

# Status Report

## Curfews Reduce Crashes of 16-Year-Olds

Curfew laws restricting the nighttime driving of young drivers substantially reduce the crash involvement of those drivers, a study sponsored by the Insurance Institute for Highway Safety of four curfew states indicates.

The estimated reductions of crashes during curfew hours for 16-year-old drivers run as high as 69 percent in Pennsylvania. In New York the reduction is 62 percent, in Maryland 40 percent, and in Louisiana 25 percent.

The four states were chosen for the study from a list of 12 states having curfew laws. They were selected because they were considered states with the strongest curfew laws in terms of ages covered, hours restricted, and exceptions allowed. The laws in the four states have these provisions:

- *Pennsylvania* — Prohibits driving by 16-year-olds (17-year-olds without driver education) from midnight until 5 a.m. unless accompanied by a

parent or a spouse 18 years or older, or unless driving to and from work.

- *New York* — Bars driving by 16-year-olds (17-year-olds without driver education) from 9 p.m. to 5 a.m., unless accompanied by parent or driving to and from work or school. (New York City and Nassau County, which prohibit driving at any time by 16-year-olds and those 17-year-olds without driver education, were excluded from the study.)

- *Maryland* — Bars driving by newly-licensed 16- and 17-year-olds from 1 a.m. to 6 a.m., unless accompanied by a licensed driver 21 years old or older. School and work driving waivers are granted upon request.

- *Louisiana* — Prohibits driving by 15- and 16-year-olds from 11 p.m. to 5 a.m.

To calculate the effects of the curfew laws, researchers compared crash involvements for each hour  
(*Cont'd on next page*)

**Estimated Reductions in 16-Year-Old Driver Crash Involvement During Curfew Hours**

Curfew State	Number of Driver Crash Involvements		Estimated Crash Reductions		
	Actual	Expected	Number	Per 1,000 16 Year Olds Per Year	Percent (Actual vs. Expected)
Louisiana	2,509	3,340	- 831	- 2.0	- 25%
Maryland	517	855	- 338	- 2.0	- 40%
New York	1,694	4,419	- 2,725	- 5.0	- 62%
Pennsylvania	1,063	3,432	- 2,369	- 3.7	- 69%

## Curfews Reduce Crashes of 16-Year-Olds (Cont'd from Page 1)

of the day in each state with comparable data in other states not having curfew laws. For example, Pennsylvania and New York were each matched with Ohio. Louisiana was matched with Mississippi. For Maryland the record since implementation of the curfew law in 1979 was matched with Maryland data prior to the law.

From the comparisons, researchers projected what the 16-year-old driver crash involvement would have been without the curfew laws, then noted the difference between the actual and expected figures (see figure for the Pennsylvania comparison).

