

Public Meeting Called On Heavy Truck Safety

Concern over a sharp increase in fatalities in crashes involving heavy trucks has caused the National Highway Traffic Safety Administration (NHTSA) to schedule a public meeting September 10 to discuss the problem.

Using data collected by the Fatal Accident Reporting System (FARS), the safety agency reported that crashes involving heavy trucks took an estimated 4,624 lives in 1978, a 40 percent increase since 1975. Deaths among heavy truck occupants also had increased by 41 percent. By comparison, passenger car crash fatalities had increased only 7 percent in the same period.

Announcing the meeting, Joan Claybrook, NHTSA administrator, said, "We are very concerned by the alarming increase in fatalities among occupants of heavy duty trucks since 1975, and have made truck safety one of the priorities in our five-year rulemaking plan. Since the safety of trucks is largely in the hands of the drivers, it is appropriate that they have an opportunity to be heard at the meeting and give the nation the benefits of their driving experiences and firsthand knowledge."

FIVE AREAS FOR DISCUSSION

In addition to inviting truck drivers to the one-day meeting, NHTSA has invited others associated with the trucking industry, including manufacturers, and the general public. The discussions will center on five major topics: driver environment; driveability; crash protection; vision and lighting; and maintenance, operation, and training.

The FARS data has revealed these facts about heavy truck safety:

- Almost 30 percent of the increase in automobile deaths between 1975 and 1978 was attributable to fatalities occurring in crashes with heavy trucks.
- In fatal crashes involving heavy trucks and passenger cars, 97 out of 100 deaths were among the occupants of the cars.
- Texas and California continue to have the most fatal crashes involving heavy trucks, but their numbers of crashes has increased less in the four-year period than have those in other states.
- Between 1975 and 1977, fatalities in heavy duty trucks rose more than twice as fast as the number of miles traveled by such vehicles.

Heavy truck safety has been identified earlier by NHTSA as one of the priority areas. In the revised five-year vehicle safety rulemaking plan announced in April, heavy truck safety was revealed as an area of

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emphasis. (See *Status Report*, Vol. 14, No. 7, April 30, 1979.) Aspects of the problem to be studied included brakes, tires, rear underride protection, lighting, improved fields of view, splash and spray control, interior noise level, fuel system integrity, and ride quality.

The public meeting September 10 will be held in the Department of Commerce Auditorium at NW 14th St. and Constitution Ave. in Washington, D.C. It is scheduled to run from 9 a.m. to about 6 p.m., and if warranted the session will be extended to the same hours the following day.

Surgeon-General Warns Of Drug-Alcohol Interaction

The U. S. Surgeon General has urged medical professionals to pay greater attention to the possible dangers of prescribing certain drugs, many of them widely used, to alcohol users. Among these dangers are impaired driving skills, warned Julius Richmond, M. D., the Surgeon General.

“During the past several years there has been a major increase in this country in the medical and non-medical use of drugs,” Richmond’s advisory said. “A parallel increase in the use of alcohol by both men and women increases the probability that alcohol will interact with another drug causing potentially fatal consequences.”

In a bulletin accompanying the advisory, the Federal Drug Administration (FDA) said, “Of the 100 most frequently prescribed drugs, more than half contain at least one ingredient known to interact adversely with alcohol.” Adverse effects from alcohol-drug interactions claim an estimated 2,500 lives per year and are responsible for 47,000 emergency room admissions each year, the FDA reported. Most adverse effects are accidental, the agency said.

MANY DRUGS INVOLVED

The many commonly prescribed drugs that have “altered therapeutic and/or adverse medical effects when taken with alcohol,” Richmond wrote, include “not only sedatives, but also certain antihistamines, analgesics, anticoagulants and anti-infective agents.” In addition, the FDA noted that adverse effects have resulted from mixing alcohol with stimulants, hypoglycemics, and anticonvulsants, and antianginal, antihypertensive, and antidiabetic medicines, among other drugs.

