

White House Resisting . . . So Far

U.S. Auto Makers Seek Safety Cutback

Three domestic auto companies are taking advantage of their current sales declines and the recession to press the Carter Administration for a wholesale rollback of motor vehicle safety progress. So far, the White House has resisted.

General Motors, Ford, and Volkswagen of America (VWoA) executives have been pressing Presidential aides not only for a moratorium on new motor vehicle safety regulations, but also for a sweeping rollback of regulations already in place. Their effort is reminiscent of the domestic industry's call, during the 1974 economic downturn, for a "moratorium" on auto safety regulatory activity. Although no formal moratorium was declared by the administration of President Ford, the effective date of the federal automatic restraint standard subsequently was slipped even further. (See *Status Report*, Vol. 9, No. 21, Nov. 20, 1974.)

Carter Makes Slight Concession

President Carter's new program of aid to the domestic auto companies makes what appears to be a token concession to the latest rollback requests. It promises merely that the Department of Transportation (DOT) will not "issue any major safety rules during this calendar year." This could delay a few rulemaking activities of the National Highway Traffic Safety Administration (NHTSA), including one involving the relationship of car front-end design to pedestrian injury. And, depending on how "major" and "issue" are construed, even these activities might be allowed to go forward, NHTSA officials believe.

Still, the overall effect of the industry rollback campaign could be to chill future safety progress and erode current gains. For instance, White House aides have indicated sympathy with a General Motors request that the automatic restraint standard be rewritten so that instead of phasing automatic protection in starting with large cars in the 1982 model year, the effective dates be slipped and the order be reversed to apply to the smallest cars first, starting in the 1983 model year. (Ironically, when DOT issued the automatic restraint standard in 1977, it adopted the present phase-in timetable specifically at GM's request.) As an alternative, GM would have the standard apply to all cars at once, starting in the 1983 model year.

Critics of the GM request have pointed out that if granted, it could lead to reopening of the entire automatic restraint standard, with a possible delay in the standard's ultimate effective date of five or more additional years. That would be in addition to the 10 years that already have passed since NHTSA first proposed such a standard.

The highlights of the current rollback campaign by the domestic companies, gleaned from written and oral submissions to the White House by industry executives, follow. They cover both existing regulations and future regulations.

(Cont'd on next page)

The existing regulations were these:

Automatic Restraints (FMVSS 208): GM wants the DOT to “eliminate passive (automatic) restraint requirements.” If that is impossible, it wants a rule allowing it to “provide consumers with an option as to the type of restraint system that can be selected” – presumably meaning a choice between “manual” and “automatic” systems, but not between air bags and automatic belts. And, it wants the phase-in slipped to start with small cars in the 1983 model year. (See *Status Report*, Vol. 15, No. 10, June 25, 1980.)

VWoA has told the White House that it considers it “important” to have the automatic restraint rule delayed – even though it publicly has made much of its optional automatic belt system in the Rabbit.

Ford wants the standard deferred “for a minimum of one year” – a delay it claims to need in order to develop an automatic belt system “more acceptable to the public” than Ford’s presently-planned design.

Ford also wants the dynamic crash test requirements of the automatic restraint standard eliminated for automatic belts, and replaced with the much less demanding static tests that manual belts are required to undergo. This, in effect, would wipe out the requirement that automatic belts – like air bags – must automatically limit the levels of injury-producing force on occupants in frontal crashes. (Ford presented no evidence to support its claim to the White House that automatic belts meeting the static test criteria “would perform equally as well as would automatic belts meeting the barrier test requirements of FMVSS 208.”)

Bumpers (Part 581): All three companies want the bumper standard softened or eliminated. Volkswagen of America and Ford claim a 2.5 mph standard, instead of the current 5 mph standard, would mean fuel savings to customers and cost savings to the companies. GM, supporting a 2.5 mph standard, also asks that the corner-impact test for bumpers be lowered from 3 mph to 1.5 mph – and that the standard be even further weakened to allow damage to the bumper in test impacts. (See *Status Report*, Vol. 15, No. 8, May 20, 1980.)

