

'Lack Of Real Commitment'

Auto Makers Neglect Safety, Australians Charge

An Australian government panel has indicted the auto industry there for a "lack of real commitment" to "past, present and future vehicle safety."

In a lengthy report, highly critical of auto makers in Australia, that country's House of Representatives Standing Committee on Road Safety said that "quite clearly . . . if up to 4,000 people are dying each year in road accidents, then a fairminded, socially conscious automotive industry should share some of the responsibility."

Most of the cars sold in Australia are manufactured by General Motors-Holden Ltd., Ford Motor Co., of Australia Ltd. and Chrysler Australia Ltd. All three companies are subsidiaries of American auto makers.

(Cont'd on page 2)

'Will Do Air Bags Over'

Adams Outlines Safety Goals

Saying that he "just can't rationalize" his predecessor's decision to hold a "demonstration" air bag program, the new Secretary of Transportation pledged during a recent national television discussion show to reconsider the passive restraint question.

Outlining some of his major safety goals, Transportation Secretary Brock Adams also said that the fuel crisis facing the country will mean a move to smaller, more fuel efficient autos and that these "smaller, lighter cars, are not going to be as safe unless you build in safety standards."

Speaking of William Coleman, Jr.'s decision to have a "demonstration" program of air bags rather than issue a federal standard, Adams said, "I just can't rationalize the decision that he has made." Adams had previously stated in his Senate confirmation hearings that he would review the Coleman proposal. The renewed promise "to do air bags over" came several times on the February 6 edition of "NBC's Meet The Press."

Adams also emphasized the federal government's commitment to enforce the 55 mph speed limit as both a fuel economy and safety measure.

When asked if he thought bigger trucks might be more economical, Adams said, "I think bigger trucks are a safety hazard, and they also will cause deterioration of the [highway] system much faster."

The panel also looked at Australia's experience with mandatory safety belt use laws and found that while they "have proved their undeniable benefit," problems do exist.

As for auto makers, the report concluded that "legislation is necessary" to "achieve equity in the market place and to ensure satisfactory progress in safety." In 1969, Australia began implementing motor vehicle safety standards similar to those in the U.S.

The report cited auto makers' reluctance to include safety belts as standard equipment as one example of the industry's lack of commitment to vehicle safety. "The vehicle industry appeared slow to realize that the major factor in the reduction of death and injury was this simple fact of a seat belt. It is a great *technical advance* not a behavioural one and it required legislation to ensure that seat belts were fitted on *all* passenger vehicles manufactured after 1970," the report said (emphasis in original).

Even now, "While admitting that the seat belt is the most important single safety development in automobile safety, on occasions manufacturers delete them from their export vehicles," the report said.

'LEGISLATION IS NECESSARY'

The committee said its view that legislation is necessary "was reinforced" by testimony of the Australian Motor Industries, a vehicle manufacturer and distributor, which testified that "significant progress has been made during the last few years in improving the safety of passenger cars and we believe that this progress is essentially the result of legislation rather than voluntary action on the part of manufacturers."

Apparently other Australian auto makers did not share that view. "Almost all manufacturers who gave evidence to the committee claimed that they had put safety features into their vehicles long before legislation required them to do so. However, when questioned by the committee concerning future safety development manufacturers showed a disturbing lack of real planning and forward thinking safety research," the report said.

'EVIDENCE OF PREVARICATION'

The "evidence of prevarication by some Australian manufacturers indicates that the safety thinking within Australian companies is not as strong as is claimed." According to the report, General Motors-Holden "assured" the committee "that they were 'aggressively trying' to make their vehicles safer. However, the committee was also informed that GMH, in fact, does little basic safety research, particularly in restraint systems and crashworthiness."

The report explained that "the committee was informed that GMH's safety organization which consists of seven people 'unfortunately is primarily involved in the paper work and the operation of the system rather than in any direct contribution to the design, testing and development of a vehicle' and is headed by a person who 'guesses' he is in charge. It was further suggested that projected developments in crashworthiness in the next five years would be negligible because 'by necessity of just pure numbers, more and more of our local programs will be mainly taken up by just doing what we have to do legally in order to certify a vehicle; that certainly would be our main effort in the next five years.' At the same time, however, the committee was repeatedly informed that most safety features have been incorporated in their vehicles prior to legislation."