With regard to minor tranquilizers and other central nervous system depressants, Richmond said patients frequently use them with alcohol. The combination may produce adverse effects, which “can impair performance of tasks requiring alertness — such as driving — increasing the likelihood of injury and even death.” Richmond added, “The combination itself can lead to death by accidental overdose or by suicide.”

(In studies sponsored by the Insurance Institute for Highway Safety, researchers found that moderate doses of two commonly used drugs impaired driving skills, and when taken with alcohol, produced even greater impairment. In the tests, typical doses of Valium — a tranquilizer — and of Benadryl — an antihistamine — were administered either alone or in combination with the rough equivalent of two drinks, to 12 male subjects. See *Status Report*, Vol. 12, No. 17, Nov. 30, 1977.)

To counter the problem, Richmond urged all medical professionals to:

- Routinely document the history of alcohol consumption for individual patients to determine if the symptoms they complain of could be related to mixing drugs with alcohol.

- Be “alert to the possible interaction of prescribed, over-the-counter, or illicit drugs, singly or in combination – with alcohol.”
- Pay “careful attention” to package inserts that discuss drug-alcohol interactions and “consult the current medical literature and references for specific problems.”
- Limit “as much as is practical” the quantity of drugs dispensed and regularly monitor the patient for unexpected reactions.
- Consider, “both in the choice of therapy and in the evaluation of the patient, the likelihood of the patient’s adherence to your admonition . . . against using alcohol while taking medication.”

Two New Reports Gauge Mopeds’ Impact

Spurred by the current scarcity and high cost of fuel, a heavy influx of mopeds, averaging about 120 miles per gallon, has entered the American traffic stream.

Two new studies report on the impact of this trend: “The Moped Report,” by the Ohio Traffic Safety Education Center, is a general-interest report on the history, legal status, popularity, and safety of the moped. “An Analysis of Mopeds as a Potential Safety Problem in the United States – Volume I: Review of the Literature and Data Search,” by William Hunter and Jane Stutts of the Highway Safety Research Center of the University of North Carolina, is a technical report, sponsored by the National Highway Traffic Safety Administration (NHTSA).

The moped, according to the Ohio study, “is not just a passing fad; it is a transportation alternative that is here to stay, probably in significant numbers. The enactment of moped legislation in 37 states attests to widespread belief in this fact.” (As of now, 38 states and the District of Columbia have passed moped laws.) The report predicts that as many as 3 million mopeds could be on U.S. roads by 1980.

The study lists the following as possible factors in moped crashes:

- Youth, inexperience, and lack of skill on the part of the operator.
- The vehicle’s lack of power, low visibility, and poorly designed brake controls.
- Other motorists’ lack of awareness of, and sometimes hostile attitude toward, the moped’s presence on the road.

“The Moped Report” endorses the moped regulations NHTSA has recommended to the states. (See *Status Report*, Vol. 13, No. 15, Oct. 30, 1978.) It also seconds Klaus Langwieder’s recommendations to vehicle manufacturers, put forth in “Collision Characteristics and Injuries to Motorcyclists and Moped Drivers,” a conference paper at the Twenty-First Stapp Car Crash Conference, New Orleans, October 1977. For cars and trucks, with which two-wheeled vehicles may collide, Langwieder recommended:

- Redesign of car front ends, “A” pillars (posts between the windshield and the front passenger windows), and top frames to include a less angular profile and an energy-absorbing structure over the surface to soften the impact of a moped operator against the vehicle.
- Truck rejection barriers between the front and rear wheels to prevent a moped and operator from skidding underneath the truck.

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Two New Reports Gauge Mopeds' Impact (Cont'd from page 3)

- More rounded roof tops and weatherstripping and door hinges and other fixtures designed to avoid their protrusion.

