

**As Heavy Truck Bill Passes...**

## DOT May Stall Truck Brake Rule

Citing the "worsening national economic situation," the Department of Transportation is considering postponing "indefinitely" its truck brake safety standard, now planned to take effect early in 1975. Immediate reaction from two truck brake equipment makers, however, was that a delay would hurt, not help, the economy.

On December 16, DOT issued an invitation for public comments, due by December 26, on its plan to postpone the standard. The invitation followed pressure from some truck interests — including a full-page ad in the *Washington Post* appealing to President Ford to stop the standard from taking effect.

Response to the invitation from two major makers of truck brake equipment, however, was strongly against any delay on the ground that it would severely injure them economically, and would aggravate unemployment.

Wagner Electric Corp. told NHTSA that "in good faith" it had invested in "manpower and resources" to make equipment in compliance with the standard. "These new brake systems are now a production reality and shipment to customers has been underway since early November," it said. "Your

action to even suggest a delay at this 'eleventh' hour can only be classified as completely irresponsible... a delayed effective date will add substantial unemployment in the supplier industry."

S & Z Tool and Die Co. warned that delaying the standard would "result in unemployment... we have spent considerable time and money on this program towards minimizing economic automotive cutback."

DOT's announcement, issued by its National Highway Traffic Safety Administration, also conflicted with recent statements by the agency's top safety official strongly endorsing the standard.

Meanwhile, in two closely related developments:

### Inside

- New Truck Crash, Death Data Disclosed ... Page 4
- NHTSA Again Finds Air Bag Better Than Belts ... Page 5
- NHTSA To Drop Emphasis On Eight 'Priorities' ... Page 7
- House, Senate Vote NTSB Independence ... Page 9
- FHWA Safety Planning A Failure, CAS Says ... Page 10
- Canadian Rule Brings Child Seat Shortage ... Page 11

- The Congress passed, and sent to the President for signing, legislation to allow increases in the weights of trucks to which the braking standard would apply (see box, below).

- A Maryland public health researcher disclosed new data showing the involvement of tractor trailer trucks in crashes in which fatalities are predominantly automobile occupants (see story following).

### STANDARD'S FOUR-YEAR HISTORY

NHTSA first issued its air brake standard, FMVSS 121, in February, 1971, to go into effect Jan. 1, 1973. The agency said then that its purpose was "to insure that the braking performance of these large vehicles will compare favorably with passenger cars." The standard required air brake equipped vehicles to stop in a maximum of 245 feet on a dry surface from 60 miles per hour. (NHTSA's consumer information publications on 1971 passenger cars showed that 64 of the 74 makes and models listed were capable of stopping from 60 miles per hour in less than 245 feet. See *Status Report*, Vol. 6, No. 5, March 10, 1971.)

In February, 1972, NHTSA amended the standard to delay its effective date until Sept. 1, 1974, to "permit a longer period of fleet testing to evaluate the durability of the new systems." At that time, NHTSA denied requests to increase the stopping distances, saying that such increases would be "contrary to the interest of safety."

However, in March, 1974, NHTSA proposed further delays in the effective date of the standard and some temporary increases in vehicle stopping distances. Vehicle manufacturers responded to NHTSA's proposal by seeking even greater postponements. (See *Status Report*, Vol. 9, No. 8, April 16, 1974.) As a

### ***Congress Allows Heavier Trucks***

The Congress has passed and sent to the President legislation that would allow bigger trucks on interstate highways. The bill (S. 3934) also makes permanent the 55 mile per hour federal speed limit.

The bill will allow larger trucks on interstate highways at a time when the National Highway Traffic Safety Administration is proposing to delay braking requirements for heavy trucks.

Earlier in the session the House had voted down a measure to increase truck weights. (See *Status Report*, Vol. 9, No. 18, Oct. 11, 1974.) The conferees agreed to the measure because otherwise "no highway bill would have been possible this year," according to one of the conferees.

The bill increases the maximum truck weight allowed on interstate highways from 73,280 pounds to 80,000 pounds. Maximum loadings per axle are increased from 18,000 pounds to 20,000 pounds for a single axle and from 32,000 to 34,000 pounds per tandem axle. The provision was supported by the Department of Transportation but opposed by the National Transportation Safety Board.

