

## Three States Adopt Child Restraint Laws

Legislatures in three more states have passed bills requiring that parents or legal guardians properly restrain their small children when riding in a motor vehicle.

The new legislative activity will add Florida, Kentucky, and Wisconsin to the list of states with child restraint laws. Thirteen states now have actual restraint laws, with two others having laws establishing informational programs on the need for child restraints. (See *Status Report*, Vol. 17, No. 5, April 1, 1982, and Vol. 17, No. 2, Jan. 27, 1982.)

### Congressmen Introduce Drunken Driving Bill

Two Congressmen have joined forces to introduce new federal legislation to combat the drunken driving problem. Unlike a congressional effort pending since 1980, this one would offer financial incentives to states taking "effective" measures in the alcohol area.

The new legislative move was announced April 23 by Rep. James J. Howard (D.-N.J.) and Rep. Michael D. Barnes (D.-Md.) and the bill was to be introduced in the House this week, with a hearing scheduled late in the week by the subcommittee on surface transportation of the House Public Works and Transportation Committee.

"Our aim is to provide the states initial financial assistance using existing money from the Highway Trust Fund," Barnes said, "and to offer guidance in taking effective steps toward establishing comprehensive, ultimately self-sufficient, statewide and community-based alcohol traffic safety programs."

Barnes was the sponsor of an alcohol safety bill introduced in Congress in 1980. That proposal, which was never passed, would have established mandatory minimum standards for states to comply with in order to continue receiving federal highway safety funds.

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Principal provisions of the new laws include the following:

**Florida** — All children 5 years old and younger, when riding in a state-registered passenger car, van, or pickup truck operated by their parent or legal guardian, must be restrained. Through 3 years of age the children must be in a special child restraint; 4- and 5-year-olds may be either in a child restraint or fastened in by seat belts. A \$15 penalty is set for violation of the statute, but conviction and penalty may be waived if the parent or guardian gives proof of acquisition of a child restraint. Effective date: July 1, 1983.

**Kentucky** — Resident parents or guardians of children no more than 40 inches tall must "have such child properly secured in a child restraint system of a type meeting federal motor vehicle safety standards." As originally passed in the Senate, this bill provided a fine of between \$25 and \$50 for violation, to be waived on proof of acquisition of a child restraint. This penalty was eliminated from the legislation as voted by the House and later agreed to by the Senate. Effective date: July 15, 1982.

**Wisconsin** — Resident parents or guardians of children under the age of 2 must have the children properly secured in a child restraint device. Children who are 2 years old but less than 4 years old may be restrained either in a child restraint device or in the vehicle's seat belts. Violations by parents of children under

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### ***Three States Adopt Child Restraint Laws (Cont'd from page 1)***

2 years of age may be punished by fines of from \$30 to \$75, to be waived on proof of acquisition of a child restraint. Violations by parents of children who are at least 2 years of age and less than 4 are punishable by fines of \$10 to \$25 for the first offense, and \$25 to \$200 for a subsequent conviction within three years. Effective date: The first day of the sixth month following publication.

IIHS research findings, publications, and films documenting the need for restraining children in motor vehicles continue to be used very effectively in many states by proponents of child restraint legislation.

## **Drunk Driving, Belt-Use Campaigns Announced**

The long-expected national belt-use campaign was formally announced April 14, its debut in a White House ceremony linked to announcement of a Presidential Commission on Drunk Driving.

Plans for both the belt-use program and a campaign against drunken driving will be keyed principally to publicity and promotional efforts to change individual behavior patterns, according to information released by the National Highway Traffic Safety Administration (NHTSA).

The Commission on Drunk Driving will be headed by John A. Volpe, Transportation Secretary in the Nixon Administration and former governor of Massachusetts. The other members, expected to total 30, will be announced. The appointment of the commission is in response to the urging of many Congressmen, insurers, and citizen action groups that national attention be focused on the problems of alcohol and driving.