Protection Against Steering Control Injury (FMVSS 203): GM wants NHTSA to delay the extension of this standard to vans, light trucks, and other multipurpose passenger vehicles of 10,000 pounds or less. The scheduled effective date is now Sept. 1, 1981. (See *Status Report*, Vol. 15, No. 1, Jan. 11, 1980.)

Child Restraints (FMVSS 213): GM wants NHTSA to weaken its force level requirements for child restraint seats in crashes, including the levels that can be managed by belt buckles and restraint padding. (See *Status Report*, Vol. 14, No. 18, Dec. 21, 1979.)

Vehicle Crashworthiness Ratings: GM wants NHTSA to “terminate” its recently-initiated series of crash tests comparing the performance of various makes and models of cars at crash speeds higher than the vehicle standard compliance speed of 30 mph. “Test technology does not exist to allow such laboratory crash testing to be reliably correlated with real-world highway accident performance,” it claims. (GM has consistently refused to release to NHTSA or the public the bulk of its own vehicle crash test results.) (See *Status Report*, Vol. 15, No. 4, March 5, 1980.)

Among the future regulations attacked were the following:

Ford asked NHTSA to soften proposed rulemaking in FMVSS 105-75 requiring shorter stopping distances for light trucks. (See *Status Report*, Vol. 14, No. 18, Dec. 21, 1979.)

GM called for what amounts to a virtual halt in future rulemaking by NHTSA, generally arguing that the agency has not demonstrated the benefits of proposed safety improvements. Its targets included the following:

- **Side Impact Protection (FMVSS 214)** – GM wants NHTSA to soften proposed crash test criteria for improving occupant protection in side crashes, by permitting separate testing of individual system components as an alternative to full-scale vehicle crash tests. (See *Status Report*, Vol. 15, No. 5, March 26, 1980.)

- **Pedestrian Safety** – GM argued that most of NHTSA's research has focused on "soft face" front-end designs to reduce pedestrian injuries. Saying that research has not yet demonstrated how beneficial redesign of front-ends would be to pedestrians struck by cars, GM asked NHTSA to postpone its rulemaking on the subject. (See *Status Report*, Vol. 13, No. 4, March 23, 1978.)

- **Direct Fields of View** – GM asked that rulemaking to limit visual obstructions such as rear and side pillars be dropped because it would be both "costly" and "unnecessary." (See *Status Report*, Vol. 13, No. 16, Nov. 17, 1978.)

- **Indirect Visibility (FMVSS 111)** – A proposed rule that would require larger outside mirrors for cars and some trucks in order to improve rear visibility is not needed, GM said. The auto maker asked NHTSA to withdraw the proposal. (See *Status Report*, Vol. 13, No. 4, March 23, 1978.)

- **Steering Column Rearward Displacement (FMVSS 204)** – GM believes NHTSA should delay its planned extension of the rule to cover light trucks and vans in order to permit "adequate public comment." (See *Status Report*, Vol. 15, No. 1, Jan. 11, 1980.)

- **Seat Belt Comfort and Convenience** – GM questioned whether meeting comfort-and-convenience criteria would increase seat belt use and asked that the proposed rulemaking be withdrawn. (See *Status Report*, Vol. 15, No. 6, April 15, 1980.)

- **Hydraulic Brake System Inspection** – GM opposes a rule now under consideration which would require consumers and mechanics to be able to inspect hydraulic brakes without removing the wheel (and brake drum, in some cases).

- **Speed Limitation Devices for Commercial Trucks and Buses** – In opposition to a Trailways petition to limit these commercial vehicles to a top speed of 57 mph, GM argued that "the best of these devices is not likely to control speed better than plus or minus seven mph." GM said the petition should be dismissed and the existing speed limit rigorously enforced as a more cost-effective alternative. (See *Status Report*, Vol. 15, No. 3, Feb. 19, 1980.)