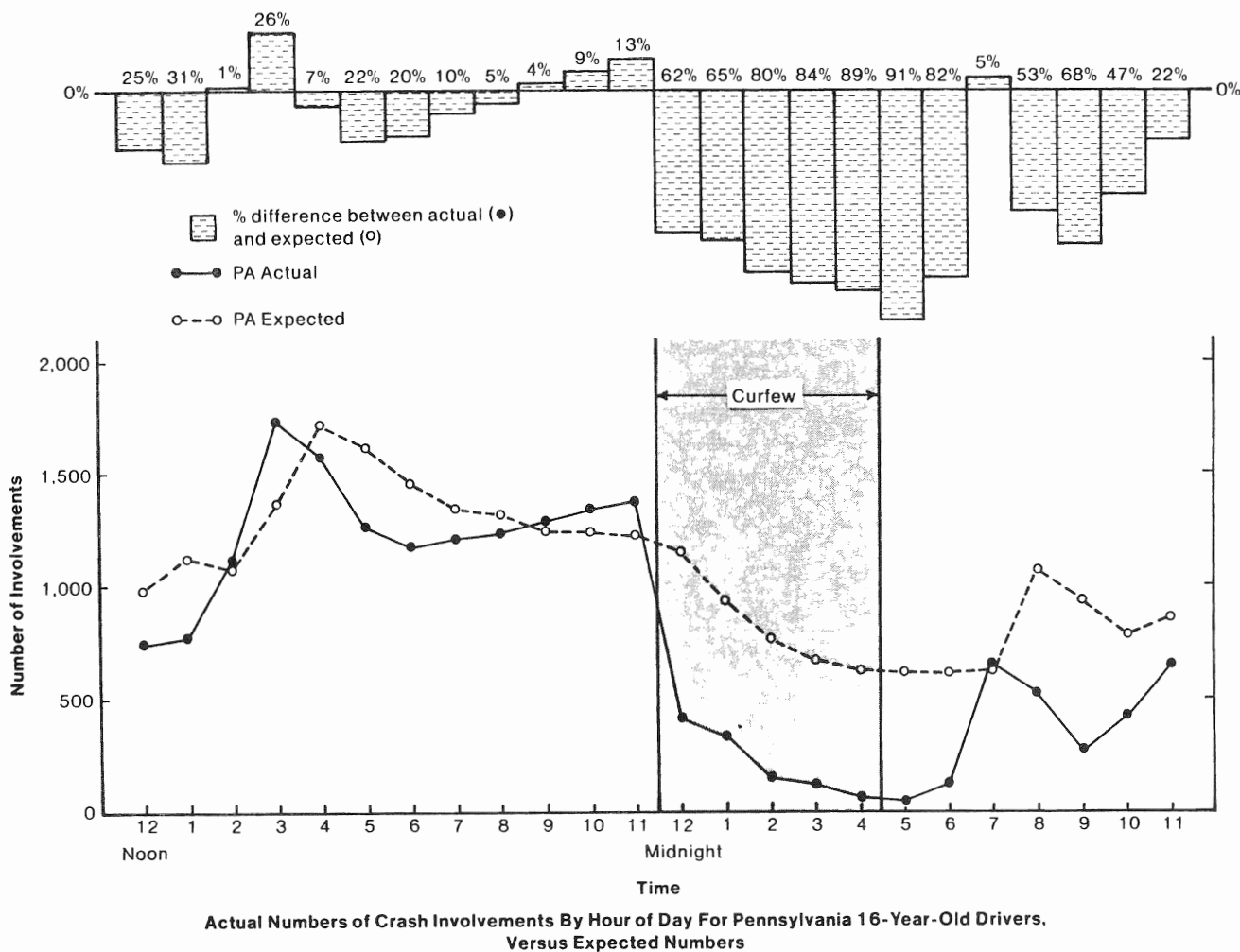
### Longer Curfew in New York

New York's curfew had the greatest effect in reduced number of crashes, researchers said, partly because of the longer curfew period. Louisiana, on the other hand appears to have a lower level of awareness, compliance, and enforcement of curfews, with corre-

spondingly less effect. In Maryland, exact effect is uncertain because an unknown percentage of 16-year-old drivers is given unrestricted licenses after six months of driving without crashes or violations and thus is not subject to the curfew law.

Except for Maryland, the percentage of the 16-year-old population having driver's licenses was lower in the curfew states than in the comparison states. New York has the lowest licensure rate in the U.S. for that age, and Pennsylvania is second lowest. "It is possible that curfew laws reduce early licensure," the researchers commented, "in which case reductions in crash involvements resulting from curfews are greater than shown."

The study is entitled "The Effect of Curfew Laws on Motor Vehicle Crashes" by Allan F. Williams and Paul L. Zador of the Institute research staff, and David F. Preusser and Richard D. Blomberg of Dunlap and Associates East, Inc. Copies are available from the Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037.



## Claybrook Charges 'Deliberate Crippling' Of NHTSA Programs

Over the past 19 months, the National Highway Traffic Safety Administration (NHTSA) "has undergone a dramatic change in policy and direction" resulting in a "deliberate crippling" of the safety agency, a former NHTSA administrator has charged.

In a wide-ranging report on the government's auto safety record, Joan Claybrook, NHTSA head in the Carter Administration and now president of Public Citizen, a consumer organization, and two co-authors, said the agency's statutory mandate has been ignored in favor of easing the regulatory burden on Detroit.