“The Presidential Commission on Drunk Driving will conduct public forums to highlight the drunk driving problem,” NHTSA explained. “It will meet with state and community officials to enlist their support, help develop citizen interest and support, and encourage local programs to increase drunk driving arrests and the use of more certain sanctions, such as license suspensions and revocations.”

NHTSA said of the belt-use effort that, “No other campaign like it has ever been undertaken in this country.” Agency officials pinned their hopes to both a media campaign and involvement of various segments of society in promotional efforts.

More than 60 percent of the motoring public can be persuaded to become “frequent belt users,” NHTSA predicted, claiming that extensive research had pointed the way to reasons more people don’t use seat belts. The research reportedly showed that more than 75 percent of drivers and passengers don’t know how the seat belt works and therefore have no faith in it. NHTSA said the research also indicated that 80 percent of the motoring public would use belts more frequently “if there were sufficient economic incentives to do so.”

## **NHTSA Estimates Cost of Auto Safety Regulations**

A preliminary report released by the National Highway Traffic Safety Administration (NHTSA) has estimated auto safety regulations add an average of \$370 to the cost of new cars. But if all those regulations were dropped, only a fraction of that amount—\$80—would be shaved off the price of new cars since many of the features would be retained by manufacturers.

NHTSA estimates the rules have saved at least 83,000 lives since 1966 and, as new cars replace older, less safe models, about 10,000 additional lives will be saved each year.

“It is estimated that a model year 1982 car is about 25 percent safer—in protecting occupants from injury or death—than a pre-standards model year 1965 or earlier car,” NHTSA said.

More than 50 safety regulations affecting motor vehicles have been adopted by the agency over the past 12 years, the report said. They include improved windshields, energy-absorbing steering columns, interior padding, lap and shoulder belts, head restraints, and leak-resistant fuel systems. A 1979 study found NHTSA safety rules cost consumers about \$300 for 1978 autos. (See *Status Report*, Vol. 15, No. 4, March 5, 1980.)

### **Cannot Be Considered Inflationary**

If consumers perceive and value safety improvements, NHTSA said, their cost cannot be considered inflationary because the cars they are buying have actually been improved.

Assuming 10 million new cars are sold each year, the safety standards currently cost consumers \$3.7 billion annually, NHTSA said. Also, additional weight associated with improved bumpers, brakes, and side doors will cost the average consumer an annual increase in fuel consumption of about 20 gallons per vehicle. That amounts to an estimated \$210 in higher fuel costs over the 10-year life of the vehicle, the report said.

Those costs are offset, NHTSA has estimated, by reduced insurance premiums for collision and liability coverage ranging from \$150 to \$230 over the life of the vehicle.

“The roughly 11,000 fatalities and tens of thousands of injuries that are avoided annually because of improved vehicle safety features represent reduced medical, funeral, and rehabilitation expenses which would otherwise be paid by insurance companies and passed on to consumers through higher premiums,” NHTSA reported.

Estimates of price increases related to safety regulations were derived from Bureau of Labor Statistics figures adjusted to meet certain deficiencies contained in data, NHTSA said.

Four cost-benefit studies of existing standards have been conducted recently by the agency, NHTSA said. The results show:

- **Federal Motor Vehicle Safety Standard (FMVSS) 214 (Side-Door Strength)** - “appears to provide effective occupant protection because it greatly reduces the likelihood of deaths or severe injury in single-vehicle side door impact crashes.” For every life saved, NHTSA estimated, the standard costs about \$265,000.

- **Part 581 (property-damage bumper standard)** - “It is not certain whether front bumper systems are effective,” NHTSA said. “Rear bumper systems are not, and never have been cost effective since the promulgation of the standard in 1973. No dollar estimate was provided. (Insurance Institute for Highway Safety analyses have shown the standard to be cost-effective. See *Status Report*, Vol. 16, No. 20, Dec. 21, 1981.)