For mopeds and motorcycles, Langwieder recommended:

- An automatic ("passive") restraint system, such as an air bag.
- Energy-absorbing structures above the front wheel to soften the impact of the operator against the vehicle.
- Placement of the seat as high as possible to change the operator's trajectory in case of a collision so that the likelihood of direct impact with the car is decreased.
- The addition of a spacious knee bar with an energy-absorbing structure as close as possible to the knee and lower leg to improve the upward trajectory of the operator if a front-end collision with an auto occurs.

"Moped use is still young in America," the Ohio study points out. "We have much to learn about its safety implications. . . . The next ten years should tell us much about the efficacy of our approach up until now and about what our approach needs to be in the future."

The formulation of such an approach is what the NHTSA-sponsored report is attempting. Volume I of "An Analysis of Mopeds as a Potential Safety Problem in the United States" is a literature search, mostly of European sources since very few U.S. data exist. The authors plan to extrapolate this information to the American moped situation and, in Volume II, forecast how serious a problem moped crashes are likely to be in the U.S. within the next five to ten years.

The following are the main findings of this study:

- **Rider Characteristics** — The typical European mopedalist is a young male (half are under 21 and two-thirds are male) riding to and from school or work. In the U.S., the typical moped rider is older (in one survey, 36 percent of the mopedalists were over 50) and is more likely to use his vehicle for recreation.
- **Crash-Involved Rider Characteristics** — European data indicate that "learners" and those aged 15 to 20 are involved in a disproportionately large number of crashes. Males are involved in four to five times as many crashes as females. The moped death rate per million kilometers is fairly stable for all age groups until about age 65, when it sharply increases. This point could have particular significance to the U.S., where mopedalists tend to be older.
- **Crash Location/Roadway Variables** — Although 80 percent of moped crashes occur in urban areas, rural crashes are typically more severe and account for approximately 50 percent of all fatalities. The preponderance of urban crashes occur on arterials and at intersections.
- **Other Environmental Variables** — Moped crashes are distributed fairly evenly across all days of the week. Crashes are most frequent in the later afternoon and occur most often in daylight and dry weather.
- **Vehicle Variables** — Moped size and weight have no apparent effect on crash involvement. According to the report, vehicle defects seem to play a greater role in moped crashes than in auto or motorcycle crashes.
- **Collision Characteristics** — Mopeds are involved in a high percentage of crossing and turning collisions. They collide with parked vehicles more often than do either bicycles or motorcycles. Solo crashes account for about 20 percent of the total.

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- **Injury Characteristics** – The overwhelming majority of injuries to moped riders are of either minor or moderate severity. Head and leg injuries are the most common. The greater the severity of the injuries, the greater the frequency of head injuries.

- **Helmet Use** – A number of countries, such as Great Britain, France, Denmark, and the Netherlands, require all moped riders to wear helmets, and there appears to be a general favoring of such mandatory use in Europe.

For further information or copies of "The Moped Report" write the Ohio Traffic Safety Education Center, 1960 Kenny Road, Columbus, Ohio 43210. Copies of "An Analysis of Mopeds as a Potential Safety Problem in the United States – Volume I" are available from the National Technical Information Service, Springfield, Va. 22161.

Labels For Unlicensed Two-Wheel Vehicles Recommended

Staff members of the Consumer Product Safety Commission have recommended cautionary labels for unlicensed two-wheel motorized vehicles (UTMV's) in response to a petition filed last October. But the staff rejected a series of proposals designed to make the vehicles safer for children, although they did recommend engineering studies to see if other design changes would be appropriate.

The UTMV designation applies to minibikes manufactured and marketed as a children's toy, trail bikes, and minicycles operated off the road. Currently, there are no rules governing the manufacture and sale of minibikes and other UTMV's. The commission is expected to issue a decision August 9.