COST DATA WITHHELD

According to the report, "vehicle manufacturers stressed that it was desirable to only include features that have a proven cost-benefit." However, the committee noted, "no cost-benefit can be

performed if costs are unknown. The committee received evidence that vehicle manufacturers were unwilling to submit sufficient costing of proposed safety features to the organization responsible for drafting new design rules thus making cost-benefit analysis very difficult." The report added, "It should be noted that not all safety features necessarily increase manufacturing costs."

"The industry's attitude appears to be based on the need for more accident data and that additional safety was related to customer demand and could only occur following exhaustive testing, proven reliability and cost-benefit analysis. Manufacturers on the other hand stated that they did not consider that they should collect data on the accident involvement of their own vehicles, with a view to using the information for the design and development of safer vehicles and to assess the effectiveness of their safety features," the report said.

DATA 'NOT AVAILABLE'

"Ford expressed the view that they need 'statistical significance to be sure' that a feature 'is a safety item rather than an option.' Yet, on the other hand, the company indicated that the data was not available in Australia and regarded it as impossible for the company itself to collect the data and establish the required 'statistical significance,' " the committee added.

RELUCTANT TO RECALL

"The committee was assured by the major manufacturers that they were responsible for the safety of the products they put on the market, and it was agreed that competition should not come into play in

Citizens For Highway Safety

Four Safety Programs Urged

Citizens for Highway Safety, a Washington-based safety organization, has recommended four programs to President Jimmy Carter that it says "offer the realistic possibility of achieving truly dramatic safety gains." These include promoting passive restraints, continuing the 55 mile per hour speed limit, expanding road safety improvements and identifying drinking drivers.

Richard Peet, president of CHS, said in announcing the recommendations that it is "not enough to build forgiving highways. We must also build forgiving cars. Admittedly, some progress has been made through the years in designing and constructing safer vehicles. But the most promising advance of all — passive restraints in every car manufactured — continues to be an unfulfilled dream. As a result, at very least, 10,000 Americans die each year in traffic accidents — needlessly. And a multiple of that figure in crippling, maiming, paralyzing injuries are sustained which need not have been if programs requiring safety belt and air bag usage were approved and implemented."

Focusing on CHS's four recommended programs, Peet said, "does not mean we should slight or slacken other programs. But it does mean that we can realize . . . safety gains at affordable costs through intensive efforts in these areas. To neglect to do so with so much at stake would ill serve the Nation — and ourselves."

the matter of saving lives. But evidence of a certain reluctance to conduct recall campaigns, assume more responsibility for warranty work and a reluctance to share knowledge and pool resources would suggest otherwise," the committee said.

Again questioning auto makers' commitment to safety, the committee said that "if the manufacturers were sincere about cost reduction in relation to safety they could direct their efforts towards limiting the maximum speed performance and weight or 'aggressiveness' of new vehicles."

SAFETY BELT PROBLEMS

Although the committee reported "that compulsory wearing of seat belts has had a marked effect on reducing casualties of vehicle occupants," it noted that "problems do exist with seat belt wearing." The "lack of comfort, injuries caused by the seat belt itself and accident modes which afford little or no protection to the seat belted occupant are important considerations," the report said.

Specific problems cited in the report include: "chafing of neck and falling off the shoulder due to poor siting of anchorages; impaired protection due to twisted webbing; susceptibility of buckles to damage; difficulty in achieving correct positioning of buckle; difficulty of buckle fastening; general ease of adjustment; difficulty in reaching controls; durability of components (webbing and plastic); unsatisfactory storage when not in use; the variety of belts used in vehicles."

According to the report, Dr. G. A. Ryan, senior lecturer, Department of Social and Preventive Medicine, Monash University Medical School, told the Committee that a study that he had conducted (G.A. Ryan and R.J. Baldwin, *In-Depth Study of Seat Belted Accidents*, Monash University, December 1972), found that "seat belts themselves caused a number of minor injuries (abrasions and bruises) and some severe injuries (internal abdominal injuries and skeletal injuries)." Ryan's "study concluded that the incidence of maladjustment of seat belts is alarmingly high, and warrants further action, especially as maladjustment seems to be associated with injury," the report said.

PREDICTABLE FATALITIES

Dr. J.M. Henderson, executive director, Traffic Safety, Traffic Accident Research Unit, Department of Motor Transport, New South Wales, indicated, according to the committee, that based on studies by his unit, "approximately 80 percent of fatalities was coming from the 20 to 25 percent of people who did not wear belts. He reasserted this view in later evidence when he indicated that a relatively high percentage of deaths will always come from the non-wearers of seat belts or from those wearing them incorrectly."

