

Two More States Vote Child Restraint Laws

Kansas has become the third state in the nation to require the use of child restraints in motor vehicles, and West Virginia will become the fourth if Gov. Jay Rockefeller signs a bill approved by the state legislature.

Meanwhile, both Tennessee and Rhode Island have shored up their child restraint laws, the former by closing the so-called "child-crusher" loophole and the latter by extending coverage to children traveling in the back seat.

IHS Urges Speedy Steps To Allow New Windshield

Immediate steps have been urged by the Insurance Institute for Highway Safety to clear the way for use in this country of an improved type of laminated windshield that reduces the likelihood of facial laceration in car crashes. The technology is already in use in Europe.

In a petition to the National Highway Traffic Safety Administration (NHTSA) and a letter to Transportation Secretary Drew Lewis, the Institute explained that previous efforts to permit the use of the Securiflex windshield in U.S. cars have been blocked by NHTSA. The Institute had earlier urged NHTSA acceptance of the petition of Saint Gobain Vitrage of France, maker of the Securiflex windshield, for approval of the new technology. (See *Status Report*, Vol. 15, No. 13, Aug. 14, 1980.)

The Securiflex, characterized by its makers as an "inner guard" type of windshield, differs from the safety glass used in U.S. cars in a major respect: On the surface of the laminated safety glass toward the car's interior is an extra layer of plastic film. In a crash this film protects against painful and disfiguring lacerations.

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In Kansas, the legislature approved and the governor signed a bill requiring children below the age of two to be properly secured in child restraints. Rep. Edgar Moore, chairman of the committee that introduced the legislation, told *Status Report*, that "the bill is watered down a lot," but that this was necessary to get it approved. The bill applies only to resident parents or legal guardians transporting their own children in the front seat of a passenger car. Pickup trucks, vans, and other multipurpose passenger vehicles are not covered.

(A study by the Insurance Institute for Highway Safety concluded that crash injury rates for unrestrained children in the back seat are surpassed only by those for their unrestrained counterparts in the front seat. Restrained children in the back seat had the lowest injury rates, followed by restrained children in the front seat, the study said. See *Status Report*, Vol. 11, No. 8, May 19, 1976.)

The bill does not apply to transporting children in a "temporary substitute vehicle," and provides only for oral warnings. Rep. Moore said he expects an attempt will eventually be made to strengthen the provisions of the bill.

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In West Virginia, legislators have approved a bill more far-ranging than existing laws in terms of the ages of children covered. Its provisions require restraint use for children below the age of six, said Rep. Booker Stephens, the bill's sponsor. Children three years old or younger would have to be properly secured in child restraints, Stephens said, while four and five-year-olds would either have to be secured in a child restraint or a seat belt. The bill would apply to West Virginia residents driving passenger cars, vans, and pickup trucks, he said, regardless of whether they owned them. (For-hire vehicles would not be covered.) Violations would bring a \$10 to \$20 fine, which would be dropped if proof of purchase of a child restraint were presented within one month after the infraction, Stephens explained.

In 1977, Tennessee became the first state to mandate child restraint use. Under the state's law, resident parents, if they have children below the age of four and are transporting them in the family vehicle (if it is a passenger car or a light truck), must properly secure them in child restraints. As an alternative, the law permitted the children to be held in the arms of an older passenger — a "kindness that can kill," tests by the Insurance Institute for Highway Safety (IIHS) show. (See *Status Report*, Vol. 15, No. 16, Nov. 5, 1980).

The practice is dangerous because in a crash, children can be crushed to death between unrestrained adults holding them and unyielding interior structures. Research shows that the practice also is dangerous when adults are restrained, because their arms aren't strong enough to restrain children or infants even in low or moderate speed crashes (see *Status Report*, Vol. 14, No. 5, March 19, 1979).

