

Police Demonstrate Hazard Identification Potential

Police can play a major role in the identification of roadside hazards, according to a report issued by the International Association of Chiefs of Police. The report was based on a demonstration project in Idaho in which state police located and reported hazards.

At the beginning of the project, no roadside hazard inventory existed in any of Idaho's six highway districts. Following an instruction period, state police were asked to identify and report roadside hazards in one particular district.

By the end of the project, the one highway district that was surveyed by police had a substantially completed hazard inventory. In contrast, the other five highway districts in the state had, on the average,

These two new cars burst into flames spontaneously after a very moderate speed front-into-rear 1973 crash test by the Insurance Institute for Highway Safety. The fire was fed from gasoline leaking from the failed tank of a 1973 Toyota Corona, struck by a 1973 AMC Gremlin at 39.8 miles per hour. In the tests, involving six pairs of new cars, the design of all six struck vehicles permitted fuel leakage. The tests led to a Federal safety standard for fuel system integrity in rear-end crashes that has become effective with 1977 model cars. See article on page 4.



surveyed only 30 percent of their roads using the “less than completely adequate photologging system,” according to the IACP report.

State police canvassed more than 700 miles of interstate, federal-aid and state highways and identified more than 4,000 probable roadside hazards in the one district. Detailed reports on these hazards were then forwarded to the Idaho Division of Highways which reviewed the reports and assigned corrective actions.

In its report, IACP said that highway “agencies have a specific mandate to inventory and correct roadside hazards, but the police also have a responsibility to identify and report all hazards which may be harmful to the public – including roadside hazards.”

Based on the Idaho project, IACP found police “are capable of identifying and reporting roadside hazards and should be considered for such undertakings, at least as an auxiliary to state highway agencies in reporting new hazards and those requiring immediate remedial action.”

IACP pointed out that “police are especially suited for the reporting of roadside hazards since they are required to patrol the highway constantly. However, there are few state police agencies that are actively involved in any formal roadside hazard reporting.”

The IACP recommended that police departments should consider incorporating hazard identification classes into their police training curricula. IACP also suggested that crash investigation forms be restructured to include information on roadside hazards.

FINANCIAL AND LEGAL CONCERNS

“Other than the diversion of manpower and funds from other police and highway activities, no actual increase in manpower and financial commitments on the part of state police or highway agencies was anticipated or required,” the report said.

Concern was expressed at the beginning of the project that an inventory of roadside hazards might put additional legal liability on that state since the state could no longer claim ignorance about the existence of a hazard. After studying the project, however, it was the advice of the highway department’s general counsel that the identification program would not pose any additional legal liability on the state, but actually would place the state in a favorable legal position because “the state could testify that due to the existence of an ongoing effort, the involved hazard had been identified and assigned a priority, and that a logical reason existed for noncorrection of that particular hazard at that time,” according to the IACP report.

POLICE ATTITUDES

According to the report, “Police officers involved in the project stated that they have become more sensitive to the negative role of roadside hazards in highway crashes. In contrast, at the start of the project, many officers could not adequately define a roadside hazard.”

The report quotes one officer as saying, “Before I was involved in this effort, and had occasion to respond to a crash scene involving a roadside hazard, I used to say, ‘Look what that (deleted) did to our light pole.’ Now, after being involved (in the effort), I say, ‘Look what that light pole did to the poor (deleted).’ ”

The highway district chosen for the demonstration program offered a variety of terrain and highway systems and a "reasonable sampling of roadside hazards." Forty-one percent of fatal crashes in Idaho in 1973 involved single vehicles striking fixed objects or overturning, according to the report.

Technical and financial support for the study was provided by the Insurance Institute for Highway Safety. Copies of the study can be obtained by writing for "IACP-Roadsides" to Insurance Institute for Highway Safety, Watergate Six Hundred, Washington, D.C. 20037.

FHWA Agrees To Revise Construction Safety Rules

A court-approved settlement in a road hazard court suit has resulted in the federal government agreeing to issue new rules aimed at setting stricter national safety standards for construction zones, including limiting the use of timber barricades on construction projects.