The bill contains a \$752.8 million authorization in federal highway aid and includes a program to upgrade and reconstruct non-interstate highways in rural areas. There are also provisions to extend the federal program to remove billboards.

result of the manufacturer comments, NHTSA delayed the standard's effective date until Jan. 1, 1975, for trailers and until March 1, 1975, for trucks and buses, and made a number of other weakening changes.

## DELAY PROPOSAL

DOT's current proposal for delaying the standard was issued at the direction of the White House, it is understood. In the proposal, DOT asked for comment on postponing the standard for three, six, or twelve months, or indefinitely. Its rationale was "the worsening national economic situation, as evidenced by rising unemployment rates and declining levels of industrial production. The problems of the automotive and related industries have been especially noticeable, with major 'ripple effect' consequences for the rest of the economy."

NHTSA said that it "considers it in the public interest" to review the desirability of having the standard come into effect early next year, as scheduled, "in light of the magnitude of the costs of complying with it." Even though it earlier concluded "that the public benefits of resulting improvements in braking capability would outweigh those costs," NHTSA said it now wants "further information on the economic impact" of the standard, and has "special interest" in assessing the effect of a delay on the "sales, prices, employment and outside procurement" of truck equipment makers.

Late in November one such manufacturer, Breeze Corporations, took a full-page ad in the *Washington Post* to urge President Ford to help the industry overcome the "stifling force" of the brake standard. "Truckers, truck manufacturers, the leading publications in the trucking industry and the American Trucking Associations," the ad said, were all opposed to the standard because "the cost of this equipment is prohibitive."

However, NHTSA's records on the standard suggest that truck and truck equipment makers' opposition to the standard has not been unanimous. The agency said in an earlier notice that of all those affected by the March 1, 1975, effective date of the standard for trucks and buses, "Ford Motor Co. is the only manufacturer of air brake-equipped trucks" that petitioned for further delay of the start-up date. (Actually, Chrysler Corp. also asked that NHTSA postpone the standard. However, the request was submitted after the deadline for such petitions.) In contrast, it said, "International Harvester . . . indicated that it had been ready to meet the proposed January 1, 1975, effective date and would actually suffer economic losses in waiting for the March 1, 1975, implementation."

## NEED FOR STANDARD

In March of this year, NHTSA Administrator James Gregory vigorously defended the truck brake standard in testimony before a Senate subcommittee. He suggested that increased truck sizes and weights would require better truck braking performance, and stressed that of all pending truck safety rules, this one was "particularly important" because of NHTSA data showing that "a large number of collisions" involve "cars and trucks during overtaking and passing attempts," with the chance for a collision "greatest when a large truck passed a car or another large truck.

"The chance of collision when trucks overtake cars is four to five times greater than the chance is when cars pass trucks."

Gregory added, "The statistic that most concerns us about trucks is the likelihood of death occurring to the occupants of a car that collides with a large truck. The probability of a fatality is ten times as great in collisions between a large truck and a car as in collisions between two cars." (See *Status Report*, Vol. 9, No. 8, April 16, 1974, and Vol. 9, No. 18, Oct. 11, 1974.)

The NHTSA data cited by Gregory are consistent with other studies that illustrate the need for better brake performance by tractor-trailers, trucks and buses.

Nearly four years ago, in a paper delivered to the Society of Automotive Engineers, William Haddon, Jr., M.D., president of the Institute, made note of studies indicating that there was “no present adequate federal standard for truck braking rates. And, the Uniform Vehicle Code suggested for states has only a weak requirement for stopping distance, and that in a test at only twenty miles per hour. Actual braking performance of heavy trucks is commonly two to three times worse than that of passenger cars.” The paper, given Jan. 31, 1971, was entitled, “Reducing Truck and Bus Losses – Neglected Countermeasures.”

In March, 1971, the Highway Safety Research Institute of the University of Michigan issued a study, under contract from DOT (FH-11-7290), that among other things showed tractor-trailer stopping

## ***New Truck Crash, Death Data Disclosed***

As the Department of Transportation announced its proposal for yet another delay in its long-planned truck brake safety standard, a Maryland public health researcher disclosed the preliminary results of an intensive study, due for completion early next year, of fatal crashes involving tractor trailers.

