

Auto Makers, Insurers Split Over Bumper Rule

Auto makers have objected to DOT's proposed "no-damage" bumper standard as unwarranted. Insurers have welcomed it as a logical first step.

The comments of both groups came in response to a National Highway Traffic Safety Administration notice of proposed rulemaking under Title I of the 1972 Motor Vehicle Information and Cost Savings Act.

In their comments, auto makers claimed that bumper improvements already mandated to protect "safety-related equipment" in some kinds of very low speed — five miles per hour — collisions have sufficiently reduced damage. Insurers urged strengthening the standards in the future to cover 10 mile per hour impacts, corner impacts and bumper mismatch during emergency braking.

The Motor Vehicle Manufacturers Association challenged the language proposed by the agency to define a no-damage standard, specifically objecting to the provisions for "no breakage or release of fasteners and joints," no separations of surface material, and no deviations from the original contours of exterior vehicle surfaces, following a five mile per hour barrier impact for 1975 model cars.

Individual manufacturers attacked the proposed five mile per hour pendulum test to take effect for 1976 model cars. Some said they would be unable to meet the proposed requirements. They asked for more time to study the effect of current bumper standards on real world damage.

"It is conceivable that the main objectives of Title I of the Act may already have been achieved through existing federal requirements," General Motors said.

Inside

- DOT Speed Control Plan Called "Too Limited" . . . Page 3
- NHTSA Belted By Public On Ignition Interlocks . . . Page 4

"Any promulgation of more stringent bumper standards cannot be justified from a cost effectiveness standpoint," Ford Motor Co. said.

"In our opinion, the benefit/cost performance of these bumper systems on 1974 model passenger cars should be carefully evaluated before more stringent requirements are imposed," Chrysler Corp. said.

"American Motors questions the Administration's authority to promulgate a bumper standard with such a 'quantum jump' in performance based on such little factual information as exists today," that maker said.

INSURERS' COMMENTS

The American Mutual Insurance Alliance said the proposals are "reasonable and achievable at this time," suggesting that the "maximum feasible reduction" in auto repair costs would be found at higher levels of crash protection, such as 10 mile per hour barrier impacts. AMIA said:

"Although definitive data are not available on a prospective basis, we believe the criteria set forth in your proposed bumper standard are a conservative and appropriate level of protection at this time. We are confident that bumpers meeting the proposed standards will be 'cost-effective' on the basis of the research data now available."

State Farm Insurance Co. called the proposed standard "an important first step," but said it was only minimally acceptable in some respects.

State Farm submitted data that showed fewer cases of front and rear damage for claims involving 1973 model cars, implying some reduction of damage frequency, while the average total cost of repair remained approximately the same. (A recent report by the Highway Loss Data Institute has showed fewer collision claims, but higher payments per claim for 1973 model cars compared to 1972 model cars. See *Status Report*, Vol. 8, No. 18, Oct. 5, 1973.)

Allstate Insurance Co. cited similar data to conclude that "improved bumper designs will prove cost effective to the consumer, both from a reduction of low damage repair costs, below present insurance deductible levels and also in the basic cost of collision insurance coverage."

Kemper Insurance called attention to what it described as a problem of the characteristics of two braking cars in a front-to-rear-end crash, in which both cars nose dive — bringing the front of the rear car below the level of the front car's rear. "Mushy suspension subverts the purpose of uniform height, energy absorbing bumpers," the company said.

Liberty Mutual Insurance Co. noted "the special problem encountered when a large vehicle strikes a smaller one." The company suggested that "larger vehicles be treated to protect the smaller ones."

MANUFACTURERS' OBJECTIONS

The auto makers showed specific concerns for their products as follows:

- General Motors reported its soft-face vehicle concept "offers promise" in reducing damage, but said it cannot meet the test procedures of the current safety standard and the proposed no-damage standard.
- Ford said the criteria proposed by the agency were so rigorous that "we do not know how to meet them in future designs following either the barrier impact or the pendulum impact."
- Chrysler said "the weight and very aggressive shape" of the pendulum make its use inappropriate for the evaluation of vehicle damageability.
- American Motors questioned whether improvement in resistance to damage might be at the expense of a decrease in vehicle safety or performance.

