

NHTSA Scraps Highway Program Revision

The National Highway Traffic Safety Administration has scrapped controversial plans to overhaul its highway loss reduction program standards.

More than a year and a half ago, NHTSA proposed to consolidate its 15 standards for state and local loss reduction programs into eight revised standards. These are criteria that states and communities must meet to receive federal aid under the Highway Safety Act of 1966.

In addition to shuffling and combining some of the standards, the agency was seeking to establish new administrative and management guidelines for states to follow in planning, coordinating and evaluating loss reduction programs. Now, NHTSA officials have told *Status Report*, the revision effort has been abandoned because of hostility from governors' highway safety representatives and lack of understanding and support in the Congress.

Another factor in ditching the revision is said to be NHTSA Administrator Dr. James B. Gregory's own skepticism about the wisdom of the proposed changes.

In a recent letter to Rep. John A. Blatnik (D-Minn.), chairman of the House Committee on Public Works, Gregory said he had reviewed the proposed consolidation and "it is my judgment that, from an administrative and technical standpoint, it would not be prudent to attempt to change the standards to such an extent at this time."

Gregory added that NHTSA will consult with the Congress and state representatives, local communities and other interested parties before proposing any changes in the current standards. The Federal Aid Highway Act of 1973 requires that all new highway loss reduction program standards receive congressional approval.

SOME REVISIONS PLANNED

Although NHTSA has backed off from the sweeping changes it had proposed, several individual standard changes still are in the making.

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Transportation Secretary Claude S. Brinegar recently told the National Highway Safety Advisory Committee that the Federal Highway Administration “is proceeding to revise the standard on Highway Design, Construction and Maintenance” — one of the three loss reduction standards administered by FHWA. According to an FHWA official, those changes will be “rather minor.” One change will require curb ramps for handicapped persons, he said.

Brinegar said the department “is also giving consideration to revising the pedestrian safety standard, co-administered by FHWA and NHTSA, to combine both pedestrian and bicycle elements.” An FHWA official told *Status Report* that the agency is planning performance requirements for bicycle lanes and paths aimed at separating bicyclists and pedestrians from highway traffic. This may result in a new FHWA-administered standard, he said.

Modifications to both standards are scheduled to be published for public comment May, 1974, with a projected effective date of July, 1975, according to an FHWA source.

PENALTY PROCEDURES PENDING

As to enforcing current highway loss reduction standards, Brinegar revealed, in a heretofore undisclosed letter to Minnesota Governor Wendell R. Anderson, that DOT is “preparing precise procedures” for penalizing states that fail to meet implementation deadlines for “scheduled requirements.” States were told of those requirements and deadlines in letters dated between March 26 and June 29, 1973. (See *Status Report* Vol. 8, No. 19, Oct. 17, 1973.)

Brinegar outlined the procedures this way: “If the department initially determines that there is reason to believe that a state has failed or will fail to comply with any of its scheduled requirements, the department will so notify the state. The state will be informed of the basis for the belief and of an opportunity to present its views, orally or in writing, to establish that there has been no failure to comply.”

After hearing from a state, DOT will make a final determination whether to withhold highway safety and construction funds from the state, Brinegar explained.

Brinegar is authorized, under the Highway Safety Act of 1966, to withhold 10 per cent of a state’s federal-aid highway construction funds and all of its highway safety money if, in his opinion, that state is making unsatisfactory progress toward implementing the six-year old federal loss reduction highway standards. Such action has never been taken. However, in at least six cases DOT has made thinly veiled threats to withhold funds in order to secure certain highway safety measures.

An NHTSA official told *Status Report* that the penalty procedures will be published soon in the *Federal Register*.

Small Children Should Wear Belts, Researcher Says

All children riding in motor vehicles should be restrained, a leading research scientist has told *Status Report*.

In an analysis of how the three major types of presently available occupant restraints — lap belts, shoulder harnesses and child restraints — may affect the protection offered to small children in motor vehicles, Dr. Richard Snyder, of the Highway Safety Research Institute at the University of Michigan,

NHTSA Proposes Child Seat Revisions

The National Highway Traffic Safety Administration has proposed revisions of its child seating standard that, according to the agency, would “substitute a series of requirements, including simulated dynamic (in-motion) crash tests, instead of the presently prescribed static tests.”

The proposed changes would cover car beds, infant carriers, and child harnesses, which are not covered by the current standard, the agency said.

The proposed effective date is Sept. 1, 1975. The proposal was printed in the *Federal Register*, Vol. 39, No. 42, March 1, 1974.

reported that the largest single body of data on the issue, found in an NHTSA Collision Performance and Injury Report, documents crashes in which 31 children aged from under one year to five were restrained, either by a lap belt or a child seat.