According to the report, "Dr. Henderson told the committee that there was a core of deliberate non-wearers and that there was probably no practicable way of getting them to put on seat belts. He suggested that these people are probably the ones who drive badly, drink a lot and would be a high crash risk anyway. In his view some mechanical rather than behavioural means would be necessary to ensure 100 percent wearing."

The committee recommended "that the government investigate the practicality and feasibility of incorporating an outside device on vehicles to indicate whether seat belts are being worn."

Virginia Retains Helmet Law

Virginia has beaten back what the state's highway safety director called a "well coordinated" effort to repeal its motorcycle helmet use law. Virginia is one of 20 states that has been confronted this year with bills aimed at overturning the required use of motorcycle helmets.

John T. Hanna, director of Virginia's Highway Safety Division, told members of that state's House Roads and Internal Navigation Committee, "Motorcycle helmet laws are constitutional, an appropriate exercise of police power, are in the public interest, promote public safety and health. This is a legitimate concern of the state and not an area reserved to the individual . . . society picks up a person off the highway, delivers him to a hospital, provides him with unemployment compensation, social security and welfare disability payments and assumes responsibility for the family's subsistence." The committee voted 15 to 3 to table the measure, thereby retaining the state's helmet use law.

Hanna, who led efforts to save the law, told *Status Report* that an important element in defeating the repeal efforts were endorsements of mandatory helmet use from physicians, orthopedic clinics, law enforcement officials, local safety commissions, the state associations of volunteer rescue squads, driver education instructors, women highway safety leaders, state medical officials and the state medical society.

The state's highway safety commission had asked physicians throughout the state to oppose repeal efforts. It asked for "helmets that have been damaged in motorcycle accidents and have resulted in probably saving a life." Hanna displayed three such helmets during his presentation, pointing out to the committee, "These three helmets saved three lives in Virginia, in the opinion of orthopedic surgeons and police officers who were familiar with each accident." Physicians were asked to send the commission endorsements of the helmet law and were also urged to personally contact their state representatives.

Hanna read excerpts from several of the "50 to 60" letters that urged Virginia to retain its helmet use law:

- "The brain is the master organ of the body which is responsible for those qualities which define 'humaness'. The brain deserves protection from unusual hazards. Any device that will raise the level of protection for the head will serve to reduce the number of injuries and fatalities due to brain injuries."

*David K. Wiecking, M.D., Office of the Chief Medical Examiner
Virginia Department of Health*

- "The Norfolk Police Department has a squad of 12 motorcycles and 24 officers assigned which ride daily doing all types of traffic enforcement duty. Since these men have been wearing helmets, the injuries they have received have been greatly lessened and I am proud to state that no Norfolk motorcycle officer has been killed since the wearing of helmets became mandatory. They have been involved in accidents when the use of helmets undeniably saved their lives."

C. D. Grant, Chief of Police, City of Norfolk

- "I was fortunate, or unfortunate as the case may be, to be a resident in neurological surgery in California at the time that California did not have a helmet law and I understand does not have one to this date. At least 9-10 percent of our injuries seen at the Long Beach VA Hospital at that time were head injuries incurred on motorcycles. You may be sure that I am in favor of the mandatory motorcycle helmet law."

*John C. Bucur, M.D., Chief of Neurosurgery, Arlington Hospital
and Northern Virginia Doctors Hospital*

Hanna also used data on motorcycle helmets that the National Highway Traffic Safety Administration recently sent to all governor's safety representatives. This data included findings from Insurance Institute for Highway Safety research that helmet laws cut motorcycle helmet fatalities by 30 percent. (See *Status Report*, Vol. 10, No. 18, Nov. 5, 1975.) With NHTSA's data he rebutted charges by

anti-helmet law activists that helmets reduce peripheral vision, significantly affect motorcyclist's hearing and cause increases in neck injuries.

He also took issue with the claim that the helmet law was forced down the throat of Virginia legislators. "The Virginia General Assembly adopted this law because most legislators felt a genuine concern for tragic and needless loss of young lives In furthering highway safety, the legislature is not limited to measures to prevent accidents, it may also design a program to reduce the consequences of accidents," Hanna said.

Among his other arguments for retaining the helmet law, Hanna said that the "statute benefits the driver of a motor vehicle which may accidentally collide with a motorcyclist. If the helmet succeeds in mitigating what otherwise would be a fatal injury then not only has the cyclist survived, but the motor vehicle operator has not killed anyone" and has avoided possible manslaughter charges. (University of North Carolina researchers have found that 59 percent of all motorcycle collisions are with automobiles.)