### Peck Responds to Charges

Responding to the charges, NHTSA Administrator Raymond Peck said he believed the agency's current approach to motor vehicle safety is both the "reasonable and correct one."

"As for her [Claybrook's] report," he added, "I find it to be 5 percent accurate, 100 percent predictable, and 1,000 percent political."

The report said that NHTSA's recent policy shift is ultimately inflationary to the nation's economy because medical and social costs associated with motor vehicle deaths and injuries far exceed the costs of safety regulation.

Three major areas — motor vehicle safety standards, motorcycle safety, and the 55 mph speed limit — have been "openly attacked or covertly neglected," said the report.

### 'Brain Drain' Is Charged

In addition, the authors charged, the agency has been subjected to a "brain drain" that could seriously hamper the agency's research efforts for years to come. They cited an audit conducted by the American Federation of Government Employees showing that NHTSA has lost at least 203 employees. Of those, 75 percent were professionals and 25 percent were clerical support staff. At least 19 of those who left held Ph.D.'s and another 17 held master's degrees, Claybrook said.

Despite Congressional testimony by Peck to the contrary, the authors charged NHTSA has begun to reduce NHTSA's staff by an additional 54 positions below its ceiling of 640 employees. "The professional engineers and scientists in the rulemaking office, which now has only 70 employees, will be the hardest hit," the report said. "The scientific and technical staff

## Swedish Belt Use Declines

Use of seat belts has been declining for some time in Sweden, the Swedish Road Safety Office reports, although belt use has been required since Jan. 1, 1975.

Recent observations by the safety office indicate a daytime belt use by front-seat occupants in urban areas varying between 55 and 70 percent. In rural areas "the level of use may approach and at some places even exceed 80 percent," the office reported. Belt use by rear-seat occupants is "approximately zero," the agency said. The mandatory belt-use law requires front-seat private-car occupants to be belted.

Analyzing reports of crashes in which 399 car occupants were killed during 1981 in Sweden, the safety office found that 77 persons, or 41 percent of those whose belt use or non-use was definitely known, were wearing belts. In single-car crashes, only 16 percent of those killed had been using their seat belts.

in the research and development office (the major support group for rulemaking activities) will also suffer devastating losses."

The report cited many other actions which it alleged have lowered the agency's commitment to safety objectives. Some are listed below:

- Revocation of a standard requiring automatic protection for front-seat occupants in crashes of up to 30 mph. This safety standard (FMVSS 208) could save up to 9,000 lives and about 65,000 disabling injuries each year, the report notes. NHTSA has discontinued its research on automatic restraints and eliminated its Research Safety Vehicle program, the researcher said. Efforts to set up a voluntary air bag demonstration program have been opposed by General Motors, they reported.

- Shutdown of the agency's rulemaking activities on side-impact protection (FMVSS 214), a feature of the agency's plan to provide safer packaging for automobile occupants. This action was accompanied by an unannounced decision to "work with the Motor Vehicle Manufacturers Association on some 'cooperative' side-impact projects," the report said. The reason for shutting down the rulemaking process, the report alleged, was that the agency did not want to comply with disclosure requirements necessary under the law.

(Cont'd on next page)

## **Claybrook Charges 'Deliberate Crippling' Of NHTSA Programs**

**(Cont'd from Page 3)**

- Stalling on improving steering assembly test procedures. This is despite evidence that the steering assembly standard (FMVSS 203) ought to be modified to achieve better performance in real-world crashes, the report said, adding that NHTSA has actually weakened the standard to allow GM to build more tilt into its steering columns.

- Lack of follow-up activity on a petition by the Insurance Institute for Highway Safety which, if adopted, would permit introduction of an improved windshield that would help prevent lacerations in crashes.

- Diversion of funds from the agency's truck research program into seat-belt promotion, and stalling on a pending rule that would require improved braking systems for heavy trucks.

- Diverting \$9.6 million in funds to a seat-belt-use campaign that is unlikely to result in any appreciable, long-term increase in seat-belt use.