Susan P. Baker, of the Johns Hopkins University School of Hygiene and Public Health, summarized the findings of a study of 150 fatal crashes involving tractor trailers – 131 of them involving more than one vehicle – that were reported in Maryland during the 1970-1973 period.

Her summary was transmitted to the Insurance Institute for Highway Safety, which is supporting the study. In it, Baker said that her data show:

- While only 1.3 per cent of vehicles involved in all reported crashes were tractor trailers, 3.6 per cent of vehicles in fatal crashes were tractor trailers.
- In the 131 crashes involving a tractor trailer and another vehicle, “12 per cent of the occupants of tractor trailers were killed, compared to 57 per cent of the occupants of other vehicles,” and “87 per cent of people killed in these 131 crashes were in vehicles other than tractor trailers.”
- “Of particular relevance to the question of braking standards is the fact that a tractor trailer was the rear vehicle in two thirds (28) of the 43 crashes in which the colliding vehicles had been travelling in the same direction prior to the crash.”
- “. . . in a fatal multi-vehicle collision involving a tractor trailer, the tractor trailer driver is not likely to be killed unless the other vehicle is also a tractor trailer or heavy truck.”
- “Seven of the multiple-vehicle collisions occurred when tractor trailers failed to stop for red lights. In one instance, the tractor trailer struck the *second* vehicle to cross the intersection on a green light. This raises the question of whether the braking capacity of laden trucks travelling at posted speeds is adequate to bring them to a stop in the length of time that a traffic light remains yellow, or within the distance available after a traffic signal can be sighted.”

Baker added that in 99 of the 131 multi-vehicle crashes, “the other vehicle colliding with the tractor trailer was a car or station wagon.”

IIHS has submitted the Baker data to the docket on the truck brake standard in response to NHTSA’s request for comments on the proposed delay.

distances, when braked from 60 miles per hour under a variety of loading conditions, ranging from a low of 220 feet, or 25 less than the standard would require, to a high of 395 feet, or 150 more than permitted by the standard.

The federal government's safety investigation agency, the National Transportation Safety Board, has repeatedly warned that truck braking inadequacies are associated with needless crash fatalities. In its report issued Jan. 18, 1973, for instance, on "commercial motor vehicle braking," NTSB noted that "about 63 per cent of the fatalities in interstate trucking accidents are passenger car occupants.

"Approximately 40 occupants of passenger cars are killed for every occupant of a truck who loses his life in interstate truck collisions with passenger cars. The Safety Board has reported on recent instances of heavy trucks overriding passenger cars on the New Jersey Turnpike and on U.S. Highway 101 near Ventura, Cal. Improved truck braking would reduce the number of such serious accidents – and the toll taken in lives and injuries." (See *Status Report*, Vol. 6, No. 1, Jan. 18, 1971; Vol. 6, No. 8, April 29, 1971.)

NTSB has consistently opposed increases in truck weights without accompanying improvements in truck braking and other safety characteristics. (See *Status Report*, Vol. 8, No. 4, Feb. 12, 1973; Vol. 8, No. 8, April 9, 1973.) The board has expressed special concern over the problems of trucks overriding cars, and resulting injuries and fatalities.

## AUTO STANDARD

It is not known whether NHTSA plans to propose a similar indefinite delay for its upgraded standard on passenger car and other hydraulic brake systems (FMVSS 105-75). That standard, scheduled to go into effect on Sept. 1, 1975, would require passenger cars to stop in as little as 194 feet from 60 miles per hour. If the air brake standard is not delayed, it would require, as of Sept. 1, 1975, that conventional trucks and buses stop in 245 feet from 60 miles per hour.

NHTSA asked that comments be submitted to Docket 74-10 (notice 8), National Highway Traffic Safety Administration, 400 Seventh St., S.W., Washington, D.C. 20590 before close of business Dec. 26, 1974. However, the agency often considers late comments.

## NHTSA Again Finds Air Bag Better Than Belts

National Highway Traffic Safety Administration head James Gregory recently presented the results of a revised benefit/cost analysis of FMVSS 208 that, he said, shows increased superiority of air bag lap belt systems over lap-shoulder belt systems.

Gregory said that NHTSA had taken into account "all persuasive criticism that was presented and adjusted our original estimates in the light of recommended alternative values." Many of the recommendations were made by auto manufacturers. The report, "which will reflect and amplify the figures," will be available shortly, he said.