Frederick P. Rivera, M.D., and Lawrence R. Berger, M.D., who were at the University of Washington, had filed the petition, asking the commission to:

- Require design changes that would limit riders to the size of an average 14-year-old or larger.
- Limit the maximum attainable speed of UTMV's.
- Require changes in seat design to permit only one rider.
- Undertake engineering studies of UTMV's to make them safer.
- Require registration of UTMV's.
- Expand the reporting of UTMV-associated injuries.
- Require warning labels on UTMV's.

The doctors cited an estimated 20,000 annual injuries associated with minibikes for the years 1975 and 1976, but the commission staff said the figure represents a drop from 1973 data when hospital emergency rooms reported a total of 31,000 minibike injuries.

In a briefing paper to the commission, the staff explained why they felt most of the petitioners' recommendations should be rejected. On the question of size, they said there is an overlap of size among various age groups and insufficient information as to whether a design change limiting riders to the size of an average 14-year-old would actually promote safety.

The staff also recommended the rejection of the speed limitation proposal, saying there are insufficient data to determine whether speed is substantially involved in UTMV-related accidents. A maximum speed appropriate for one kind of terrain may not necessarily be appropriate for another, they added.

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Labels For Unlicensed Two-Wheel Vehicles Recommended (Cont'd from page 5)

The proposal that changes in seat design be required to permit the accommodation of only one rider prompted the staff to speculate that the proposed change would not necessarily reduce the risk of injury and could even encourage riders to try to carry passengers on handlebars.

The staff commented that "a child's judgment regarding safe conditions for and appropriate use of UTMV's may not be reliable and . . . a child's interpretation of safety warnings on labels also may not be reliable." Therefore, the staff recommended that the commission consider development of an information program aimed at both children and their parents to inform them of the safety and environmental hazards posed by UTMV's.

Modern Motor Milestones

This thought-provoking editorial is by Lawrence R. Berger, M.D., of the University of New Mexico, one of the petitioners to the Consumer Product Safety Commission mentioned in the preceding article. The editorial is reprinted with permission from the December 1978 issue of Pediatrics (Vol. 62, No. 6,) © American Academy of Pediatrics.

In child development circles, a motor milestone is a discrete event in a person's progressive mastery of control over the body's movements. To most parents, each milestone — sitting up without support, grasping a raisin between thumb and forefinger, holding a cup, taking the first step all by herself — is a joyous occasion in their child's life. Children of the seventies, however, exhibit a new set of motor milestones made possible by our affluent society. None of these is cause for celebration. The modern milestones are discrete events marking the child's progressive involvement with engine-driven vehicles.

As early as 4 years of age, children may ride their first minibike. For kids, the minibike is plenty maxi, reaching speeds up to 80 kph (50 mph) with engines of 1 to 4 hp. With a wheel diameter less than 25 cm (10 in) and a seat height under 64 cm (25 in), the minibikes are marketed as children's "toys," despite their adult-sized hazards. The minibikes are usually the first of several other motor achievements. Trailbikes are popular with the elementary school set. Astride a trailbike, 10-year-olds roar down hills in clouds of dust, turn wheelies on graveled pavement, and leap deep gullies in a single bound. Motorboats provide a last frontier of laissez-faire: Anyone old enough to hold a wheel is free to cavort in America's waterways without traffic cops, stop signs, or any other burdensome government regulation. Should our driven and driving children be faced with inclement weather, snowmobiles provide a perfect escape from the dreariness of self-propulsion. The pinnacle of motor development? Their own car, or better yet, motorcycle, made available to them two to five years before legal drinking age through the good graces of driver education.