He pointed out that among the 31 restrained children in the NHTSA report, no injuries were suffered by five of the 12 children in child seats (42 per cent) nor by nine of the 19 children wearing adult lap belts (47 per cent). Only one of the 31 restrained children received a severe injury. That injury was not critical to life. Thus, he said, the lap belts appear to have been as effective as child restraints in preventing injuries.

In only one case was an upper torso restraint reportedly used, Snyder said. This involved a three year old restrained child in a vehicle that backed into another vehicle at a speed of three miles per hour. According to Snyder, “We have no accident experience reported upon which to make judgements as to the effect of the upper torso belt on younger children.”

“Careful review of the published and known unpublished data currently available brings one to the conclusion that at present objective facts related to child-occupant impact protection with various restraint systems are very limited,” Snyder stressed.

“For example,” he said, “with a single exception, all experimental dynamic studies of child restraint systems conducted to date have used ‘child’ dummies, which can only estimate actual injury potential and which have limited validity as human surrogates.”

Dr. Snyder concluded:

- Specially designed child or infant restraints are a “highly recommended first choice” for younger children and infants.
- Lap belts should be a “second choice” because they “appear to offer effective protection even in younger children in the isolated cases reported.”
- Where neither a child restraint nor a lap belt is available, the shoulder harness should be used “as a third choice” because it offers much greater protection than not wearing any restraint.”

William Haddon, Jr., M.D., president of the Insurance Institute for Highway Safety, said that on present evidence he agreed with Snyder's position. Haddon said he has been "concerned about the extent to which folklore and guesswork have served to continue to deny protection to children which on balance should substantially reduce their crash deaths, non-fatal injuries, resultant disabilities and disfigurements."

Snyder told *Status Report* that he conducted his analysis because of the insistence of some groups that the three-point lap and shoulder harnesses can harm young children.

Such insistence "has raised a question among concerned parents, pediatricians, and groups such as Action for Child Transportation Safety (ACTS) and the Physicians for Automotive Safety," Snyder said, "as to whether the upper belt of this three-point system could be injurious to young children in accidents if it did not fit the child wearer properly."

Snyder said he was "not aware . . . of any pertinent objective data to support the contention that the '74 upper torso belt could be hazardous to small children." He added that shoulder harnesses "can offer considerably greater child protection than no restraint at all."

Snyder said he had previously indicated to ACTS "that an improperly fitting shoulder restraint, one which crosses the face, chin, or neck, or falls off the shoulder, will create much greater chance of injury" to a child. (ACTS has expressed alarm about what it alleges is "the risk of injury to children who use the shoulder belts in the right front seats of 1974 cars." The safety group has urged DOT to issue a consumer protection bulletin "to warn parents that many children are too short to be safely restrained by a shoulder belt.")

The Center for Auto Safety (CAS) and Physicians for Auto Safety (PAS) in a recent joint statement, also have claimed that "adult seat and shoulder harnesses can be hazardous to children because of their small size and undeveloped bone structure."

When questioned for the authority for this claim, center staff member Arthur Delibert said it was "taken from folklore."

BELT USE LAWS

Most proposed and current safety belt use laws exempt some children. Australian laws requiring safety belt usage for motor vehicle occupants are not applicable to children under eight years of age. Puerto Rico's mandatory safety belt usage law, which became effective this past January, exempts children under eight years of age and/or measuring less than 55 inches of height.

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A model state safety belt use law proposed by the National Safety Council does not contain any specific exemption based on age. It does provide a general exemption for passengers if such use is "not possible, safe or reasonable . . ." and would permit the state motor vehicle administrator to exempt classes of persons ". . . for medical, physical, or occupational reasons . . ."

The National Highway Traffic Safety Administration also has a model safety belt use law. This law permits individual states to grant exemptions from belt use based on "physical unfitness or other medical problem, body size, or occupational necessity."

The criteria issued by NHTSA for incentive grants for such legislation provide that children six years of age or older be covered by the mandatory use provisions. "Voluntary use of infant or child seating
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systems conforming with Federal Motor Vehicle Safety Standard 213 for passengers less than six years of age," the NHTSA criteria say, "is strongly recommended, but would not be required."

Most of the safety belt bills introduced in states give the state motor vehicle administrator discretion to set standards for exemption. Bills introduced in Oklahoma and South Carolina provide exemption for children under five years of age.

NHTSA Seeking Speedometer Limit Views

The National Highway Traffic Safety Administration has "urgently requested" comments on "whether there should be a rule on maximum speedometer indication" and, if so, "what is the most appropriate maximum speedometer indication."

This request "does not constitute a step in a rulemaking procedure," according to the official notice. An earlier built-in speed limit approach proposed by NHTSA has not been pushed forward, the notice added, because "the practicability of the [earlier proposed] speed limitation and warning system had not been sufficiently established."