- **Multipiece Rims (FMVSS 120)** – NHTSA should drop an Institute petition to ban the production of multipiece rims, GM said. Instead, the agency should deal only with designs that have a "higher incidence" of separation. The reason, GM said, is because industry lacks the capacity to produce enough one-piece rims and tubeless tires. (See *Status Report*, Vol. 15, No. 6, April 15, 1980.)

- **Auto Theft Protection (FMVSS 114)** – NHTSA has not demonstrated the cost effectiveness or safety need of improved theft protection, GM said, and should drop its proposed rulemaking. (See *Status Report*, Vol. 13, No. 7, May 31, 1978.)

- **Rear Lighting Systems** – Under its five-year plan, NHTSA has indicated it will consider rulemaking to improve the visibility of rear turn signals and brake lights to reduce rear-end crashes. GM argued that NHTSA should continue its research rather than proceed into rulemaking on the basis of current research results. (See *Status Report*, Vol. 15, No. 9, June 10, 1980.)

Driver Behavior At Intersections Studied

A widely-used value contained in a formula for determining the length of yellow signals at intersections needs revision, an Insurance Institute for Highway Safety study has found.

Studying driver behavior at two intersections, observers found drivers do not slow their vehicles as quickly as traffic engineers assume they will at the onset of a yellow signal.

According to the *Transportation and Traffic Engineering Handbook* which is frequently used by traffic engineers, the purpose of the yellow signal is “to advise motorists that the red interval is about to commence” and permit motorists to either come to a safe stop, without panic braking, or proceed safely through the intersection without coming into conflict with cross traffic.

Observers found that only about 10 percent of the drivers at the two intersections studied “chose to stop upon yellow onset when to do so required a deceleration rate of 15 ft/sec.²” – the rate suggested in the handbook. By lowering the deceleration rate contained in the formula for setting yellow intervals to 10 ft/sec.², however, the researchers found that the resultant longer yellow intervals would “substantially reduce the number of vehicles still in the intersection when the cross traffic signal turns green.”

The data for the report were obtained from a study of driver behavior at two intersections located in Georgia and Maryland (see *Status Report*, Vol. 14, No. 2, Jan. 25, 1979).

According to Dr. Paul L. Zador of the Institute staff, who conducted the study, the current formula contained in the handbook is based on assumptions rather than relevant observations.

Copies of the report, “Driver Behavior at Signalized Intersections in Relation to Yellow Intervals,” by Paul L. Zador, Ph.D., may be obtained from the Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037.

Coffee, Tea May Help Alcohol-Impaired Driver

Consistent with the popular belief, several cups of strong coffee or tea “may produce a modest improvement in the performance of an alcohol-impaired driver,” two California researchers have reported. In a separate study, they concluded that the combined effect of alcohol and marijuana on driving skills is more harmful than that of either drug taken alone.

The studies were conducted by Herbert Moskowitz and Marcelline Burns of the Southern California Research Institute. They are two of a series sponsored by the Insurance Institute for Highway Safety to examine the effects of typical dosages of commonly-used drugs on driving-related behavior. Earlier studies have disclosed that both Valium, a tranquilizer, and Benadryl, an antihistamine, when taken alone and with alcohol, impair skills needed for driving (see *Status Report*, Vol. 12, No. 17, Nov. 30, 1977).

Driving Skills Tested

In the caffeine study, male test subjects were given various combinations of caffeine, alcohol, and placebos. Their performance was then measured in laboratory tests reflecting the “motor and cognitive demands of driving,” the researchers said. These included tracking and information processing tests, as well as tests involving dividing attention between tracking and visual search tasks.

Alcohol taken alone impaired performance in all of the tests, the study said. On the other hand, it said that caffeine taken alone improved performance in most of the tests and, when taken with alcohol, offset to some extent alcohol-induced impairment in all of the tests except information processing.

According to the researchers, "Doses of 200-400 mg caffeine were found to be effective; this indicates that roughly 2 to 4 cups of coffee would be required to offset the impairment caused by 2.0 to 3.5 ounces of 86 U.S. proof alcohol" (the quantities of alcohol needed to produce a blood alcohol content of approximately 0.05%-0.06%) in a mid-range of body weights. But they indicated that these caffeine dosages "would be considerably less effective" at higher blood alcohol contents, and that "increasing the amount of caffeine beyond the 400 mg level would be self-defeating."