Ejection, Crushing Causes Deaths

According to Dr. Robert Sanders, who was instrumental in the adoption of child passenger protection in Tennessee, 10 children below the age of 4 killed in automobile crashes in the state since the enactment of the law were "either ejected out of the arms of older passengers or, more commonly, crushed against the dash by that older passenger, usually a parent, in whose arms the child was legally riding." The bill closing the loophole was signed into law April 1.

Rhode Island, the second state in the nation to mandate child restraint use, has strengthened its requirements by extending coverage to children traveling in the back seat. Previously, only the front seat was covered (see *Status Report*, Vol. 15, No. 8, May 20, 1980). Rhode Island's law requires any person (including non-residents) transporting children below the age of four to properly secure them in child restraints, and does not exclude recreational vehicles or trucks, as does Tennessee's. Rhode Island also has added a provision under which a fine for violating the law is voided if proof of purchase of a child restraint is presented in seven days. If proof of purchase is not presented, the provision requires the violator to appear at a hearing, where a fine of \$15 to \$500 is to be assessed. Previously, a hearing was only required for multiple violations and the size of the fine was restricted to \$15.

Deregulation Actions Affect Wide Range Of Vehicle Rules

Fifteen existing or proposed federal regulations on safety-related issues involving motor vehicles are scheduled to be cancelled, relaxed, or delayed by the Reagan Administration.

These issues were included in a package of 34 actions announced by the National Highway Traffic Safety Administration (NHTSA) and the Environmental Protection Agency covering environmental, fuel economy, and safety problems.

Topping the NHTSA list are two actions on the long-debated automatic restraint standard (FMVSS 208). One is a final rule delaying the automatic restraint requirement for large cars from the 1982 model

year to the 1983 model year. (See *Status Report*, Vol. 16, No. 3, Feb. 25, 1981.) The second is a notice of proposed rulemaking soliciting comment on proposed alternatives to the existing restraint standard. The alternatives suggested are to require small cars to comply first and large cars last (a reversal of the current sequence), to require automatic restraints in all size vehicles at the same time on March 1, 1983, or to wipe out the automatic restraint requirements.

Another major item on the NHTSA list was announcement that the existing bumper standard will be rolled back. Instead of present requirements for bumpers to protect a vehicle from damage in 5 mph barrier crashes and 3 mph corner pendulum impacts, NHTSA will propose amendments to eliminate impact standards for rear bumpers and to either eliminate the front bumper protection requirements or reduce them to a 2.5 mph barrier crash test. (See *Status Report*, Vol. 15, No. 20, Dec. 31, 1980.)

Also a major target of deregulation was a NHTSA advance notice of proposed rulemaking issued in March 1979 to require certain performance levels for multipiece rims for trucks and campers. The rims have been subject to explosive separations and IIHS has both documented their tragic results and urged NHTSA to ban their production. (See *Status Report*, Vol. 15, No. 14, Sept. 17, 1980.) NHTSA now says that "introduction of the problematic multipiece rims has virtually ceased" and the Occupational Safety and Health Administration is regulating the occupational hazards involved. Further rulemaking will be cancelled by a NHTSA notice expected about July 1.

Other changes planned for NHTSA rules or rulemaking actions include those to:

- Rescind the "fields of direct view" requirements (FMVSS 128) for passenger cars and terminate proposed rulemaking to apply these requirements to trucks, buses, and multipurpose passenger vehicles. The existing rules for cars, published in January, will be cancelled by rulemaking to start about July 1. NHTSA will publish a notice by June 1 rescinding the rules proposed for trucks, buses, and multipurpose vehicles.
- Amend the Uniform Tire Quality Grading System. An advance notice of proposed rulemaking expected by June 1 will seek comments on "substantial simplification and revision" of this system. In another action relating to tires, NHTSA proposed to eliminate information requirements on tire reserve load capacity and reduce the minimum advance notice manufacturers are required to give the safety agency on new model introduction. The proposal is expected by the end of April.
- Amend the regulation on safety belt comfort and convenience to eliminate all requirements except belt tension and to delay the effective date from Sept. 1, 1982, for one year.
- Cancel the standard on speedometer display and tamper-resistant odometers. A notice of proposed rulemaking is due about July 1.
- Delay for one year the theft protection standard and remove from it a provision that vehicles be so equipped that the ignition key cannot be removed while the vehicle is in motion. The proposed current standard would become effective Sept. 1, 1982, for passenger cars and Sept. 1, 1983, for light trucks and vans.
- Propose changes in the recently issued hydraulic brake performance standard for light trucks, buses, and vans. NHTSA says it will rule by June 1 on numerous petitions for changes in the standard.
- Terminate rulemaking on the low tire pressure warning indicator. A notice is expected on this action by June 1.