In remarks before the 18th Stapp Car Crash Conference, Gregory said, "I know these days we are all concerned with costs and energy, as well as safety and environmental improvement. I believe we have to look at these results from a proper priority standpoint. Certainly the costs of *not* going to improved safety systems measured in terms of lives and injuries cannot be ignored."

Gregory said the revised analysis will show a reduced benefit/cost ratio for the lap-shoulder belt system from the earlier figure of 4.1 to 1.8. The air cushion lap belt system benefit/cost ratio is reduced

from 5.1 to 3.2. According to these figures, the difference in benefits over the difference in costs for the air cushion lap belt system compared with the lap-shoulder belt system is 4.2. (See *Status Report*, Vol. 9, No. 16, Sept. 9, 1974.)

Gregory said that the rates of belt usage required to achieve the same level of protection against fatalities and injuries as those estimated for the air cushion lap belt system were 122 per cent for equal life-saving effectiveness and 160 per cent for equal prevention of injuries.

The revised NHTSA analysis takes account of both the congressional ban on the ignition interlock enacted in October and the many criticisms leveled at the figures used in the earlier analysis, Gregory suggested.

### **BELT USE DOWN**

NHTSA estimated that belt usage would drop as a result of the interlock ban. The earlier analysis assumed belt usage of 50 per cent lap-shoulder plus 10 per cent lap belt only. Even this estimate was probably too high since, NHTSA said, data on belt usage in September showed rates of 37 per cent lap-shoulder belt and 14 per cent additional lap belt only.

In place of the interlock, NHTSA has required a reminder system for the driver only, consisting of a four to eight second "fasten seat belt" light and a four to eight second buzzer following ignition turn-on if the driver's belt is not used. (See *Status Report*, Vol. 9, No. 22, Dec. 10, 1974.) NHTSA estimated usage with this system will be 15 per cent for the lap shoulder belt and an additional 5 per cent for lap belt only.

NHTSA also revised the estimates of belt system and air cushion system effectiveness. Gregory said the adjustments "included increased belt system effectiveness in frontal modes, reduced air cushion effectiveness in side and rollover modes, accounting for losses below air cushion deployment speed and accounting for system quality as well as speed range in reducing injuries."

Costs were also revised, with an increase in the air cushion lap belt system cost to \$220 from \$210 to take account of several price estimate variations, and a decrease in lap shoulder belt system costs from \$100 to \$74 to take account of the removal of the interlock. (The only manufacturer so far to announce a price reduction as a result of the interlock ban, General Motors, reduced prices by only \$13.)

The new estimate, Gregory said, shows a projected annual saving of 2,700 lives from the lap-shoulder belt system, rather than the 7,000 originally projected. The air cushion lap belt system estimate was also reduced to 11,600 lives saved from the original estimate of 15,600. Similar reductions were made in the estimates of injury benefits.

### **OTA STUDY ASKED**

The Office of Technology Assessment, the congressional agency charged with investigation of scientific and technical affairs, may also be producing a cost-benefit study of the air bag and other safety equipment on automobiles. In a recent letter, Sen. Philip Hart (D-Mich.) asked Sen. Edward Kennedy (D-Mass.), as chairman of the Technology Assessment Board, to instruct OTA to assess the "costs and benefits of the consumer and environmental protection requirements which have been imposed on the automobile industry over the years." Hart also mentioned equipment such as the air bag and improved antipollution devices that will be required in the future under existing legislation.

Hart asked that OTA provide "a firm conclusion as to whether each of the requirements it examines are cost-justified." He said, "If the benefits of the equipment we have mandated outweigh the costs, then Congress should proceed as planned. If they do not, it should act accordingly." The OTA has not yet taken any action on the request.

## **Holtz Elected IIHS Board Chairman**

H. F. Holtz, president of Sentry Indemnity Co., has been elected chairman of the board of governors of the Insurance Institute for Highway Safety. He succeeds W. V. Siegfried, chairman for the last two years. Siegfried, vice president of Nationwide Mutual Insurance Co., will remain as a member of the board.