Other research involving humans and animals also has found that caffeine can be of some value in countering alcohol impairment, the study said. Nevertheless, a committee of the American Medical Association has taken the position that caffeine is ineffective in offsetting alcohol-induced impairment, it said.

Marijuana Effects Examined

In the other study, male test subjects were given various combinations of marijuana, alcohol, and placebos. Dosage levels of the drugs were described as "typical of amounts commonly used by moderate users of alcohol and moderately heavy users of marijuana." The subjects were given the same tests as in the caffeine study, with the addition of a visual, short-term memory task.

Under the marijuana treatment alone, "all responses reflected poorer performance," although information processing rates were only "minimally affected," the researchers reported. Under alcohol alone, all of the tasks except the short-term memory task were performed more poorly, they said. However, the combined treatment generally produced "a greater impairment than either treatment alone." The study strongly indicates "that drivers under the combined influence of alcohol and marijuana have an increased likelihood of initiating a crash," the researchers concluded.

Copies of "The Effects of Alcohol and Caffeine, Alone and in Combination, on Skills Performance," and "Alcohol, Marijuana, and Skills Performance," June 1980, by Herbert Moskowitz and Marcelline Burns, may be obtained by writing to the Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037.

Financial Assistance Missing In NHTSA Consumer Plan

The federal vehicle safety agency has a new plan to involve consumers in its decision-making process, but missing is the program to fund public participation that the National Highway Traffic Safety Administration (NHTSA) has operated successfully for the past three years. That program is a victim of the congressional budget-cutting axe.

This was emphasized in NHTSA's newly published draft of its proposed consumer program in response to an executive order. All federal agencies have been preparing similar plans under a program started more than three years ago after Congress rejected a proposal for a central consumer agency.

For the past three years NHTSA has offered financial assistance to specially qualified individuals and organizations to help them attend agency hearings and testify on rulemaking. In fiscal year 1979 there was a \$125,000 item in the NHTSA budget to finance this program, but for the two years before that funds were pulled together from other budget items to pay for the public participation. NHTSA officials point to the success of public meetings last year on heavy truck safety and child transportation safety as examples of the benefits of the financial aid plan.

"In the heavy duty truck safety proceeding, the funding program enabled over 40 truck drivers to present effective, personal testimony and documentation on how truck safety can be improved," NHTSA explained. "At the child transportation safety public meeting, 57 funded participants, representing almost

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every state and a wide variety of professional expertise, provided testimony based upon their knowledge and experience, contributing valuable information to assist the agency in attacking the number one killer of children – motor vehicle accidents.”

Now that funding for the program has been eliminated, NHTSA proposes to rely on occasional consumer forums on the east and west coasts; regional meetings, conferences, seminars, and workshops on specific issues; a toll-free telephone line; and increased emphasis on mail communication to bring consumers' views into the rulemaking process. The agency also intends to renew efforts to have the financial aid appropriation be included in future budgets.

Also included in the consumer program is a plan to review the current system for handling complaints about specific types of vehicles. Such complaints, which are handled in considerable volume both by mail and over the Auto Safety Hotline, are an important source of information for the agency's auto safety defects program and the recall of defective vehicles.

NHTSA has invited comments from interested individuals and groups on the proposed consumer plan. Comments should be addressed to Docket No. 80-10; Notice 1, Docket Section, Room 5108, Nassif Building, 400 Seventh St., S.W., Washington, D.C. 20590. The deadline for comments is August 8.

South Carolina Weakens Motorcycle Helmet Law

South Carolina has weakened its motorcycle helmet law by amending it to apply only to riders under the age of 21. A second amendment approved by the state's legislature placed a similar limitation on the required use of goggles or a face shield.