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- Terminate rulemaking on testing and labeling of batteries. The NHTSA study started in January 1977 will be ended by notice about July 1.
- Change the vehicle identification number requirements from a motor vehicle safety standard (FMVSS 115) to an administrative regulation. The proposal is due by June 1.

The administration has projected five-year savings of \$817 million in capital investment for auto manufacturers as the result of the EPA regulatory changes, and an additional \$556 million from the NHTSA actions. Over the same period officials estimate consumer savings of \$4,317,000 from the EPA actions and \$4,980,000 from the NHTSA changes. This, Transportation Secretary Drew Lewis said, would offer about \$150 in consumer savings for each car or truck sold.

The motor vehicle safety agency has also reported that a number of other standards and regulations are under review and perhaps subject to change, although no timetable has been offered. These include proposed requirements for new car crashworthiness, rulemaking on front-end design changes to reduce pedestrian injuries, proposed rear underride protection on heavy trucks, costs and effectiveness of standardized markings and placement of controls on dashboards and steering columns, effectiveness of a requirement for a hood latch, proposed changes in rearview mirror regulations, and review of a rule requiring a “fail safe” mechanism on headlamp concealment devices.

Danforth Unwilling To Scuttle Automatic Safety Rule

The new chairman of the Surface Transportation Subcommittee, Sen. John Danforth (R.-Mo.), has indicated he would be reluctant to see the automatic restraint standard abandoned.

His views became apparent in an exchange with Raymond A. Peck, Jr., during confirmation hearings on Peck's appointment as administrator of the National Highway Traffic Safety Administration (NHTSA). Despite some opposition from consumer groups, Peck's appointment was easily confirmed on April 8.

While intimating his unwillingness to scrap Federal Motor Vehicle Safety Standard (FMVSS) 208 entirely, Danforth said that “in retrospect” it appeared that the present implementation schedule for the rule was a “mistake.”

“My own view,” he also told Peck, “is that it is very doubtful that the notion of voluntary passive restraints on consumer choice passive restraints is going to get the job done. I think it will have to be mandated by Congress, but I would hope that when we look at it, at the phase-in or whatever final system is worked out, that [we get] the one that does make sense and that does do the maximum to . . . protect people who drive automobiles or ride in automobiles, but at the same time . . . take into consideration the terribly weakened state of the American automobile industry.”

Danforth later said there is “no necessary divergence” between the best interests of the auto industry and safety, and he questioned the American industry's failure to market the superior safety characteristics of some American-built cars over Japanese imports.

Danforth urged creativity in proposing solutions to the automatic restraint controversy, adding: “Clearly, we are not going to turn our backs on the question of traffic safety.”

Peck said his philosophical preference is that automatic restraints be available to consumers as options, rather than as a mandated safety item. (That statement was later clarified by a NHTSA spokesman who said Peck would not favor any proposal that would *require* manufacturers to provide air bags or automatic seat belts as options on their cars.)

HLDI Finds Wide Variations In Car Theft Loss Experience

The car with the worst theft loss experience has had losses of nearly 300 times those of the car with the best experience, the Highway Loss Data Institute (HLDI) has reported after studying records for 1979 and 1980 models.