Other members are:

Martin Albaum, director of research, Prudential Property and Casualty Insurance Co.; Paul Benbrook, executive vice president, Maryland Casualty Co.; Roger J. Fisher, second vice president, The Travelers Insurance Co.; T. Lawrence Jones, president, American Insurance Association; Ralph J. Ladd, president, Michigan Mutual Liability Co.; Vestal Lemmon, president, National Association of Independent Insurers; Thomas C. Morrill, vice president, State Farm Mutual Automobile Insurance Co.; F. S. Mostero, senior vice president, The Home Insurance Co.; Donald L. Schaffer, vice president, secretary and general counsel, Allstate Insurance Co.; William G. Walton, senior vice president and general counsel, Royal-Globe Insurance Companies; Charles A. Weeber, vice president and claims counsel, United Services Automobile Association; Roger H. Wingate, senior vice president, Liberty Mutual Insurance Co. and Paul S. Wise, president, National Association of Automotive Mutual Insurance Companies.

## **NHTSA To Drop Emphasis On Eight 'Priorities'**

The National Highway Traffic Safety Administration is about to drop eight items, including school bus safety, from its list of top priorities for state highway safety programs. According to an NHTSA official, the agency will announce – probably before the end of the year – the culling of the eight items from its list of 13 “Areas for Specific Attention” in state highway safety programs.

NHTSA defined these areas in 1972 as priority items for state action. The states were to include plans addressed to these items in their fiscal 1974-77 Highway Safety Programs, in order to qualify for much of their federal funding.

The Department of Transportation has 18 highway safety standards that states are supposed to follow in establishing their highway safety programs. Three standards and a portion of a fourth standard are administered by the Federal Highway Administration. The remainder are administered by NHTSA. The 13 “Areas for Specific Attention” represent only segments of the standards that NHTSA is responsible for administering.

The U.S. Department of Transportation has been accused of thwarting the intention of the Congress by not including all of its required standards within those “Areas for Specific Attention” and for not enforcing all of those that were included. DOT is currently defending itself against those charges in court. (See *Status Report*, Vol. 9, No. 21, Nov. 20, 1974.)

In a speech before the National Conference of Governors' Highway Safety Representatives in Lake Tahoe, Nev., in October, NHTSA Administrator James Gregory outlined his new policy of relaxed requirements and said that while he had been “impressed by the progress many of the states had made in

*Status Report* December 26, 1974

the 13 special areas," he had been "equally impressed by the amount of work yet to do." (See *Status Report*, Vol. 8, No. 19, Oct. 17, 1973.)

Gregory said that after listening to the views of governors' representatives and weighing costs against what he termed "bottom line" performance records, he has decided that future emphasis should be placed on only 5 of the 13 previous priority areas.

Less than half the states require any further action to satisfy requirements of the five areas on which Gregory said he would "hang tough."

The five "Areas for Specific Attention" call for state laws on:

- Blood alcohol concentration – defining as drunk a driver with a level of 0.10 per cent or higher.
- Motorcycle safety helmets – requiring their use by both operators and passengers.
- Emergency medical services – including a regulated training program for ambulance attendants.
- Selective traffic law enforcement – requiring the selective assignment of trained personnel to supervise vehicular and pedestrian traffic.
- Periodic motor vehicle inspection.

NHTSA will drop emphasis on state requirements for:

- School bus safety.
- Classified drivers' licensing systems.
- Uniform rules of the road.
- Driver license advisory boards.
- Reporting of traffic court convictions.
- Driver improvement programs.
- Periodic driver reexaminations.
- Blood alcohol concentration testing on crash victim cadavers.

The last two items, though they have "merit," according to Gregory, should be "discretionary with state officials." The remaining items, Gregory said, "are important and should be addressed at an early date."

Gregory also spoke on the traffic safety standards themselves. Implying that the states regard them, at least in part, as "arbitrary," Gregory said they are "overripe for revision," and he announced that they will be "reexamined" by July, 1976.

This proposal followed by two years an earlier attempt by NHTSA to overhaul its highway safety program standards. (See *Status Report*, Vol. 7, No. 14, Aug. 7, 1972.) That attempt failed, according to NHTSA officials, because of hostility from governors' highway safety representatives and lack of understanding and support in the Congress. (See *Status Report*, Vol. 9, No. 5, March 5, 1974.)



## House, Senate Vote NTSB Independence

The National Transportation Safety Board, now a part of the Department of Transportation, will be an independent agency April 1, 1975, if the President signs into law a bill recently passed by the Congress.