- Cancellation and dismantling of motorcycle safety programs, even though motorcycle injuries among unhelmeted riders are significantly higher and such riders are typically uninsured, thus posing a significant cost burden to American taxpayers. Funds that would have been used for the cancelled programs were diverted to the seat-belt program, the researchers reported.

- Resistance against providing funds for enforcement of the 55 mph national speed limit and cancellation of a \$1 million three-year enforcement and public information project to deter speeding. In addition, NHTSA cancelled an important study that would have examined automated speed monitoring equipment. The agency no longer distributes public information supporting the 55 mph speed limit and Transportation Secretary Drew Lewis "even went so far as to send a memo to the NHTSA administrator on March 17, 1982, reading, 'I have requested that no further distribution of the "55 mph — It's a law we can live with" bumper strip should be made until further notice,'" the report said.

- Other steps have been taken by NHTSA to restrict public access to information, the authors reported. Completed research reports have not been released and research results have not been disseminated, even to the agency's own researchers, they said. And though NHTSA is required by law to submit an annual report to Congress, the agency has failed to forward its 1980 and 1981 reports to the appropriate oversight committees. The NHTSA administrator's office recently informed Congressional aides that it had lost the 1980 report, the agency confirmed.

Copies of the report, "Reagan on the Road: The Crash of the U.S. Auto Safety Program," by Joan Claybrook, Jacqueline Gillan, and Anne Strainchamps, can be purchased for \$10 from Public Citizen, 2000 P St., N.W., Room 605, Washington, D.C. 20036.

## **NHTSA Plans to Switch VIN Rule to a Regulation**

The National Highway Traffic Safety Administration (NHTSA) has issued proposed rulemaking which, if adopted, would withdraw portions of its current standard covering vehicle identification numbers (VINs) and reissue them as a regulation.

Under the new proposal, manufacturers would no longer be required to recall their vehicles to correct VIN errors. Instead, NHTSA — which is the central clearing house for VIN decoding information — would handle the corrections.

The proposed rule change is part of a package of 15 motor-vehicle-related rules the Reagan Administration had scheduled to be cancelled, relaxed, or delayed. (See *Status Report*, Vol. 16, No. 6, April 27, 1981.) In 1980 the U.S. Court of Appeals upheld the standard, saying the VINs are important to safety and reduce errors in vehicle recall campaigns. (See *Status Report*, Vol 15, No. 1, Jan. 11, 1980.)

### ***RTOR Effects Summarized***

Research findings on the effects of right-turn-on-red (RTOR) laws have been summarized in a new Research Note prepared by the Insurance Institute for Highway Safety.

"Several studies now have shown that RTOR laws have increased the frequency of right-turning crashes at signalized intersections, particularly crashes involving pedestrians and bicyclists," the paper points out. "For all crashes involving vehicles turning right, the increase has been estimated at between 10 and 40 percent."

Copies of "Right-Turn-on-Red Laws and Motor Vehicle Crashes," Research Note No. 104, are available from the Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037.

## Injury Claim Frequency Lower For Domestic Cars

Data released by the Highway Loss Data Institute (HLDI) show superior insurance injury experience for U.S.-built station wagons and four-door models.

All 15 vehicles with the best record of insurance claims for injuries to occupants of 1979-81 model passenger cars were domestic models. Twelve were manufactured by General Motors.

In contrast, 12 of the 14 cars with the worst record of injury claims were imported from Japan.

### Small Two-Doors Rate Poorly

Most of the cars listed by HLDI as having performed relatively poorly were small, two-door models.

These results are the basis for the injury portion of a composite HLDI report on injury and collision loss experience just released. Using an easily-interpreted color coding, the report gives comparative ratings for 1979-1981 model automobiles.

The Oldsmobile Toronado had the lowest overall claim frequency at 41 percent below the average for all cars, while the Dodge Challenger (built in Japan) had

the highest overall claim frequency, 60 percent above the average. (See tables.)

### Station Wagons Perform Best

Station wagons generally had the lowest overall claim frequencies in each size class, and four-door models had lower claim frequencies than two-door models in the same size group. These results are consistent with HLDI's earlier findings. Nonetheless, HLDI reported, injury claim frequencies varied substantially among cars of the same body style and size group.