The suit was brought by members of the Center for Auto Safety staff, a major labor union representing highway construction workers and other motorists. The lawsuit revolved around driving and working conditions on Interstate I-495, the beltway encircling Washington, D.C. Defendants were the U.S. Department of Transportation and the state of Virginia — partners in a major construction project on the highway. (See *Status Report*, Vol. 11, No. 4, March 3, 1976.)

In a court-supervised agreement, the Federal Highway Administration has agreed to issue a notice of proposed rulemaking on construction zone safety. The center called this FHWA action the beginning of a "sorely needed overhaul of its regulations and standards. . . . In short, FHWA has finally acknowledged its responsibility for construction zone safety in a form enforceable in a court of law."

A major element of the lawsuit dealt with the use of timber barricades which, according to the center, provide inadequate protection for motorists and for construction workers behind the barricades. The barricades also "inflict severe damage on vehicles which inadvertently strike them," the center said.

Two weeks before the court-supervised settlement was reached, FHWA issued a notice which banned the use of timber barricades on interstate and other federal-aid highways where strong barricades are needed to separate motorists from workers and heavy equipment. In the court settlement, FHWA also agreed to take steps that will lead to the eventual banning of the barricades as devices for guiding traffic.

The trial, which now deals with Virginia's existing hazards and future construction zone safety requirements, has been set for November 1 in the U.S. District Court for the Eastern District of Virginia. A center spokesman told *Status Report* that pre-trial negotiations are continuing with Virginia officials.

Clarification

The previous issue of *Status Report* (Vol. 11, No. 14), contained an article entitled "Renewed Call for Highway Cleanup," that described traffic hazards on Interstate Highway 495, the beltway that encircles Washington, D.C. The uncaptioned photographs accompanying the article, on pages 1 and 8, were both taken on July 19, 1976. The crash depicted occurred on the Virginia section of I-495, in the westbound lane between Telegraph Road and Van Dorn Street exits.

Upgraded Fuel System Introduced

Because of crash tests conducted three years ago by the Insurance Institute for Highway Safety, this year's new cars are not as likely to be engulfed in fire fed by gas from ruptured fuel tanks in rear-end crashes.

In 1973 the Insurance Institute for Highway Safety conducted and filmed rear-end crash tests that revealed and focused public and government attention on the vulnerability of fuel systems to damage in moderate speed rear-end impacts. (See *Status Report*, Vol. 8, No. 11, May 29, 1973.)

Following a hearing by a subcommittee of the House Commerce Committee, called specifically to hear the IIHS crash test findings, bills were introduced in the House and Senate to set deadlines by which the Department of Transportation was to upgrade its fuel system requirements. Eventually the House and Senate passed and the President signed a bill mandating rules to improve fuel systems.

Less than three months after IIHS showed its crash test results to the House subcommittee, DOT adopted a three-year-old rollover proposal and proposed several other requirements to strengthen auto fuel systems. (See *Status Report*, Vol. 8, No. 17, Sept. 10, 1973.)

Before IIHS tested cars for fuel system crashworthiness, the history of regulatory attention to the crashworthiness of auto fuel tanks had been spotty. After issuing initial fuel system integrity requirements and proposing improvements to that rule during the first two years of the federal motor vehicle safety program, DOT did little to force auto makers to improve the crashworthiness of fuel systems. The initial standard, which took effect in 1968, was the only requirement placed on fuel systems for more than seven years.

The strengthened federal rule (FMVSS 301) requires that cars built after Aug. 31, 1976 have fuel systems able to withstand front, front-angular, lateral moving and rear moving-barrier crashes. After each crash, a rollover test is required. The standard specifies the amount and rate of allowable fuel spillage following barrier crashes and rollovers.

The Department of Transportation fuel system integrity standard still does not contain requirements for rear corner impact tests (according to a 1972 insurance study, 30 percent of property damage crash claims involved rear corners of cars). Nor does the standard include provisions for preventing doors from jamming closed in a crash.

Also beginning Sept. 1, 1976, static rollover, rear and lateral moving-barrier tests are being phased in for multipurpose passenger vehicles, trucks and buses weighing 10,000 pounds or less in a loaded condition. That phase-in will be completed by Sept. 1, 1977. (See *Status Report*, Vol. 9, No. 8, April 16, 1974.)