Why should a pediatrician be complaining about all this good clean fun? For 1976, the U.S. Coast Guard reported 11 boating *deaths* resulting from motorboat accidents in which the operator was 12 years of age or younger. Children under the age of 14 accounted for 21% of the estimated 13,361 snowmobile injuries in 1977, and 51% of the 19,120 injuries from unlicensed motorbikes (motor scooters, minibikes, etc.). I've seen enough third-degree burns from gasoline explosions and mutilations from motorized vehicle accidents to last me a lifetime. Sure, kids are hurt while bicycle riding and cross-country skiing. But to motorize bikes and skis is homicidal for kids. How many kids after a spill from a minibike, have needed skin grafts because their legs were ground into the pavement by spinning chain-driven wheels? Bicycles don't do that. Not only are the injuries from minibike accidents more severe, but minibikes cause four times as many accidents per vehicle as do bicycles. What excuse do we as a society have for bringing the injury- and death-associated dangers of motorcycles — including high speeds, motor-driven moving parts, and gasoline engines — to children, who lack both the maturity of judgment and the "motor skills" to control these?

There are other reasons for justified exasperation. Not only the excitement of high speeds gets into kid's blood — the effluvia from a forest of tailpipes does also. I doubt that tetraethyllead, sulfur dioxide, and carbon monoxide from a weekend of trail-biking or snowmobiling enhances a child's learning capacity. That the stuff is not recommended for healthy lungs, there's no question.

What of the values that our motor-hungry children

are imbibing? Speed and power, not esthetics or self achievement, are the important goals. Independence and autonomy, not sharing and cooperation, are stressed. Terrorizing other people is more fun than interacting constructively with them. High-priced activities, like steering a motorboat or bouncing on a snowmobile, are exciting; inexpensive pursuits, like hiking and swimming, are dull. Environments are prized according to the availability of roads to haul minibikeladen trailers and fuel stations to feed gasoline tanks. Tranquility, isolation, and natural beauty become quaint irrelevancies. Rather than drawing closer to the earth, appreciating its smells and sights and sounds through nonconsumptive and nondestructive pursuits, the object is to get across territory in the fastest, loudest, and scariest way possible.

Finally, how much can a family share when all its members are driving off in different directions on their own vehicles? If parents bought their kids skis instead of snowmobiles, bicycles instead of trailbikes, the money saved could pay for more life-enhancing motor activities — dance classes or piano lessons, for instance. Better yet, parents might save enough money to be able to spend a few extra nights or weekends with their children, skiing, walking, or just talking with each other. Kids might discover that their parents are more interesting people than they suspected, and parents might find that their children have much to teach them.

If I had my way, child-sized motor vehicles simply wouldn't be manufactured. Just as many states have outlawed the sale of dangerous fireworks, so, too, could federal or state legislation forbid the sale of these vehicles. Even without additional legislation, the Consumer Product Safety Commission has the power to recall and ban hazardous products. Perhaps if they received enough letters from physicians treating children with motor-vehicle related injuries, they'd be prompted to act. Finally, no person should be allowed to pilot *any* motor-driven vehicle — on or off public roads or across waterways or in the air — without a license.

Until these vehicles are no longer available to children, we as pediatricians can provide anticipatory guidance to parents, to steel them for the inevitable demands of their children for these "presents." Children will not become demoralized if they're demotorized, nor will they be emotionally or physically deprived. Just as toddlers will desert their fancy "educational" toys for hours of blissful play with battered pots and pans, so will our adolescents find more gratifying, and safer, pursuits. What's required is for parents to stop living out their fantasies, expiating their guilt, or avoiding their responsibilities by lavishing on their children spirit-stifling, environment-destroying, hazardous, and expensive "toys."

Auto Warranty Bill To Provide Relief For 'Lemon' Owners

Relief for owners of "lemons" is being sought on Capitol Hill by Rep. Bob Eckhardt (D.-Tex.). The chairman of the Oversight and Investigations Subcommittee of the House Commerce Committee has sponsored a bill that would require improved auto warranty performance by manufacturers, permitting owners of a malfunctioning or defective car the choice of either a refund or replacement if it cannot be repaired after a "reasonable" number of attempts.