- **FMVSS 202 (head restraints)** - “have significantly reduced whiplash injuries in rear impact crashes,” the agency said, estimating a cost of \$5,000 per injury avoided.

- **FMVSS 203 & 204 (steering columns)** - “reduced the overall risk of driver fatality in a frontal crash by 12 percent,” said NHTSA, costing about \$52,000 for every life saved.

The report, “Cost of Automobile Safety Regulations: Preliminary Report,” was placed in the public docket for comment. Persons wishing to receive copies of the report should contact Robert Hornickle, Office of Management Services, (202) 426-0874. Comments should be directed to NHTSA Docket No. 82-08, Notice 1, Docket Section, Room 5108, 400 Seventh St., S.W., Washington, D.C. 20590. Comments should be submitted on or before July 15.

## Senate Takes The Lead On Highway Spending Bill

In an unusual move, leaders of the Senate Public Works Committee have taken the lead in introducing a bipartisan highway spending bill rather than wait for House action. The proposed bill's provisions on safety and other matters differ with draft legislation now being circulated by the administration.

Traditionally, all spending bills originate in the House, but a staff member of the House Public Works Committee told *Status Report* the committee has delayed action pending an administration decision on whether to raise highway user taxes in order to replenish the ailing Highway Trust Fund.

The four-year bill introduced by Sen. Steven D. Symms (R.-Idaho) chairman of the transportation subcommittee of the Senate Public Works Committee, would establish a \$100 million safety improvement fund in fiscal year 1983 out of which the states could finance any safety-related improvement on any public road off the interstate systems. Five safety programs would be consolidated under Symms' proposal: hazard elimination, rail-highway crossings, rail relocation projects, and highway related safety activities carried out by states and local governments under Section 402 of the Highway Safety Act. The program level would increase to \$150 million in FY 1984-86.

### Federal Share 90 Percent

The federal government would pay for 90 percent of the cost of safety improvements, except for rail-highway crossings which are governed by another statute, Symms said. To be eligible for the funds, states would have to maintain safety operations for planning, implementation, and evaluation purposes. The bill would require states to establish procedures for inventorying and analyzing crash data, traffic, and other highway data. It would also continue to require them to set priorities for improving identified hazardous locations.

Symms was joined in co-sponsoring the bill by Senators Robert Stafford (R.-Vt.), chairman of the Public Works Committee, and Jennings Randolph (D.-W.Va.), ranking minority member. Other co-sponsors include James Abdnor (R.-S.D.) and Quentin Burdick (D.-N.D.), also committee members.

Other provisions of the measure would:

- Extend the Highway Trust Fund to 1990.
- Raise interstate funding for 4-R (resurfacing, restoration, rehabilitation, and reconstruction) from \$875 million in FY 1983 to \$1.1 billion in FY 1984, \$1.6 billion in FY 1985-86, and \$2.1 billion in FY 1987—more than double the current funding level. Apportionments in excess of state needs could be transferred to the primary system, Symms said.
- Federal aid for urban and rural roads would be lowered—formula grants would be awarded at a 50 percent level rather than the current 75 percent level.
- Bridge replacement and rehabilitation funds would be raised from a current level of \$725 million to \$1 billion in FY 1983 and \$1.3 billion during FY 1984-86. A separate emergency bridge replacement fund would also be continued.
- Set aside \$38 billion for completion of the federal interstate system.

### Lewis Would Eliminate Separate Safety Funds

The concept of a continuing separate safety fund may run into opposition. Last year, Transportation Secretary Drew Lewis submitted a plan to Congress that would have wiped out a federal role in highway safety programs. (See *Status Report*, Vol. 16, No. 6, April 27, 1981.)

A draft copy of one administration proposal now circulating indicates Lewis would like to set up a "consolidated" highway safety program funded at \$100 million in FY 1983 but would drop funding after that. After 1983, the Lewis proposal would authorize only a single fund out of which all federal-aid projects would be financed, with the states deciding how much of the funds would be allocated to safety improvements versus other needs. At the same time, the draft indicates, the administration may stop federal assistance on rural and urban routes after 1983, if highway user taxes go unraised.