The board had urged its own independence for four years. In its 1973 annual report to the Congress the NTSB said that "although there had been no actual infringement upon its independence by the Department of Transportation, there was an appearance of a lack of independence which created doubts as to the objectivity, integrity and credibility of the Board."

The bill, the Transportation Safety Act of 1974 (H.R. 15223), was passed by the Senate in November. (See *Status Report*, Vol. 9, No. 20, Nov. 11, 1974.) In conference committee, House conferees agreed to the NTSB provisions although they had not been part of the House-passed bill.

The conferees' major change was to strike the provision that would have allowed the NTSB to represent the "interests of safety" in any federal proceeding that "may substantially affect aviation, marine, motor vehicle, railroads, or pipeline safety."

The date for the appointment of a new chairman of the NTSB was postponed to Jan. 1, 1976, in order not to cut short the term of the present chairman, John Reed. Reed has not supported NTSB's desire for independence.

The bill also strengthens DOT's ability to regulate the commercial transportation of hazardous materials, although the language is weaker than that in the original Senate bill. The Secretary of Transportation is to have discretionary, rather than mandatory, power to require shippers of hazardous materials to register annually and report on shipments.

The House conferees also struck provisions that would have allowed citizens both to petition DOT to designate a material as hazardous and thus subject it to regulation and to bring law suits against a person who had allegedly violated the DOT regulations.

The President is expected to sign the bill.

### **Bufe Named NHTSA Deputy**

Dr. Noel C. Bufo has been appointed to the long-vacant post of deputy administrator of the National Highway Traffic Safety Administration.

Bufe had been Michigan's highway safety program director since the office was created in 1967. He also served as chairman of the National Conference of Governors' Highway Safety Representatives. He has a masters degree and doctorate from Michigan State University where he specialized in criminal justice administration and highway safety management.

Bufe's predecessor as deputy administrator was James Wilson who left NHTSA in November, 1973 for private industry after serving a brief term as the agency's acting administrator.

## FHWA Safety Planning A Failure, CAS Says

The nation's federal-aid highway program is flawed by an inherent "conflict of interest," the Center for Auto Safety has charged — and the result has been the failure of the program "to ensure the safe design and construction of roadsides on the federal-aid highway system."

At fault, according to the center, is the practice of delegating authority for roadside safety to the same federal and state agencies that are responsible for the construction of roadside hazards.

As its solution, the center has called for a new federal agency within the Department of Transportation to develop and enforce standards for the design and construction of federal-aid roads. Such an agency would be independent of the Federal Highway Administration, which now ostensibly performs that function.

According to the center's new report, *The Yellow Book Road: The Failure of America's Roadside Safety Program*, many FHWA officials are currently "reduced . . . to the role of 'salesman' when it comes to implementing important safety provisions." Safety, the report said, often becomes a tradeoff item in FHWA's pursuit of what it sees as its primary goal — highway construction.

The title of the center's report is a play on the "Yellow Book" — a set of guidelines — not specific federal standards — that have become "*the* roadside safety document for the federal highway program," the center said. According to the report, this document was produced by an organization composed of state highway departments and endorsed by an "amicable" FHWA, which uses these guidelines as the basis for its own memoranda to the states.

The "Yellow Book" guidelines have never been translated into specific federal standards because, the report said, "of state highway departments' fears that strong standards could ultimately be used against them in liability suits by persons injured on unsafe highways."

The report attributes a similar fear to FHWA itself. FHWA's new Certification Acceptance Program, which can give to a state virtual autonomy on many aspects of its federal-aid highway program, is supposedly a means of eliminating red tape, the report said. It will also, FHWA hopes, ". . . free the agency of involvement in law suits stemming from a state highway department's failure to follow legally mandated procedures in its Federal-aid highway program; FHWA also hopes that CA [Certification Acceptance] will move many of these suits from federal courts to state courts, where the highway department will presumably receive a more sympathetic hearing," the report added. (See *Status Report*, Vol. 9, No. 22, Dec. 10, 1974.)

Also fundamental to the safety failures of federal-aid highway design, the report said, is the lack of specific responsibility for safety within FHWA.

By law, FHWA must review and approve each federal-aid highway project a minimum of three times. The report found that the procedures for such reviews were "careless or inadequate," consistent with "the belief, fostered for many years among FHWA officials, that the Federal agency's first responsibility is to cooperate amicably with the state highway departments — not to protect the interest of citizens in getting a safe, sensible highway program for their taxes . . . ."