- Volkswagen suggested that the agency consider the possibility of permitting no-damage bumpers to be offered as options.

General Motors said presently available insurance data are not sufficiently comprehensive to permit a reliable evaluation of potential consumer benefits from increased bumper protection.

GM estimated that about three-fourths of all accidents are in the unreported or uninsured category. The company said it believes the current bumpers are paying off precisely at those high frequency, low damage level accidents which are not normally found in insurance files.

(The Insurance Institute for Highway Safety told a public meeting on the bumper standards that each year nearly one out of every five recent model year cars is left with unrepaired crash damage. See *Status Report*, Vol. 8, No. 17, Sept. 10, 1973.)

GM proposed "the early establishment of a coordinated government or government/industry program to create a data file which will faithfully represent the full spectrum of vehicle damage."

DOT's Speed Control "Too Limited"

An organization of insurance industry attorneys has asked the federal government to ban the manufacture of cars that can go faster than 70 miles per hour. The Department of Transportation's current plan to require a 95 mile per hour built-in ceiling is "too limited" and of "questionable effectiveness," the group claimed.

Federation of Insurance Counsel President Phillip W. Knight told the National Highway Traffic Safety Administration, in a formal docket submission, that an "ineffective" speed limiting proposal, which added to the "increasing cost of automobiles," would be a "fraud upon the consumer."

He urged that a 70 mile per hour limit go into effect with the 1976 model year.

NHTSA could exempt some vehicles for "reasons of public health or safety," Knight said. He noted that federal or state legislation would be needed to prohibit alteration of any federally required speed limiting devices.

The safety agency's own speed limiting standard is now more than one year overdue. In December, 1970, NHTSA first proposed to ban cars, beginning with the 1973 model year, that go faster than 95 miles per hour. Lights and horns that activate between 81 and 85 miles per hour, and speedometers that register speeds no greater than 85 miles per hour were part of the proposal.

In November, 1972, NHTSA quietly delayed the effective date of the proposed standard until the 1976 model year. (See *Status Report*, Vol. 7, No. 22, Nov. 27, 1972.) An NHTSA official told *Status Report* that the agency has not decided whether to issue a final standard or propose yet another version of a speed limiting rule.

FIC's President Knight, citing a 1969 DOT staff study, "Maximum Safe Speed for Motor Vehicles," said that a built-in, maximum 70 mile per hour vehicle speed might mean an "8 per cent drop in fatalities." Such a reduction means "4,000 lives saved" annually in addition to "reducing thousands of injuries," he said.

A maximum speed of 70 miles per hour would not "create substantial inconvenience to the motoring public," Knight said. He noted that even on main rural roads, including Interstates, only 14 per

Status Report October 30, 1973

cent of the traffic exceeds 70 miles per hour, according to a Federal Highway Administration study, "1972 Traffic Speed Trends."

In addition to the safety benefits, Knight noted that "controlling the maximum speed of vehicles by speed limiting devices or engine design modification has an integral place in the overall program of conservation of our energy resources."

As a part of its program to obtain a limitation on maximum speeds, FIC has requested more than 500 insurance companies to submit comments on its proposal to the NHTSA docket. In addition, the group has asked automobile manufacturers to re-evaluate their "generally negative position" on speed controls, an FIC official told *Status Report*. The official said that if there is "continued delay at the federal level" on speed control, FIC may consider initiating state legislation requiring speed limiting devices.

NHTSA's High Speed Warning and Control rulemaking docket is designated 1-19. Comments on all rulemaking dockets can be sent to the Docket Section, Room 5221, National Highway Traffic Safety Administration, 400 Seventh St., S.W., Washington, D.C. 20590.

NHTSA Belted On Ignition Interlocks

The National Highway Traffic Safety Administration has been deluged with gripes about safety belt ignition interlocks on 1974 model cars.

In a recent in-house bulletin, employees were told, "Over 98 per cent of the persons writing to NHTSA about the ignition interlock system oppose it . . . Major reasons cited are that the interlock is an infringement on individual rights, that it is cumbersome and inconvenient and that it will be an added burden to the car's electrical system."

As of Oct. 19, 1973, NHTSA had answered over 400 letters on the ignition interlock system, the agency said in its *Weekly Bulletin*.

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