## Six Highway Safety Programs Given Federal Priority

The Department of Transportation (DOT) has issued a final rule identifying the types of highway safety programs run by state and local governments it considers most cost effective. Projects falling into the six program areas will be eligible for funding following only a limited review, the DOT notice said.

Programs identified as most effective in reducing crashes, injuries, and fatalities were:

- Alcohol countermeasures
- Police traffic services
- Occupant protection
- Traffic records
- Emergency medical services
- Safety construction and improvements

The first five areas are administered by the National Highway Traffic Safety Administration and the sixth by the Federal Highway Administration.

Congress mandated the rulemaking action when it passed the Omnibus Budget Reconciliation Act of 1981. That act contained a provision ordering DOT to identify cost-effective state and local highway safety programs funded under Section 402 of the 1966 Highway Safety Act. The order followed a 1980 General Accounting Office report which questioned the effectiveness of the highway safety grants. (See *Status Report*, Vol. 15, No. 17, Nov. 21, 1980.)

### No Data To Support Program Choices

The DOT notice did not provide any comparative data on the relative costs and benefits of the various program areas to explain the selection of the most cost-effective types of highway safety programs. It did note, however, that some states commenting on the proposed rule had suggested the inclusion of pedestrian programs and motorcyclist, bicyclist, and driver education support.

These programs could receive support, DOT said, under a two-tiered approach to funding: programs falling in the six national priority areas would be subject to only limited review, while those outside it would require more detailed review.

States will be expected to continue maintaining central highway safety agencies. In comments to the docket, states supported such offices despite a suggestion that the requirement for such an agency be dropped, the DOT notice said.

The new rule will become effective Oct. 1, 1982. In addition to the rule, new funding guidelines will be issued to help states identify allowable costs, DOT said. DOT is also reviewing the 18 highway safety standards which are the basis for state highway safety programs and intends to issue a rulemaking notice announcing possible changes.

## **Illinois Educators Urge End To Driver Ed Mandate**

The staff of the Illinois Board of Education has recommended that the Board support legislation to end required driver education in the state's secondary schools.

Calling driver education "essentially an early licensing service program with an indeterminate safety effect," the staff reported to the board, "There is unquestionably a compelling state interest in promoting traffic safety. There is not, however, a compelling state interest to mandate a program which may be only marginally effective or even marginally ineffective in terms of its contribution to traffic safety."

The Illinois driver education mandate provides that each high school student is required to take 30 hours of classroom instruction in driver education, and each secondary school must offer behind-the-wheel driver training. The state first authorized funding for the program in 1957 from driver licensing fees. Board of Education officials say the program now costs approximately \$25 million in state and local funds.

### **Licensing Change Recommended**

In addition to recommending an end to the driver education requirement, the board staff recommended that the state's driver licensing statutes be amended to provide that those at least 16 years old "who have demonstrated such knowledge and skills as the Secretary of State may deem necessary" be licensed. (Under a 1967 law, no applicant under the age of 18 may be issued a license unless the applicant has passed an approved driver education course.) The staff study also urges continued state funding for those school districts wishing to continue driver education.

Although the Illinois Board of Education now regulates commercial driving schools and sets standards for commercial driving instructors, the staff study recommends that, "There is no compelling evidence for imposing these requirements on commercial driver training schools." The report suggests that the responsibility for licensing and supervision be shifted to the Secretary of State.

A board spokesman said that the results of a March 26 public hearing on the recommendations were "completely predictable." Driver education is "extraordinarily popular," he said, but the four major groups of school administrators all supported the recommendation that the mandate be ended, while principal opposition came from driver education instructor groups.

The March hearing was held by the board's planning and policy committee. Committee action on the staff recommendations is expected in the next few months, with board consideration of the issue by next fall.