The report also found that although FHWA declines to perform its function as safety inspector for the states, most state highway departments are also reluctant to set their own, internal responsibility for safe design. The center said that out of the eight states visited during the course of its study, no state "except California had an individual or team charged with the responsibility to review *all* highway plans specifically for safety, or to advocate the inclusion of safety items in a design."

“Roadside design for safety,” the center found, is considered “a ‘fine tuning’ of the road, to be done only if time and money allow.”

The year long study involved “interviews with over 100 Federal and state highway officials and inspection of 55 newly-completed Federal-aid highway projects . . .” It was commissioned by the State Farm Companies Foundation.

FHWA Administrator Norbert Tiemann, in a statement issued December 16, said that FHWA regarded the center’s report as “constructive criticism,” and, as such, it was “welcome.” Tiemann said he has asked FHWA field offices “to review and investigate the areas cited in the report,” and after this has been done “FHWA will take whatever actions we find are necessary.”

Information regarding the availability and cost of the report is available from the Center for Auto Safety, 1223 Dupont Circle Building, Washington, D.C. 20036.

## Canadian Rule Brings Child Seat Shortage

Canada has significantly upgraded its child car seat standards apparently with the result that “car seats with crash research behind them are almost impossible to obtain” in that country, according to an official of the Consumer’s Association of Canada.

The Canadian standard, Reg. 23 of the Hazardous Products Act, had been virtually identical in its requirements to U.S. Standard FMVSS 213. As of Nov. 1, 1974, however, an interim amendment to the Canadian rule has required that child seats in static tests must limit the movement of a wooden torso block under one thousand pounds of frontal pull to six inches. The U.S. standard permits a 12 inch movement.

As of Nov. 1, 1975, child car seats will have to pass dynamic tests in Canada.

The Canadian divisions of Ford, General Motors and Chrysler have all withdrawn their child seats from the Canadian market. According to corporation officials only Chrysler is reconsidering that action, and is testing its seats to see if they can meet the new standard on at least some, if not all, of its car models. Should Chrysler reintroduce its child seats, they would be sold for use only on those models.

A GM executive said that his corporation would not try to meet the interim standard at all, but would wait until the “more meaningful” permanent standard goes into effect. A Ford spokesman told *Status Report* that “what we do in Canada depends on what happens in the U.S.”

The National Highway Traffic Safety Administration is currently reworking its child restraint standard. According to an NHTSA official, there has been “no consideration of an interim standard.” No date has yet been set for the amendment of the U.S. child seat standard.

Sen. Vance Hartke (D-Ind.), chairman of the Senate Surface Transportation Subcommittee, has said that unless a provision for the dynamic testing of child car seats is included in the U.S. standard soon, legislative action “may be warranted.” (See *Status Report*, Vol. 9, No. 21, Nov. 20, 1974.)

Responding to Hartke’s threat, NHTSA Administrator James Gregory said in a letter of Nov. 15, 1974, that “quick adoption of the proposed amendment [for dynamic testing] may not necessarily be the best engineering solution to the problem – in the long term . . . No unnecessary delay is occurring in the rulemaking on child restraint systems,” he told Hartke.

## Brinegar Submits Resignation

Claude Brinegar has resigned as U.S. Secretary of Transportation. His resignation is effective Feb. 1, 1975. By that time Brinegar will have served in that position for two years.

According to the secretary's press office, there has been no official word on Brinegar's successor. However, the *Washington Post*, quoting "reliable sources," reported on Dec. 18 that John Robson, an attorney, has been offered the post. He declined to comment on the report.

Robson, a former political advisor to White House staff coordinator Donald Rumsfield, served in DOT as general counsel and under secretary during the Johnson Administration.

(Contents may be republished, whole or in part, with attribution.)

the highway  
loss reduction

### STATUS REPORT

Editor: Ralph Hoar

Writers in this issue: Ben Kelley, Stephen Oesch,  
Lloyd Slater, Christine Whittaker

INSURANCE INSTITUTE for HIGHWAY SAFETY  
WATERGATE SIX HUNDRED • WASHINGTON, D.C. 20037  
(AREA CODE 202-333-0770)