For both model years, the Chevrolet Corvette was the car with the worst theft loss experience, HLDI reported. The 1980 Corvette had a theft experience that was nearly 20 times higher than the average for all cars, and almost 300 times the result for the car with the best record – the Dodge Colt. The best results for 1979 models were found for the four-door Buick Skylark.

The 1980 Corvette had by far the highest average loss payment per claim – over \$4,500. Its claim frequency was also high – more than four times the average for all cars. The 1980 Dodge Colt had the lowest claim frequency and the four-door Chevrolet Chevette and the two-door Pontiac Phoenix had the lowest claim payment averages.

Among the principal findings of the HLDI report are these:

- In each vehicle size class, sports or specialty models had by far the worst theft loss experience.

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**Relative Average Loss Payments Per Insured Vehicle Year
1979-1980 Model Year Cars with the Highest Theft Losses**

Make & Series	Body Style	Car Size	Relative Average Loss Payment Per Insured Vehicle Year	
			1980	1979
Chevrolet Corvette	Sports	Subcompact	1938	908
Lincoln Continental – 2Dr.	Specialty	Full-Size		653
Cadillac Eldorado	Specialty	Intermediate	473	514
Lincoln Mark V	Specialty	Full-Size		493
Cadillac DeVille – 2Dr.	Specialty	Full-Size	488	259
Buick Riviera	Specialty	Intermediate	370	453
Lincoln Versailles	Specialty	Compact		436
Porsche 924 Coupe	Sports	Small Subcompact		422
Pontiac Firebird	Specialty	Compact	400	328
Oldsmobile Toronado	Specialty	Intermediate	334	322
Cadillac Fleetwood Brougham	Specialty	Full-Size		329

NOTES:

1. 100 represents the average for all cars of each model year. All cars with results at least three times worse than average in either model year are listed.
2. Blanks indicate either insufficient exposure or no comparable series produced for that model year.

- Generally, two-door models had a higher frequency of theft losses and higher average claim sizes than corresponding four-door models.
- In general, theft losses increased with increasing car size.

Copies of the report, “Automobile Insurance Theft Losses by Make and Series, 1979 and 1980 Models,” HLDI T80-1, April 1980, may be obtained from the Highway Loss Data Institute, Watergate 600, Washington, D.C. 20037.

Summaries Of Two HLDI Reports Available

Two new publications are available from the Highway Loss Data Institute (HLDI). They are *summaries* of the most recent personal injury claim frequency reports for passenger cars and for vans, pickup trucks, and utility vehicles. (See *Status Report*, Vol. 15, No. 16, Nov. 5, 1980.) The abbreviated reports (2-6 pages) are intended for readers who want to know the relative injury claims experience of various vehicles, but who may not be interested in the highly detailed statistical analyses contained in the longer HLDI reports.

This is the first time shorter versions of HLDI publications have been offered. Single copies of the summary reports (one for cars; another for vans, pickups, and utility vehicles) may be obtained, at no charge, from the Highway Loss Data Institute, Watergate 600, Washington, D.C. 20037.

Seat-Belted Drivers Found Taking Less Risk

Does the required use of certain vehicle safety features such as seat belts induce drivers to take greater risks?

No, says a recent study conducted by three General Motors (GM) researchers. They compared risk taking – measured in terms of how closely one car follows another in high-flow freeway traffic – for drivers in Ontario, Canada, where a mandatory belt use law went into effect on Jan. 1, 1976, with drivers in Michigan where there is no such law.

Observers collected data on 4,812 cars and light-duty trucks by photographing each vehicle as it passed a reference mark and recording the time interval between the successive photographs. From these data, the researchers calculated the time duration of following “headway” between successive vehicles. They also determined that 51 percent of the drivers in Ontario used their shoulder harness, compared with only about 17 percent in Michigan.

Thus, the Ontario study used actual driving behavior under compulsory conditions to challenge the so-called “Peltzman hypothesis,” or “danger compensation” theory, that has been used as an argument for opposing motor vehicle safety regulation.