## **State Farm Cites NHTSA Study On Automatic Belt Use**

Attorneys for the State Farm Mutual Automobile Insurance Co. have asked the U.S. Court of Appeals in the District of Columbia to take note of a new government-sponsored survey in which interviewed owners of automatic seat belt-equipped cars have reported high levels of belt use. The State Farm representatives petitioned the court to include the research study in the record of their suit against the Department of Transportation, challenging rescission of the automatic restraint standard. (See *Status Report*, Vol. 16, No. 19, Dec. 9, 1981.)

The study, performed by contract researchers for the National Highway Traffic Safety Administration (NHTSA), shows that owners of automatic belt-equipped 1981 Toyota Cressidas report more than twice the restraint use reported by owners of 1981 Toyota Coronas equipped with manual belts. The researchers found Cressida owners reporting 92 percent belt use on their last previous trip, while 45 percent of the Corona owners said they had used their manual belts the last time they had driven.

The level of automatic belt use reported in the new survey is "vastly and indisputably higher than the level of seat belt usage that would be required to make the rescinded standard cost-beneficial," State Farm said. NHTSA had relied heavily on lack of increased usage for automatic belts when the standard, FMVSS 208, was withdrawn.

"In addition, the new NHTSA study reveals that *less than 5 percent* of the 755 drivers surveyed had made an attempt to alter or defeat their automatic seat belt system," the State Farm petition pointed out. "This finding entirely undermines NHTSA's contention before this Court that virtually all of the 89 percent of today's drivers who fail to buckle up their manual belts would attempt to defeat the operation of an automatic restraint system."

Previous NHTSA-sponsored studies had shown about 70 percent observed automatic belt use.

The U.S. Court of Appeals heard arguments on the automatic restraint rescission suit March 1. (See *Status Report*, Vol. 17, No. 4, March 15, 1982.)

### ***Congressmen Introduce Drunken Driving Bill (Cont'd from page 1)***

Public action groups including Mothers Against Drunk Drivers (MADD), Students Against Drunk Drivers (SADD), and Remove Intoxicated Drivers (RID), as well as the National Safety Council and the National Association of Governors' Highway Safety Representatives supported the Howard-Barnes announcement.

At a press conference attended by representatives of these and other organizations interested in the highway safety problem, Howard described the campaign in these terms: "The goal of any drunk driver program should be to increase the perceived risk of arrest, conviction, and punishment of drunk drivers. To accomplish this, arrest and adjudication must be swift and sure. The bottlenecks in the enforcement and adjudication system must be eliminated."

### ***Quoted Without Comment***

Mr. Charles Hoffman  
Chrysler Corporation  
P.O. Box 368  
Elk Grove Village, IL 60007

Dear Mr. Hoffman:

Our troopers and inspectors continue to be exposed to hazards of operating motor vehicles in traffic over millions of miles of travel per year.

During 1982 In-Service Training at our Academy they are again expressing a strong desire to have the cruisers they operate equipped with state of art safety features such as air bags and improved, easier to use restraints. Obviously autos are becoming smaller by necessity, but the highway vehicle size "mix" is becoming far greater thus increasing the risk of death or serious injury in traffic crashes.

I ask you to urge your Corporate leadership to make available to law enforcement and the public at large the technology that has demonstrated the injury preventing potential shown by air bags coupled with improved restraint devices.

Concern has also been repeated over lack of sufficient head restraint range of motion to accommodate the "tall driver."

Thank you for your consideration and professional help to our fleet program.

Very truly yours,

Howard N. Goetsch, Colonel  
Deputy Administrator

*(Colonel Goetsch, deputy administrator of the Division of State Patrol, Wisconsin Department of Transportation, directed this letter to the Chrysler Corporation because most patrol vehicles have been purchased from that company.)*

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# Status Report

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**Editor: Paul C. Hood**

**Writer in this issue: Rea Tyler**

**Production: Ron Bevilacqua, Luci Malone**

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