NHTSA Considering New VIN Rule

In an effort to find common ground in the debate over the format of vehicle identification numbers (VINs), the National Highway Traffic Safety Administration is considering a fixed length VIN containing a vehicle description section that auto makers can use as they see fit.

The agency stated in an advance notice of proposed rulemaking that it has selected the systems of the Vehicle Equipment Safety Commission (VESC) and the International Standards Organization (ISO) for

consideration as the basis for the new standard. The VESC system is a standard format, fixed length VIN. The ISO standard, however, has a variable length and format.

The NHTSA announcement acknowledges that vehicle manufacturers prefer the ISO standard's "adaptability to existing VIN systems and the differing needs of each manufacturer," while "state motor vehicle administrations, insurance companies, and others that use the VIN prefer a fixed field so that transcription is more accurate and electronic storage costs are minimized." Stating that it sees the merits of both points of view, the announcement said, "It is the agency's present view that aspects of each system can be adapted to serve the needs of all VIN users."

In its notice, NHTSA said that the current federal standard dealing with VINs (FMVSS 115) "covers all aspects of the VIN, other regulatory bodies are prevented from establishing any further specificity in the VIN within the United States." This position runs counter to the VESC position that it, as a Congressionally chartered compact of states, has the authority to promulgate regulations on vehicle equipment including VINs. One state official has predicted a court battle over whether or not VESC has authority to set VIN regulations. (See *Status Report*, Vol. 11, No. 14, Aug. 30, 1976.) VESC maintains that NHTSA, because of statutory limitations, can establish only "performance" standards. VESC views the promulgation of a specific VIN format as a "design" standard.

The agency also said that it is considering extending the federal VIN standard to all types of motor vehicles. The present standard applies only to autos.

Comments on the NHTSA notice of proposed rulemaking should be sent to "Docket No. 1 1-22; Notice 03," Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh St., S.W., Washington, D.C. 20590.

IIHS ANALYSIS

The Insurance Institute for Highway Safety recently completed an analysis of the VESC and ISO standards. The IIHS report found the ISO standard to be seriously lacking because it does not require the minimum levels of specificity needed in a VIN. The report concluded that the VESC regulation, on the other hand, "should result in the upgrading of performance of VINs to minimum acceptable levels."

Copies of the IIHS report, *Vehicle Identification Number Performances and Prospects for Improvement Through Standards*, can be obtained by writing for "VIN Performance," Insurance Institute for Highway Safety, Watergate Six Hundred, Washington, D.C. 20037.

NHTSA Offers, Then Cancels Speed Proposal

Transportation Secretary William Coleman has ordered the National Highway Traffic Safety Administration to withdraw its 17-day-old proposal that would have put an 85 mile per hour ceiling on speedometer readings. "The secretary wants to take a closer look at it," an NHTSA spokesman told *Status Report*.

NHTSA's Aug. 30, 1976, speedometer proposal had led to speculation — confirmed by NHTSA officials — that the agency has abandoned its nine-year old plan to limit the speed capability of cars. NHTSA had hoped that auto makers would eventually "bring (the speed capability of) cars into line with the speedometer," one agency official said. The sudden withdrawal of the speedometer proposal "makes us look like a bunch of jerks," he added.

In preliminary economic impact analysis of its speedometer proposal, NHTSA said "it is assumed that the rule would have a 5 percent effectiveness in reducing high speed accidents." It cited no evidence to *Status Report*

September 23, 1976

support that assumption. A comprehensive report issued by the National Highway Safety Bureau (now NHTSA) in 1969 recommended that the agency adopt a standards-making strategy “to control (speed) at 90 miles per hour as a beginning and work down as public acceptance grows and more evidence is gathered to show the additional payoff at lower maximum speeds.” In 1970 the agency proposed its now-abandoned plan to make 95 miles per hour the fastest that a car could be designed to go. (See *Status Report*, Vol. 10, No. 8, April 11, 1975.)

Scores Delay

Court Upholds NHTSA Tire Standards

A Federal appeals court has rejected tire producers’ challenges to the rule issued last year by the National Highway Traffic Safety Administration establishing uniform tire quality standards. (See *Status Report*, Vol. 10, No. 12, July 9, 1976.)

