuckled," you could get a fine.

This kind of law could certainly help save lives. They tried it in Melbourne, Australia, and the great majority of motorists began using their belts. Traffic deaths dropped a dramatic 24 per cent.

But this puts the entire onus on drivers and passengers. What about a law that would force the auto companies to give us better protection? Actually, there is such a law but it won't force the companies to provide really good seat belts until next fall when the 1974 model cars come out.

The new cars will have easy-in, easy-out seat belts plus an inertia reel on the shoulder harness. The reel will allow completely free movement for driver or passenger. In a crash, it hauls you up snug against the seat. (*Editor's Note:* Although inertia reels restrict further torso movement when a crash or "panic stop" occur, they do not "haul you up snug.")

Using a sort of double standard, the auto companies for years have been providing this excellent seat-belt system (easy-in-out, inertial reel) for highway police, utility companies and other fleet buyers. Don't try to get the good belts. They won't sell them to individuals. You have to order a fleet of cars. Only the American-made Corvette and some European cars now provide this good seat-belt system as standard equipment.

Why don't the automobile companies figure a way to offer the good seat belts at cost to those of us who are stuck with the bad ones and can't afford to get a new car next year in order to get better protection.

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## N.Y. Adjudication Program Found Unconstitutional

New York's program to lighten court case loads by handling certain traffic offenses through administrative adjudication has been declared unconstitutional by a state court. This action comes at a time when the National Highway Traffic Safety Administration is proposing that states adopt such nonjudicial procedures for handling minor traffic violations.

When New York established its administrative adjudication system, the state legislature said that the responsibility for handling both criminal and traffic cases had created an "overwhelming workload" for New York's criminal courts. As a result, the "prompt and judicious handling of cases" in New York's larger cities had become "virtually impossible," according to the legislature. The legislature specified that the new system of administrative adjudication could be adopted only in cities with a population of one million or more. New York City is the only city in the state with such a population.

When the new system went into effect in July, 1970, New York City motorists charged with moving violations, such as speeding or running a stop sign, no longer appeared in criminal court. Instead, they were ordered to appear before a hearing officer of the Department of Motor Vehicles' Administrative Adjudication Bureau. Under the system, the hearing officer did not have the power to jail a motorist but could impose a fine and, when applicable, suspend or revoke a motorist's license and his vehicle registration.

In holding the system of administrative adjudication unconstitutional, the New York County Supreme Court said that the flaw in the system was not "changing procedures or forums to enable a more efficient processing" of traffic cases, but the lowering of the amount of evidence needed to obtain a conviction. According to the court, New York City motorists were denied "due process" of law because they could be convicted of a traffic violation on the basis of a lesser amount of evidence than was necessary to convict motorists in courts elsewhere in the state.

This was because the act establishing New York's Administrative Adjudication Bureau provided that the state had to prove its case against a motorist by "clear and convincing evidence" rather than "beyond a reasonable doubt." Before the act went into effect, New York City motorists who were brought before a criminal court had to be proven guilty "beyond a reasonable doubt," which remained the standard elsewhere in the state after New York City set up its administrative adjudication program.

In a proposed revision to its highway safety standards, NHTSA would require that states establish "adjudication agencies (nonjudicial tribunals) or other non-criminal methods" for dealing with traffic violations. (See *Status Report*, Vol. 7, No. 14, Aug. 7, 1972.) NHTSA would leave the details of any administrative adjudication system "to the discretion of the states."

[The New York case is *Rosenthal v. Hartnett*, 335 New York Supplement 2d 758 (1972).]

## Federal Agencies Faced With Highway Rules

The Department of Transportation has moved to make federal agencies comply with the same highway loss reduction program standards that apply to states.

Federal agencies control more than half a million vehicles and 46,000 miles of paved roads and streets that are currently exempt from—and in most cases do not comply with—the federal government's own highway loss reduction program standards. (See *Status Report*, Vol. 7, No. 15, Aug. 21, 1972.)

To date, DOT has made only program standard No. 13, Traffic Engineering Services, which deals primarily with traffic control devices, applicable to federal agencies.

DOT is proposing that all federal agencies "that control highways open to public travel . . . or supervise traffic operations on such highways" bring their highway loss reduction programs into compliance with "applicable" federal highway loss reduction standards.

In its proposal, DOT said that "a major goal" of the Highway Safety Act of 1966 "was to encourage the development of uniformity in traffic regulation and control." In order for that to come about, standards should apply to federal as well as state jurisdictions, DOT said.

Unlike state jurisdictions, federal agencies will not be able to get any funds from DOT, according to a department attorney. However, each agency will be required to submit an annual report of its loss reduction activities to DOT.

DOT has proposed that the standards apply to federal agencies effective Feb. 1, 1973. Comments on the proposal should be sent to Docket 72-29, Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street S.W., Washington, D.C. 20590, prior to Dec. 29, 1972.

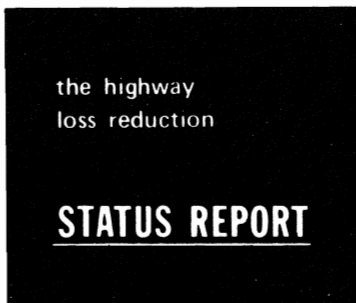
## Williams Joins Institute

Dr. Allan F. Williams, a social psychologist, has joined the research department of the Insurance Institute for Highway Safety.

Williams was formerly project director of The Medical Foundation, Inc., and a research analyst with the Massachusetts Department of Public Health's Division of Alcoholism.

He received his A.B. in psychology from Wesleyan University, Middletown, Conn., and his M.A. and Ph.D. in social psychology from Harvard University.

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