Elaborated by Sam Peltzman, an economist at the University of Chicago, this hypothesis, the GM researchers explained, states that “the benefits of seat belts and other motor vehicle safety equipment may

be diminished to some extent because of various offsetting behaviors adopted by drivers in response to these features," when they are required by governments.

But the GM study tends to disprove the Peltzman hypothesis and, in fact, shows just the opposite: those drivers who used their shoulder harness took less rather than more risk. (See *Status Report*, Vol. 11, No. 17, Nov. 2, 1976.)

Driving Behavior Probed

The use of vehicle headways to assess driving behavior is supported by another study published by two of the GM researchers from the Ontario study.

In this second study, a correlation was sought between short following headways (high risk) and the driver's previous driving record. The authors studied 2,576 drivers in Michigan who were travelling along a local freeway during high flow afternoon rush hour traffic.

Accident-involved drivers or those with traffic violations were more likely to tail other vehicles, the observers found, than accident-free drivers or those without violations.

"Compulsory Seat Belt Usage and Driver Risk Taking Behavior" (GMR-3413), by Evans, Wasielewski, and von Buseck as well as "Do Accident-Involved Drivers Exhibit Riskier Everyday Driving Behavior?" (GMR-3362), by Evans and Wasielewski are published by the General Motors Research Laboratories, Warren, Mich. 48090.

Risk Taking Behavior Study Wins AAAM Award

The correlation between the use of shoulder belts and driving behavior was the subject of a study by three students from Johns Hopkins University School of Hygiene and Public Health that won the 1980 John D. States Award from the American Association for Automotive Medicine.

Their results showed that drivers who "go through red lights [thereby presumably placing themselves at greater risk of being involved in crashes] are less likely than other drivers to be wearing their shoulder belts: 1 percent vs. 8 percent use by other drivers." Furthermore, the researchers noted, "it seems probable that drivers who do not protect themselves with shoulder belts may exhibit other risk-taking behavior in driving."

The authors concluded that "automatic (passive) crash protection is necessary if substantial progress is to be made in preventing unnecessary death and injury on the highway." "Seat Belt Usage and Risk-Taking Behavior at Two Major Intersections," by Deutsch, Sameth, and Akinyemi, is included in *American Association for Automotive Medicine Quarterly/Journal*, January, 1981.

The Highway Safety Budget Picture

The Reagan Administration plans to continue funding federal motor vehicle and highway safety research programs, but contemplates sharp cutbacks in federal aid to state and local governments for next year's highway safety programs, an analysis of its budget proposals shows. Here's how the budget requests break down by agency:

National Highway Traffic Safety Administration

NHTSA's total budget would be reduced by \$106.2 million in 1982, if proposed cuts are adopted, with total spending next year running at \$170.1 million compared to 1981's spending level of \$276.3 million under the previous administration's planned budget. By far the greatest portion of the reductions would come from the agency's state and community safety grants program. (See *Status Report*, Vol. 16, No. 4, Mar. 17, 1981.)

The heart of NHTSA's operations and research program would be retained and, in some cases, beefed up. The total budget proposed for operations and research in FY 1982 is \$93.1 million, up from \$87.4 million. Slight increases are proposed for:

- Alcohol programs, up from \$1.715 million to \$1.8 million.
- An additional \$618,000 for passenger vehicle research, up from \$6.9 million to \$7.5 million.
- \$21 million for the National Center for Statistics and Analysis, increased from \$13.7 million this year. (That actually represents a cutback in the project, which was slated by the Carter Administration to receive \$25.1 million for expanded data collection.)

Cutbacks include:

- Virtual abolishment of fuel economy programs.
- A \$173,000 cut in the agency's vehicle compliance testing program with an overall reduction of \$453,000 in enforcement activity.
- Abolishing the National Driver Register.
- A \$3 million reduction in the integrated vehicle program.