He cited statutes other than helmet laws that require individuals to protect themselves such as these: prohibiting self-maiming, prohibiting self-destruction, requiring use of hard hats in construction areas, requiring use of life preservers while water skiing, and requiring use of safety belts on planes.

According to an official of a national motorcyclist organization, the 19 states with motorcycle helmet repeal laws now pending include: Colorado, Florida, Georgia, Idaho, Indiana, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Mexico, Nevada, South Carolina, Texas, Utah, Vermont, Washington, Wisconsin and Wyoming.

Michigan Supreme Court Upholds Helmet Law

The Michigan Supreme Court has upheld the constitutionality of a city ordinance requiring mandatory use of motorcycle helmets. The legality of the mandatory use requirement had been challenged by a motorcyclist charged with violating the ordinance.

In upholding the requirement, the court said that mandatory use laws are a "creative, relatively nonintrusive response of government to protect the public from detrimental technological change. Wearing a helmet is a minor burden, the effects of which benefit not only both parties involved in an accident, but society as a whole."

According to National Highway Traffic Safety Administration records, the highest courts in at least 26 states have now upheld mandatory helmet use laws, while only the Illinois Supreme Court has ruled that such a law is unconstitutional. And, according to NHTSA, "at least five times, the United States Supreme Court has refused to overturn decisions which sustained the constitutionality of helmet laws."

The Michigan Supreme Court decision, *City of Adrian v. Poucher* was announced on Dec. 21, 1976.

NHTSA To Fund Consumer Participation

Consumer, environmental and other groups that otherwise cannot afford to fully participate in federal motor vehicle safety rulemaking and defect proceedings may now be eligible for Department of Transportation funding of their participation under a one-year demonstration project. In announcing the plan, which will cover only activities of the National Highway Traffic Safety Administration, DOT also requested comments on whether it should begin a departmental-wide program of financing participation in administrative proceedings, such as public meetings and rulemaking actions.

Late last year, the Center for Auto Safety, the Environmental Defense Fund and Consumers Union petitioned DOT to begin such a funding program. Rep. John Moss (D-Calif.), chairman of the House Commerce Committee's Subcommittee on Oversight and Investigations, and Sen. Warren Magnuson (D-Wash.), chairman of the Senate Commerce Committee, also had urged DOT to provide financing to groups that otherwise could not have participated in department proceedings. DOT said its new demonstration project was, in part, due to those requests.

Under the demonstration project, financing can be made available for safety standard rulemaking actions and defect hearings conducted under the National Traffic and Motor Vehicle Safety Act of 1966, and highway, property damage and fuel economy rulemaking activities conducted under the Highway Safety Act of 1966 and the Motor Vehicle Information and Cost Savings Act of 1972. The NHTSA administrator has the authority, under the demonstration project's regulations, to select the rulemaking actions eligible for funding.

For a group to be eligible for financing, a DOT review board must determine that the group:

- can contribute to "a full and fair determination of the issue involved,"
- would not have its interest represented "adequately" without its participation,
- will "competently represent the interest it espouses,"
- could not "participate effectively" without DOT funding.

If a group is eligible for funding, DOT will reimburse the "reasonable out-of-pocket costs of participation" including such expenses as attorney and expert witness fees, travel expenses, and the costs of studies, surveys and demonstrations prepared for the proceeding.

OTHER AGENCIES

DOT is also seeking public comments on whether it should extend the financial assistance program to participants in proceedings of other agencies within the department. Information is sought on such issues as what types of proceedings should be covered, who should make the funding decisions and what expenses should be paid. Comments should be submitted by April 20, 1977 to: Docket Clerk, OST Docket Number 48, Office of the General Counsel, Department of Transportation, Washington, D.C. 20590.

The regulations on the NHTSA demonstration project and the request for comments on a departmental-wide program appear in the *Federal Register* for Jan. 13, 1977, beginning on page 2864.

NHTSA Formulating Confidentiality Guidelines

The National Highway Traffic Safety Administration has asked for suggestions on how to treat confidential information it obtains during rulemaking on fuel economy standards.

An NHTSA official told *Status Report* that confidentiality guidelines being developed in the fuel economy area may also have an effect on how such information is treated in safety standard rulemaking.

NHTSA currently accepts confidential information from auto makers in regard to vehicle safety as well as fuel economy rulemaking. This differs from the position of the Environmental Protection Agency in its handling of automobile air quality regulations. Eric Stork, deputy assistant administrator, has told General Motors in a letter that EPA cannot accept confidential information "because in my view it would be inappropriate for EPA to base, in whole or in part, its decision on a final regulation on material that is not available for public inspection and rebuttal."