In testimony before the Commerce Committee's Consumer Protection and Finance Subcommittee, Eckhardt blamed the present market structure for providing negative incentives for new-car dealers to perform warranty work. Since it is in the manufacturer's interest to discourage warranty work, Eckhardt said, auto dealers find that the manufacturer often refuses or delays reimbursement for warranty repairs, reimburses at lower labor rates, and burdens the dealers with paperwork. "My aim in introducing H. R. 1005 is to reverse the incentives, to make it worthwhile to the dealers and mechanics and auto companies to do the warranty work they promised, and do it in a timely manner," Eckhardt told the committee.

The bill received enthusiastic endorsement from Michael Pertschuk, chairman of the Federal Trade Commission (FTC). Pertschuk testified that "H. R. 1005 is the least intrusive and most economically sound approach" to new car warranty problems faced by consumers. Pertschuk said the bill would be particularly helpful to the "unlucky lemon owner [who] today pays a steep penalty for his or her misfortune."

Both Pertschuk and Eckhardt emphasized that no manufacturer would be required to offer a warranty. But if a warranty is offered, they said, it would have to be a "full" warranty that would cover the

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Auto Warranty Bill To Provide Relief For 'Lemon' Owners (Cont'd from page 7)

repair of defects or malfunctions within a "reasonable" time, a standard as yet undefined by the FTC. Pertschuk said full warranties would cover all components except minor maintenance parts such as filters, bulbs, and belts. Tires and batteries would continue to be covered under separate warranties, and the bill would not stipulate the duration of a warranty, Pertschuk said.

Manufacturers would be permitted to continue their practice of limiting any implied warranties to the duration of the written warranty, a provision criticized by Clarence Ditlow of the Center for Auto Safety. Ditlow said latent defects appearing after the expiration of a warranty could not be remedied under the proposed legislation. Nonetheless, Ditlow said he would support the bill.

The bill would also make it easier for consumer to sue by making the award of attorney's fees in successful cases mandatory, and would also make it easier to bring class-action suits against manufacturers.

The Eckhardt bill faces opposition from auto repair industry representatives, who argued the legislation would harm independent garage and service station owners. The only domestic manufacturer to provide full warranty protection to its new car buyers, American Motors, also testified against the bill, saying it would reduce the company's competitive edge in the warranty area. Ford and General Motors called the bill "premature" in view of recent test programs set up to arbitrate consumer grievances.

Automatic, Manual Belts Compared In Claims Data

The frequencies of personal injury insurance claims from occupants of Volkswagen Rabbits equipped with automatic belts and those with manual belts are compared in a new report published by the Highway Loss Data Institute (HLDI).

The report, citing claims under both "no fault" personal injury protection and under medical payments insurance for occupants of 1975-1977 VW models, amplifies a preliminary study reported earlier (see *Status Report*, Vol. 12, No. 12, July 26, 1977) and is based on considerably more experience.

Principal findings reported by HLDI were:

- Under the personal injury protection ("no fault") coverages, the VW Rabbits sold with automatic belts had slightly lower overall injury claim frequencies than those sold with manual belts. For the medical payments coverages, which are somewhat more limited, there were no discernible claim frequency differences between the two groups of cars.

- The results of a survey of the claim files indicate that in frontal crashes there were 17 percent fewer injuries to the occupants of VW Rabbits sold with automatic belts, and that the frequency of head injuries was 43 percent lower. In side and other crash types, the frequency of occupant injuries was about equal in the two groups. These results are important, since frontal crashes in general and head injuries in particular cause the majority of motor vehicle occupant deaths.

Detailed findings are contained in HLDI Report A-10, *Comparisons of Claim Frequencies of Volkswagen Rabbits with Automatic and Manual Seat Belts, 1975, 1976, and 1977 Models*, available from Highway Loss Data Institute, Watergate 600, Washington, D.C. 20037.

DOT Units Propose Central Safety Agency In Each State

Two Department of Transportation (DOT) agencies have proposed a rule designed to improve the management of state highway safety programs.