Hardest hit by cuts would be NHTSA's state and community highway safety grant programs (Sec. 402). If Congress adopts legislative proposals accompanying the budget, funds from this area would be available for only four program areas:

- Alcohol safety – slated to receive \$28 million, up from \$21.4 million.
- Emergency medical services – educational assistance would be available to train personnel but the administration contemplates no spending for ambulances. The funding level would drop from \$17.9 million in FY 1981 to \$7 million in 1982, if the cuts are adopted.
- Police traffic services – total funding would drop from \$82.7 million in FY 1981 to \$24.15 million in FY 1982.

- Traffic records assistance would drop back to \$6 million from \$8.35 million.

Federal Highway Administration

FHWA's safety budget picture is complicated by the fact that the agency receives its funding not only through the normal appropriation process, but also through the passage of authorizing legislation that allows direct spending from the Highway Trust Fund, which is supported by motor vehicle fuel taxes. Much of the federal aid to states for highway safety programs is derived from the trust fund. (Funds available for spending are known in budgetary jargon as "contract authority.")

Since highway work is a lengthy process, funds appropriated or authorized for spending during a budget cycle often are not spent during that year and are then carried over – sometimes for years – remaining in the federal-aid pipeline, even though the original programs have been abolished.

FHWA's total contract authority for programs related to highway safety would drop \$40 million in FY 1982, if the Reagan Administration's budget proposals are adopted. About \$924.2 million would be spent next year, compared to the Carter Administration's planned spending level of \$964.2 million in FY 1981.

To achieve these budgetary goals, the Reagan Administration must not only reduce appropriations, but must gain congressional approval of a five-year authorizations bill submitted in conjunction with their budget proposals, as well.

Under the Carter Administration, FHWA's share of Sec. 402 state and community highway safety grants was running at \$28 million in FY 1981 and set at an identical amount for next year. Carter also anticipated spending \$197,000 for spot improvement of hazardous locations in FY 1981. In FY 1982, Carter had designated \$500 million for consolidated safety work.

All that is gone in the Reagan Administration's budget and legislative proposals. The following programs would be eliminated entirely:

- All FHWA-administered state and community highway safety grants (Sec. 402).
- Safer off-system roads
- Pavement marking.
- Hazard elimination.
- Rail-highway crossing demonstration projects.
- "Consolidated safety."

Safety Left Up To States

According to Transportation Secretary Drew Lewis, highway safety projects should be "an integral part of all highway construction." Therefore, states would be able to fund their safety projects out of their general authorizations for primary, secondary, and urban programs.

In short, said an FHWA budget expert, it would be up to the states to decide how much will be spent on highway safety.

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But there's a limitation to that concept. Under the legislative proposal submitted to Congress, federal aid to states for secondary and urban systems would be phased out by 1984 including, presumably, aid for safety projects on those roads. "Transition" authorizations for FY 1982 and 1983 are expected to ease the pain. An FHWA budget officer told *Status Report* that safety projects could be funded from those accounts, if the states choose to do so. Conceivably, those funds could remain in the pipeline until 1986, when budget authority would be revoked.

Although Lewis and FHWA Administrator Ray Barnhart have repeatedly stressed that safety considerations are an integral part of the highway administration's function, a top official conceded to *Status Report* that FHWA has no plans for developing guidelines that would make it necessary for states to continue to identify hazards and use at least some portion of their available federal funds for specific safety projects.

There are only three programs specifically linked to safety functions continuing to receive funds under the Reagan proposals:

- The Bureau of Motor Carrier Safety (BMCS) would receive \$14.65 million in FY 1982, contrasted to \$15 million in FY 1981. President Carter had proposed a \$16.3 million budget for the bureau to hire an additional 55 employees. The Reagan proposal would cut the current staff level of 287 positions to 271 permanent positions despite a recent report by the National Transportation Safety Board which found the bureau severely understaffed. (See story, this issue.)