The National Highway Traffic Safety Administration has reported that previous to the South Carolina action 27 states had either repealed or substantially weakened motorcycle helmet requirements. (See *Status Report*, Vol. 15, No. 7, May 6, 1980.) A study supported by the Insurance Institute for Highway Safety found last year that in such states there has been a typical 40 percent rise in motorcycle fatalities. (See *Status Report*, Vol. 14, No. 18, Dec. 21, 1979.)

Institute Urges Two Defect Investigations

The Insurance Institute for Highway Safety (IIHS) has called for the investigation of two possible safety defects, one involving the 1974 American Motors Ambassador and the other the 1974 Honda motorcycle CB 360.

In the case of the Ambassador, “The fuel filler pipe design may be inadequate, permitting serious fuel spillage in the event of damage to the rear” of the car, Andrew R. Hricko, IIHS general counsel, said in a letter to the National Highway Traffic Safety Administration (NHTSA). The request for an inquiry was prompted by a court case concerning a crash in which a 1974 Ambassador was hit from behind by a truck. A fire broke out, severely burning two young men inside the Ambassador. The case reportedly resulted in a \$2.75 million judgment against American Motors, based on the finding that the car's fuel system was defectively designed.

“The other possible defect exists in the design of the coupling between the fuel hose and carburetor system on the 1974 Honda motorcycle, CB 360,” Hricko wrote. “A recent case concerning this subject resulted in a \$696,400 settlement. It appears that it is possible for fuel leakage to occur even though there is no collision, and that such leakage can and did cause a fire and serious injury.”

According to an attorney in the case, testimony was received that the fuel hose and the carburetor were joined by a "fragile" metal clip that "would often be lost" during normal maintenance.

Hricko urged that NHTSA contact the attorneys in the cases for more information. He added that IIHS has made such suggestions in other cases concerning possible defects, and that "the attorneys have not been contacted by your staff even though their files apparently contain valuable information."

Ontario Study Identifies Alcohol-Impaired Drivers

A recent roadside study in Ontario, Canada, reported that 1 out of every 15 nighttime drivers was drunk under the legal definition, and that 1 out of every 8 was at least significantly impaired by alcohol.

Sponsored by the Ontario government's Interministerial Committee on Drinking-Driving, the researchers interviewed some 10,000 drivers at various sites selected to represent the province as a whole. Of the drivers tested, 6.6 percent reportedly had blood alcohol concentrations (BACs) higher than the legal limit — 80 milligrams in 100 millilitres of blood (80 mg%). A total of 13.2 percent had BACs above 50 mg% — the level "at which impairment begins to become significant."

The survey's findings indicated that limited police resources for detecting drunk drivers could best be used on the weekends and late at night. Higher proportions of drunk drivers were found on Thursday, Friday, and Saturday nights than on Wednesday nights. And the proportion of drunk drivers climbed from 1 in 26 between 9 and 10 p.m. to 1 in 8 between 2 and 3 a.m., the study said.

The study also reported, "the higher the BAC, the less likely drivers are to wear their seat belts when they drive." It said seat belt usage decreased from a high of 62 percent in the 0-20 mg% group to a low of 36 percent in the 151 mg% group (usage rates are relatively high in Ontario because of a mandatory use law). "This is unfortunate since a considerable saving in lives might be achieved if more drivers used their seat belts in alcohol-related crashes," the study noted.

Copies of the study, "The 1979 Ontario Roadside BAC Survey Summary Report," February 1980, may be obtained from Lawrence Lonero, Program Development Branch, Ministry of Transportation and Communications, 1201 Wilson Ave., Downsview, Ontario, Canada M3M 1J8. Only a limited number is available.

UPDATE . . .

TRANSMISSION HEARING DELAYED: A public hearing originally scheduled for July 21 on the initial finding by the National Highway Traffic Safety Administration of defective Ford transmissions has been postponed until August 20 at the car maker's request. At that time Ford will have an opportunity to respond to charges that most of its cars and light trucks with automatic transmissions produced since 1970 have one or two dangerous design defects that allow it to slip from "park" to "reverse" when the engine is running. The hearing will be held at 9 a.m. in Room 2230 of the Nassif Building, 400 Seventh St., S.W., Washington, D.C.

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