The rule, proposed by the Federal Highway Administration and the National Highway Traffic Safety Administration (NHTSA), is designed to implement a recent amendment to the Highway Safety Act of 1966. The amendment requires that the responsibility for administering state highway safety programs reside in a single state highway safety agency. Its purpose is to improve the management of the programs by eliminating the diffusion of administrative responsibility among various state agencies, the DOT said.

The rule sets forth the authority the state highway safety agency must be given and specifies the functions it must perform. Under the Highway Safety Act of 1966, each state government, under the direction of the governor, is required to have a federally approved highway safety program in order to avoid forfeiting federal highway safety funds. Federally mandated program standards, among others, include those for driver licensing, motor vehicle inspection and registration, traffic control, driver education, alcohol in relation to highway safety, and emergency medical services.

IHS Points Out Barriers To Full Use Of NDR

Impediments to the full use of the National Driver Register (NDR) have prevented reducing both highway crashes and crashes in other transportation modes, the Insurance Institute for Highway Safety has told the National Highway Traffic Safety Administration (NHTSA).

“In consequence, countless unnecessary deaths and injuries, as well as a needless high toll of property loss, continue in the nation’s transportation system despite the existence of an information resource to substantially reduce some of those losses,” the Institute said.

The views were expressed in comments to the NHTSA docket on an evaluation study of the driver register’s utilization being undertaken by the agency at the direction of Congress. (See *Status Report*, Vol. 14, No. 10, June 21, 1979.) The NDR, which functions as a central point for the exchange of information among states concerning the driving records of driver license applicants, was originally established by Congress in 1960. Subsequently, Congress made it part of NHTSA. The NDR is restricted by statute to responding to inquiries from state motor vehicle licensing agencies, and then only for the purpose of issuing driver licenses. No other agency, public or private, may have access to the register.

The Institute pointed out that the driver register’s usefulness is restricted by the failure of such states as California, Florida, and New York to make full use of the information available from other states. “The result of such failures is the licensing by those states, in countless cases, of unqualified and possibly dangerous drivers for the operation of commercial and private vehicles on the nation’s highways,” the Institute commented.

OTHER AGENCIES AFFECTED

The lack of a fast, reliable flow of information between the states and the NDR also is an impediment to the register’s usefulness, the Institute said, as is the lack of access to the NDR by the Bureau of Motor Carrier Safety (BMCS) and the National Transportation Safety Board (NTSB). The BMCS needs information from the register to increase the safety performance of commercial vehicle operation on the highways, the Institute said, and the NTSB would be aided by NDR information in carrying out crash investigations.

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IIHS Points Out Barriers To Full Use Of NDR (Cont'd from page 9)

Lack of access to the register also hampers agencies involved in other transportation modes, the Institute observed. "The Federal Aviation Administration (FAA) does not now have access to the NDR," the Institute explained. "As a result, motor vehicle drivers whose licenses have been suspended or revoked for highway offenses — most important from the FAA's standpoint, alcohol-related highway offenses — are receiving general and commercial aviation certificates from the FAA without that agency being aware of their violation histories."

Much the same situation exists with other federal and state transportation-related agencies. For example, despite its responsibilities for licensing operators of water vessels, the Coast Guard is denied access to the NDR information that might indicate an applicant's fitness to be licensed.

Quick Action Predicted For Truck Safety Bills

Quick action on two truck safety bills has been forecast by Sen. Howard W. Cannon (D.-Nev.), chairman of the Senate Commerce Committee. Cannon has said he expects the committee to move this year on the safety proposals, but the Administration's trucking deregulation legislation, incorporated in one of the bills, will probably be held over until next year.

Committee action on the two bills, S. 1390, introduced by Sen. Charles Percy (R.-Ill.), and S. 1400, introduced by Sen. Edward Kennedy (D.-Mass.) for the Administration, has been tentatively scheduled for October, a staff member told *Status Report*.