Under the "trade secrets" exception to the Freedom of Information Act, an agency may withhold from the public any trade secrets, business and financial information that are privileged or confidential. To be classified as privileged or confidential information there must be a showing that disclosure would cause substantial competitive harm to the person from whom the information was obtained.

DISCLOSURE

However, even if NHTSA makes a determination that a document is within the "trade secrets" exception of the Freedom of Information Act, the NHTSA administrator is authorized, under fuel economy provisions of the Motor Vehicle Information and Cost Savings Act, to disclose that information if the document is "relevant to any judicial or administrative proceeding" involving fuel economy rulemaking. The notice requests comments on whether the agency should exercise its discretion to release confidential business information, and if so, how.

In its notice, NHTSA identified four categories of manufacturer supplied information "which, in some instances, would result in significant competitive damage" if disclosed to the public:

- future product plans, including discussions of the fuel economy improvement potential and lead-time requirements of specific types of technologies;
- projections of a manufacturer's future vehicle production mix;
- projections made on a vehicle, model, engine family or inertia weight basis, of future fuel economy;
- cost information.

The agency is seeking comments on whether disclosure of any of these four categories of information would allow persons "a fuller opportunity to comment upon" any proposed fuel economy rules, or, would cause public harm. The agency also seeks information on any alternatives to full public disclosure that would provide adequate information to allow people to comment on proposed rules.

NHTSA seems to recognize that there is a "catch 22" aspect to its notice. The agency is seeking comments on how to treat confidential information, even though no party, other than NHTSA and the manufacturers in question, currently knows what specific information is currently being withheld. As

NHTSA said in the notice, the agency “recognizes that it might be easier for interested persons to respond to this notice if they knew not only the general categories of information in question, but also the particular items of information that have been and will be received.”

Comments are due by Feb. 16, 1977. They should be sent to Docket No. FE 77-1; Notice 1, Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh St., S.W., Washington, D.C. 20590. Ten copies are requested. The full text of the request for comments can be found on pages 3240-3242 of the January 17 *Federal Register*.

Maryland Adopts Uniform VIN System

The State of Maryland has officially adopted the vehicle identification number (VIN) regulations issued by the Vehicle Equipment Safety Commission (VESC). The VESC regulations specify a fixed length and format for VINs. Beginning with 1979 models, any passenger automobile being titled in Maryland must have a VIN corresponding to the uniform format prescribed by VESC.

Currently, each vehicle manufacturer uses a different VIN system, and the differences result in a high rate of error in recording. Also, state and local governments, insurance companies and others have been forced to use complicated and expensive records keeping systems to handle the diverse VIN systems now in use. (See *Status Report*, Vol. 11, No. 14, Aug. 30, 1976.)

The National Highway Traffic Safety Administration has objected to the VESC regulations because, the agency maintains, the present federal government standard (FMVSS 115) preempts the states from adopting the VESC standard. The federal government standard does not, however, provide for a uniform numbering system. Recently, NHTSA issued an advance notice of proposed rulemaking stating that it is

VESC Schedules VIN Hearing

In order to hear all arguments on the subject of a fixed format VIN, VESC has scheduled a public meeting on revisions to the VESC requirements. Among other things the hearing will be considering is the expansion of the VIN from 15 to 16 characters. The meeting will be held on May 9 at the Maryland Department of Transportation Presentation Room, Baltimore-Washington International Airport, Baltimore, Maryland.

considering more “specificity” in VINs. This was followed up by the agency’s award of a contract “to determine the most cost-effective format for a standardized VIN . . .” The project will also study VIN users, common errors and the costs of processing VINs.

Besides the motor vehicle VIN, Maryland has also adopted the VESC regulation for VIN numbers of non-motor powered recreational vehicles.

Dairl Bragg, executive director of VESC, told *Status Report* that motor vehicle administrators from all 50 states, all Canadian provinces and the FBI have submitted comments in support of the VESC requirements. VESC is a Congressionally chartered interstate compact of 43 states and the District of Columbia.

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Auto manufacturers have opposed the VESC regulation and support an alternate system proposed by the International Standards Organization. Although the ISO standard was recently amended to require a fixed length of 17 characters, the format may still vary from manufacturer to manufacturer.

Under the VESC requirements, all VINs must be 15 characters long. Each character must convey a specific item of information.