- The \$900 million bridge replacement program would continue at this year's level, dwarfing all other safety spending. While bridge failures are dramatic, they account for an average of six deaths a year. (Funds for bridge replacement on secondary roads will continue to be available, despite other cutbacks, *Status Report* was told.)

- Highway safety research and development programs (Sec. 403) would be continued at \$9.5 million in FY 1982, an increase of \$500,000 over this year's budget.

IIHS Urges Speedy Steps To Allow New Windshield (Cont'd from page 1)

Although the Securiflex windshield was chosen for use on one of NHTSA's Research Safety Vehicles as the safest available material, NHTSA officials have ruled that it cannot meet the glazing materials standard (FMVSS No. 205) because of an abrasion test requirement for both inner and outer surfaces. While the inner-surface film technically does not meet the abrasion test, the plastic layer does have a self-healing capability after being scratched.

NHTSA has opened what could be a lengthy rulemaking process to change the windshield test requirement. (See *Status Report*, Vol. 16, No. 2, Feb. 9, 1981.) However, pursuing this course could mean "additional months of delay and countless needlessly lacerated faces," the Institute told NHTSA. It urged instead that the abrasion test for the inner surface be "totally and promptly" removed from the standard.

The Institute added that "suffice it to say that it was hardly the intent of the framers of the National Traffic and Motor Vehicle Safety Act that the Agency should block, or even long delay, the marketplace application of new injury-reduction technology.

To emphasize the desirability of speedy treatment of the windshield petition, the Institute cited a preliminary report it released last month on incidence of severe facial fractures and lacerations from motor vehicle crashes. (See *Status Report*, Vol. 16, No. 4, March 17, 1981.) That report indicates conclusively that severe facial lacerations and fractures come predominantly from motor vehicle crashes.

Is An Age Ceiling Legal For License Applicants?

Courts probably would not uphold an age ceiling for driver's license applicants, except for truck drivers handling hazardous cargoes, an article in the Federation of Insurance Counsel Quarterly for Winter 1981 has pointed out.

Andrew R. Hricko, secretary treasurer and general counsel of the Insurance Institute for Highway Safety, also explains in the article that truck driver license applicants could be required to pass certain tests of muscular strength if the tests had a reasonable relationship to safe operation of their vehicles. Hricko also says that licensing authorities should be able to appoint medical examiners to perform any examination required for a driver's license, rather than relying on the applicant's personal physician.

Hricko compares the situation of motor vehicle driver's license applicants with that of persons applying for an airplane pilot's license, where a maximum age is established. He concludes that "a maximum age rule for drivers of commercial vehicles, especially those carrying hazardous cargo, should withstand a court test of its constitutionality. The same reasoning in the pilots' license cases – the inability to determine which individual may have a stroke or a heart attack at a critical time in the operation of an aircraft – applies with equal force to the drivers of commercial vehicles transporting hazardous cargo on a congested freeway through a metropolitan area."

Copies of the article, "Drivers of Hazardous Cargoes – Legal Aspects of a Maximum Age and Increased Physical Requirements" by Andrew R. Hricko, are available from the Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037.

Quoted Without Comment

Whatever the practical limitations of the Government crash tests as consumer advice, their publicity value alone may force important safety advances. An executive of one of the major Japanese automakers told CU (Consumers Union) that, as a direct result of the poor showing of small Japanese cars and the attendant publicity, the Japanese are making a major effort to design more safety into their cars as quickly as possible. "When you look at Japanese cars a year or two from now, I'd be very surprised if they all didn't pass the crash tests," he said. "Our cars are selling very well in the current market," the executive told us, "but I think we all realize this could change. It's very unwise to have discrepancies in the crashworthiness compared to American small cars. There's no difference in technology or know-how. It's just a matter of the Japanese deciding that something has to be done, and that decision has been made."

– From "What Cars Do Best In Crashes?,"
Consumer Reports, April 1981.

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