In testimony before the Commerce Committee, Percy said Congressional action is urgently needed in view of a 53 percent rise in heavy truck fatalities in 1978 over 1975. Out of 50,000 highway fatalities in 1978, 17,578 (or nearly 35 percent) involved trucks and buses, Percy said. "Heavy trucks alone were responsible for 11 percent of these fatal accidents, despite the fact that they account for less than 1 percent of vehicles on the road." (See *Status Report*, Vol. 14, No. 8, May 17, 1979.)

"This rash of truck accidents has rendered truck driving one of the more dangerous occupations in America," Percy noted. He cited a 1976 Wisconsin study showing that truck drivers are 9 times as likely as all other workers to be killed in work-related accidents.

"Heavy trucks pose particularly severe hazards to automobiles and their occupants," Percy added. According to one study he cited, in crashes between trucks and cars, 97 percent of the deaths were among the car occupants.

Although part of the increased death toll can be attributed to an increase in truck traffic, at least part has been blamed on what Percy characterized as "an epidemic of unsafe trucks." According to the Bureau of Motor Carrier Safety, out of 26,000 trucks inspected during 1978 (less than 1 percent of the total truck traffic), over 42 percent of the vehicles inspected were found to be "imminently hazardous" and ordered off the road until repairs could be made. (The "imminently hazardous" designation is reserved for severe safety problems, such as malfunctioning brakes. See *Status Report*, Vol. 14, No. 9, June 6, 1979.)

Among the provisions shared by S. 1390 and S. 1400 are:

- "Whistle blower" protection for drivers, permitting them to bring suit against any employer who dismisses, disciplines, or otherwise discriminates against any employee for bringing safety violations to the attention of federal or state enforcement officers.

- Extension of the federal safety standards to include all commercial trucks, both interstate and intrastate, over 10,000 pounds.
- Civil, rather than the current criminal, penalties for safety violations and substantially increased fines up from the current \$500 level to \$2,500. The bills differ in that the Administration's version would set significantly higher penalties than the Percy bill, for serious and wilful violations. Under the Percy bill, employers would be held liable for payment of fines, but S. 1400 would leave trucking employees liable for the full amount. Both bills would hold independent owner-operators liable for civil penalties.
- Encouragement for states to assist in the enforcement of truck safety regulations by providing federal funds on a matching basis. Both Percy and Administration officials agreed that inspection programs would be "significantly upgraded" if funding levels were set to provide for the inspection of 5 percent of the total truck traffic by state and federal authorities.

However, the two bills do differ in several other respects:

- Under S. 1390 the DOT would be required to set standards governing the safety and health of drivers now excluded from protection under the Occupational Safety & Health Act. Witnesses cited deteriorating working conditions including vibration, exhaust fumes, extreme temperatures, and long working hours as hazards to both drivers and the public.
- S. 1400 would give DOT the power to make binding recommendations concerning safety and fitness determinations in licensing proceedings before the Interstate Commerce Commission.
- S. 1400 would allow the Transportation Secretary to waive compliance by individual carriers if such a waiver were deemed without significant safety hazard and in the public interest.

Percy predicted any differences between the two bills could be worked out with little difficulty and noted that so far, he has obtained backing for S. 1300 from the American Trucking Association, the International Brotherhood of Teamsters, and PROD, a dissident Teamsters reform group. An earlier version introduced last year failed to receive such disparate backing. (See *Status Report*, Vol. 13, No. 14, Oct. 11, 1978.)

Quoted Without Comment

I totally reject the view . . . that our country should get rid of regulations, such as those requiring greater fuel efficiency, emissions control, and safety. The American people are better off because of those regulations. We absolutely need cars that get good gas mileage in this period of high prices and gas shortages. We need emissions controls that result in cleaner, more healthy air. We need safer cars that protect occupants from death and maiming.

– Douglas A. Fraser, United Auto Workers
president, speaking at an automotive
meeting in Detroit, July 23, 1979

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