Overall, the trend continues to show as in earlier years that as car size decreases, injury claim frequencies increase.

HLDI reported that large and intermediate-sized utility vehicles and standard-sized pickup trucks continue to have the best injury results among vans, pickup trucks, and utility vehicles. Overall, the comparable results ranged from about one-half to two-thirds the average for passenger cars.

As reported earlier (see *Status Report*, Vol. 16, No. 16, Oct. 20, 1981), small utility vehicles, particularly the Jeep CJ-5 and CJ-7 models built by AMC had the worst injury experience among vans, pickups, and utility vehicles. The frequency of claims with

*(Cont'd on next page)*

**1979-1981 Passenger Cars With the Best Injury Loss Experience  
Relative Injury Claim Frequencies - Personal Injury Protection Coverages**

Make and Series	Exposure	Relative Claim Frequencies By Size of Claim			
		All	>\$250	>\$500	>\$1,000
Oldsmobile Toronado	26,559	59	68	68	67
Mercury Marquis-S.W.	5,864	61			
Oldsmobile Custom Cruiser	16,302	62	70		
Pontiac Catalina-4 Dr.	10,680	64			
Oldsmobile Ninety-Eight-4 Dr.	45,639	65	76	74	78
Oldsmobile Cutlass-S.W.	32,004	66	67	67	69
Chevrolet Caprice-S.W.	29,903	67	65	68	63
Buick LeSabre-4 Dr.	51,243	69	63	66	64
Buick LeSabre-S.W.	9,222	69			
Mercury Marquis-4 Dr.	32,453	71	69	66	68
Oldsmobile Cutlass-4 Dr.	65,256	73	66	66	70
Chrysler Newport-4 Dr.	20,338	73	75	68	
Chevrolet Citation-4 Dr.**	87,134	80	75	69	65
Buick Century-S. W.	19,878	82	66	61	
Oldsmobile Omega-4 Dr.**	21,911	84	74	67	

\*\*1980 and 1981 models only

**1979-1981 Passenger Cars With the Worst Injury Loss Experience  
Relative Injury Claim Frequencies - Personal Injury Protection Coverages**

Make and Series	Exposure	Relative Claim Frequencies By Size of Claim			
		All	>\$250	>\$500	>\$1,000
Dodge Challenger	6,031	160			
Plymouth Sapporo	5,850	148			
Datsun 200 SX**	29,153	141	136	140	156
Toyota Corolla-2 Dr.*	15,558	138	139	133	
Datsun 210-2 Dr.	47,399	136	137	145	145
Toyota Corolla Tercel-2 Dr.**	35,861	134	128	126	134
Dodge Omni-2 Dr.	41,864	134	123	122	120
Plymouth Champ	27,226	132	132	123	125
Honda Civic-2 Dr.	95,422	131	133	133	131
Toyota Celica Supra	13,229	129	135		
Dodge Colt	29,944	124	127	127	133
Honda Prelude	30,341	122	125	135	137
Buick Electra-2 Dr.	16,288	121	135	145	
Mazda RX-7	39,108	121	131	130	134

\*1981 models only  
\*\*1980 and 1981 models only

**Injury Claim Frequency  
Lower For Domestic  
Cars (Cont'd from Page 5)**

medical payments exceeding \$1,000 for this group was 65 percent higher than the average for passenger cars, HLDI said.

Overall, the GMC three-quarter ton C2500/K2500 and Chevrolet three-quarter ton C20/K20 (standard-size pickups), Chevrolet three-quarter ton Sportran, and Chevrolet C10/K10 Suburban (one-half ton) utility vehicle had overall injury claim results that were about one-half the frequency of passenger car results.

The Subaru Brat had the worst injury claim experience of all pickup trucks.

The data for the HLDI analysis were provided by 10 insurers and are based on injury coverages and claims involving 1979 through 1981 models from introduction through December 1981. The results do not include vehicles discontinued prior to the 1981 model year, HLDI said.