The court upheld the rule’s requirement that tire manufacturers provide grading information for new passenger car tires in the areas of expected mileage, traction and high temperature resistance. The court directed NHTSA to consider whether to require additional warnings to consumers, as requested by the producers, that lateral traction is not covered by the traction tests (because no practical test has yet been devised) and that temperature tests are no guarantee against blowouts due mainly to high speed combined with underinflation or excess loading.

Tire producers had also attacked NHTSA’s selection of a particular radial tire as the “course monitoring tire” for testing purposes. The court directed NHTSA to publish results of further testing of that tire and allow no more than 30 days for industry comment on the selection.

The court also criticized NHTSA’s failure to issue the rule until 1975 as “a strange record of delay and nonfeasance on the part of administrators charged with enforcing a regularly adopted statute of the United States.” In 1966, Congress in the National Traffic and Motor Vehicle Safety Act ordered that the tire quality grading standards become effective no later than 1968.

NHTSA was directed by the court to set new effective dates for the rule, since the original dates were stayed pending decision of the suit. An NHTSA official said he hopes the dates will be set “not too long from now.”

B. F. Goodrich Co. v. Department of Transportation was decided by the United States Court of Appeals for the Sixth Circuit, in Cincinnati, Ohio, Sept. 2, 1976 (Civil Action Nos. 75-1568 and 75-1785).

Hotline Grows Cold

For several weeks, people calling the National Highway Traffic Safety Administration’s toll-free hotline number, 800-424-9393, were probably told by a recording that “your call cannot be completed as dialed.”

Because of difficulties getting this number repaired, the supervisor of the hotline suggests that anyone wishing to get or give information on safety related auto defects should call an alternate toll-free number: 800-424-9394.

UPDATE . . .

SCHOOL BUSES: The National Highway Traffic Safety Administration – as ordered by Congress, has changed the effective date of its new school bus safety standards from Oct. 26, 1976 to April 1, 1977. School bus manufacturers had sought a delay of nine months, instead of the five months granted by Congress.

The standards cover hydraulic brake systems, bus window retention and release, school bus rollover protection, school bus body joint strength, school bus passenger seating and crash protection and fuel system integrity. (See *Status Report*, Vol. 11, No. 6, April 12, 1976.)

OCCUPANT PROTECTION: The National Highway Traffic Safety Administration has officially amended Federal Motor Vehicle Safety Standard 208 to continue until Aug. 31, 1977 the current three options available for occupant crash protection in passenger cars. (See *Status Report*, Vol. 11, No. 10, June 28, 1976.)

GOALS REPORT: The final draft of *The Report by the Federal Task Force on Motor Vehicle Goals beyond 1980* is now available. On October 21, senior members of the Department of Transportation and the Environmental Protection Agency will hold a public meeting to hear comments on the report. The report – which covers a wide range of areas including safety – will then be submitted to the Energy Resources Council. (See *Status Report*, Vol. 11, No. 9, June 7, 1976.)

The meeting will be held at 10 a.m. in room 2230, DOT, 400 Seventh St., S.W., Washington, D.C. Written comments on the report will be accepted until December 13. They should be submitted in triplicate to “OST File No. 40,” Docket Clerk, Office of the General Counsel (TGC), Department of Transportation, Washington, D.C. 20590. Copies of the draft report can be obtained from the Office of Public Affairs (S 80), Department of Transportation, Washington, D.C. 20590.

QUEBEC BELT LAW: On August 15, the Canadian province of Quebec joined Ontario province in implementing a mandatory belt use law and lowered speed limits. The new belt law contains the same provisions as the earlier enacted Ontario law. (See *Status Report*, Vol. 11, No. 10, June 28, 1976.)

In This Issue

- Police Demonstrate Hazard Identification Potential . . . Page 1
- FHWA Agrees To Revise Construction Safety Rules . . . Page 3
- Upgraded Fuel System Introduced . . . Page 4
- NHTSA Offers, Then Cancels Speed Proposal . . . Page 5
- Hotline Grows Cold . . . Page 6
- Update: School Buses, Occupant Protection, Goals Report, Quebec Belt Law . . . Page 7

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

the highway
loss reduction

STATUS REPORT

Editor: Tim Ayers
Writers: Ralph Hoar, Stephen Oesch, Christine Whittaker
Production: Diane Schwartz, Hazel Zuchelli

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

IIHS MASTER FILE COPY