GAO: Open Driver Register To FAA

Thousands of possibly unfit people now hold valid pilot medical certificates, without which they could not be licensed to fly, because a current federal law bars some agencies within the Department of Transportation from access to DOT's motor vehicle driver license information.

The General Accounting Office has called on Congress to correct this situation by changing the law governing access to DOT's National Driver Register. The GAO report is the latest in a series of such requests.

The National Driver Register (NDR) is a central clearinghouse maintained by the Department of Transportation and used by state motor vehicle agencies to identify applicants for new and renewed driver licenses who have had their licenses suspended, denied, or revoked by other states for any reason, including medical conditions.

The 1960 law governing access to the NDR is currently written, however, to include only state motor vehicle agencies. The Federal Aviation Administration and other DOT agencies are barred from using the Register although, as the GAO report states, the "NDR information regarding an individuals' sobriety, behavioral conduct, other medical conditions, or criminal records are pertinent to airman certification."

More than seven years ago, this situation was pointed out in Congressional testimony by William Haddon, Jr., M.D., president of the Insurance Institute for Highway Safety. Testifying at a Senate Public Works Committee hearing, he explained that convictions for drunken driving "cannot legally be made available to the FAA for cross checking against its general aviation or other pilots lists and this is certainly something that needs to be fixed."

STUDIES PROVE POTENTIAL

In order to determine if the NDR would be of actual use in identifying possibly unfit airmen, the GAO asked the Department of Transportation to conduct two studies.

In the first study, the names of 163 pilots, who were involved in U.S. aircraft crashes in 1972-74 and in which the National Transportation Safety Board concluded that pilot impairment either caused or contributed to the crash were compared with NDR records. The majority of these crashes involved alcohol impairment. Of the 163 pilots, 13 had had their motor vehicle license withdrawn or denied. The majority of these cases involved violations for driving while intoxicated. (Because it is a voluntary state-federal system, the NDR does not contain all "driving while impaired" suspensions, but it is known to contain entries for approximately 5.6 million drivers who have had their licenses suspended — 52 percent of these cases are alcohol related.)

In the second study, 11,000 airmen statistically drawn from the 926,000 active airmen holding Class I, II, and III pilot medical certificates (permitting operation of planes ranging from small private

aircraft to commercial jets), were run through the National Driver Register. The NDR comparison found 269 airmen who had had their driver's license withdrawn or denied. The majority of these cases were for driving while intoxicated.

The GAO projected the results of this comparison for all airmen and estimated that the "FAA can expect to identify approximately 22,900 active airmen who may represent potential safety problems. Among the more significant medical problems FAA can expect to find are an estimated 12,500 airmen with records of driving while intoxicated and about 200 with physical disabilities which prevent them from driving an automobile. Also our sample indicates that FAA can expect a 2.5 percent match between NDR data and initial airmen applications."

The GAO report explains that under the current restrictions, the National Driver Register cannot even provide FAA with the names of the airmen identified in the study.

The reasons for license withdrawal or denial do not automatically disqualify a person from holding a pilot's certificate, according to the GAO report. However, GAO does point out the the "NDR data, as any other diagnostic tool, should be considered as merely an additional aid for estimating the presence of a potentially hazardous condition. Among the offenses besides driving while intoxicated which should be of interest to FAA are those which indicate a character and behavior disorder, such as antisocial behavior."

The GAO recommended "that, to improve FAA's ability to identify medically unfit airmen, the Congress provide the Secretary of Transportation authority to furnish FAA, upon request, information contained in the NDR with respect to an individual who is an applicant for an FAA medical certificate."

A spokesman for FAA told *Status Report* that the Federal Air Surgeon, H. L. Reighard, has prepared a response to the GAO report for the Secretary of Transportation. That response suggests that Congress grant the FAA access to the driver register on a limited basis so that the agency can determine for itself if the records contained in the NDR would be of value.

OTHER DOT AGENCIES

In 1969, Andrew Hricko, general counsel of IIHS, published an article which discussed this problem. "Since the DOT was established to develop national transportation policies and programs conducive to fast, safe and efficient transportation, it is hard to understand why such vital information is available for one form of transportation and denied to another."

Other DOT agencies which could benefit by access to the NDR records include those which have responsibility for mass transit, the operation of the St. Lawrence Seaway, railroad crews, Coast Guard and harbor pilot personnel, air controllers, the merchant marine and those involved in the transportation of hazardous materials.

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the highway
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STATUS REPORT

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(AREA CODE 202-333-0770)

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