Copies of the report, "Insurance Losses, Personal Injury Protection Coverages: Passenger Cars, Vans, Pickups, and Utility Vehicles, 1979-1981 Models," (I81-1) may be obtained by writing the Communica-

tions Department, Insurance Institute for Highway Safety, Watergate 600, Washington, D.C. 20037.

Copies of the composite "HLDI Injury and Collision Loss Experience" report also are available from the same address.

**NTSB Criticizes Dropping  
of Anti-Skid Rulemaking**

In a strongly-worded statement, the National Transportation Safety Board has criticized a Federal Highway Administration (FHWA) decision to drop rulemaking on criteria for skid-resistant pavement. FHWA had said the proposed rule was not necessary. (See *Status Report*, Vol. 17, No. 5, April 1, 1982.)

The safety board noted that FHWA had based its decision to withdraw the rulemaking on responses from 15 states, 9 of which had indicated "the rule was not necessary and was inappropriate since the states already had adequate programs to insure that skid resistance is maintained."

Both the safety board and the Insurance Institute for Highway Safety had been sharply critical of FHWA's proposed rulemaking because it did not specify specific and objective standards. (See *Status Report*, Vol. 15, No. 10, June 25, 1980.)

The safety board said that its exhaustive studies of wet weather crashes and analysis of skid-resistance programs maintained by 10 states “and the 5,400 to 7,000 fatalities that occur annually on wet pavement” indicate “positive action is still needed.”

“Five of the 15 states which replied to the proposed rulemaking were among the six states which our study statistically demonstrated to have the worst problem with accidents on wet highways,” the safety board said, adding these states might be concerned that the establishment of standards or guidelines for skid resistance might increase their legal liability.

The safety board said its own evaluation of some state skid-resistance programs indicated that “state and local officials did not have the expertise or did not use the information available to them to determine what type of skid-resistant surfaces should be used” on resurfacing projects.

For example on a “heavily-traveled U.S. route in Oklahoma, unacceptable aggregate used on a state-funded project would have been prohibited from use on a federally-funded project due to its known susceptibility to polish, and consequently, to become slick,” the board said.

“The safety board continues to be concerned that inferior local aggregate may be used on road surfaces where more skid-resistant aggregate is needed,” the board added. FHWA’s 1978 report on a safety review of all 50 states showed states were using aggregates with questionable skid-resistant properties. That 1978 study also noted that many states do not utilize available data for reducing wet weather skidding crashes.

“The FHWA should provide the leadership that is needed, and that presumably will not be provided as a result of the withdrawal of the rulemaking, by conducting a comprehensive review of all state wet pavement accident reduction programs,” the safety board said. State programs “should at least be compared to” FHWA’s own guidelines, the board said.

Once problems are identified, FHWA should develop corrective recommendations and disseminate them, the safety board added.

## Allstate Criticizes NHTSA For Lack of Belt Testing

In a docket filing, Allstate Insurance Co. has criticized the National Highway Traffic Safety Administration (NHTSA) for its “apparent reluctance” to assure proper performance of seat belt systems.

The filing, a letter from Michael J. McCabe, Allstate assistant vice president and counsel, was in response to a notice of proposed rulemaking issued July 22 to amend Federal Motor Vehicle Safety Standard (FMVSS) 209, Seat Belt Assemblies. NHTSA had said the purpose of the rulemaking was to “update” seat belt test procedures and to “reduce the regulatory burden” caused by the standard.

McCabe pointed out that the belated concern over seat belt performance “is likely moot” because of the action of the U.S. Court of Appeals for the District of Columbia in reinstating the FMVSS 208 automatic restraint requirements. But he added that Allstate wanted its position clearly stated for the record.

“We have urged for years that, just as brakes are required to be tested to guarantee to the user they will stop the car, so too, must belts be tested in dynamic crash situations to guarantee to the user that the belts will stop the wearer before death or serious injury occurs....

“The failure to require belts that will work in crashes is even more alarming in light of the fact that NHTSA is proposing to spend millions of the taxpayers’ dollars in a public relations effort to increase the use of belts which may or may not work in fact to reduce death and injury.”

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# Status Report

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