The new NHTSA action is the latest in a series of steps delaying the standard originally proposed. An advanced notice of proposed rulemaking for a speed control standard was first published in October, 1967.

In December, 1970, the agency published a proposed standard which would have banned production, beginning with the 1973 model year, of all except police cars that go faster than 95 miles per hour. The proposed standard also called for speedometers that register speeds no greater than 85 miles per hour and a system of warning lights and horns to operate at 81 to 85 miles per hour.

In November, 1972, NHTSA quietly delayed the effective date of the proposed standard until the 1976 model year. (See *Status Report*, Vol. 8, No. 20, Oct. 30, 1973.)

The 95 mile per hour ceiling was criticized as "ineffective" by an organization of insurance attorneys. In a September, 1973, formal docket submission, Federation of Insurance Counsel President Philip W. Knight urged that a built-in maximum 70 mile per hour vehicle speed limit go into effect with the 1976 model year. Citing a 1969 Department of Transportation staff study, "Maximum Safe Speed for Motor Vehicles," Knight said that such a limit might mean an "8 per cent drop in fatalities" or "4,000 lives saved" annually in addition to "reducing thousands of injuries." A built-in limit need not affect acceleration and passing ability. Contrary to a widely held notion, the proposal would not necessarily require so-called governors.

The FIC requested state officials, auto makers, oil companies and more than 500 insurance companies, to submit comments on its proposal to the NHTSA docket.

Representatives from 21 states have responded. None opposed the idea of speed limitation, though some differ on the actual limit. Gov. Jimmy Carter of Georgia wrote, "There is no practical necessity to design cars capable of attaining speeds of 120 miles per hour." The Governor of Indiana, Otis Bowen, supported reduced readings on speedometers as well as "a move toward limiting top speeds on motor vehicles via tax incentives for smaller engines or actually limiting engine size."

In September, 1973, Sen. Charles Percy (R-Ill.) wrote to NHTSA Administrator James B. Gregory urging that speedometer readings be limited to no more than 90 miles per hour, with a red-lettered "Extreme Hazard" area above that reading. Percy said this change would be "relatively inexpensive to tool up for and could be achieved without disruption to assembly lines."

Some 1974 model automobiles have speedometers with readings reduced from previous years. Cadillacs and Olds 88s, 98s and Toronados have speedometers registering up to 100 miles per hour, a 20 mile per hour reduction from last year.

The new NHTSA notice cites the nationwide speed limit of 55 miles per hour, imposed because of the gasoline shortage. Although "the effect of speed limit reduction on high-speed-related fatalities" is not as yet clear, it may "indicate the advisability of a lower speedometer indication than that previously endorsed by NHTSA," the notice says.

In its 1970 proposal, the agency said that issuance of the standard might "result in substantial reduction in the cost of manufacturing vehicle power plants," if manufacturers changed engine design. A reduction in vehicle speed capability would result in energy conservation and probably also in savings in the raw material presently needed for the construction of unnecessarily powerful engines.

Speed control has been regarded as a "hot political issue" at NHTSA, which received more comments on its 1970 proposed standard than on any other rule it had proposed. Views were split almost half and half between those who favored and those who opposed the speed control proposal. The strongest opposition came from "hot rod" and other automotive groups. (See *Status Report*, Vol. 8, No. 13, June 25, 1973.)

Comments on the NHTSA proposal should be submitted before Apr. 23, 1974, to Docket 74-8, Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh St., S.W., Washington, D.C. 20590.

Nader Calls For NHTSA 'Hot Line'

Attorney Ralph Nader has urged the National Highway Traffic Safety Administration to set up a "toll-free motor vehicle defects hotline" to provide consumers with information on auto safety defects. Consumers and others also could use the hotline to report possible safety related defects to the agency, Nader said.

Nader and an associate, Dr. Carl Nash, made the suggestion in one of a battery of recent letters to Dr. James B. Gregory, NHTSA's administrator. In the other letters Nader and his associate:

- Accused NHTSA of violating portions of the National Highway Traffic and Motor Vehicle Safety Act and the Highway Safety Act of 1966 that require progress reports to the Congress on various agency activities.

- Castigated NHTSA for violating the Highway Safety Act of 1966 by failure to withhold federal funds from states that have not implemented the highway loss reduction program standards issued under the act.

- Demanded a copy of an NHTSA report, required by the Motor Vehicle Information and Cost Savings Act of 1972, on crashworthiness and damage susceptibility of automobiles. The act required that the study be finished by Oct. 20, 1973. Nader also asked for a progress report on NHTSA's diagnostic inspection demonstration projects, five of which, under the act, were to have been in operation by Jan. 1, 1974.

- Criticized NHTSA's Research Safety Vehicle program as a "Retard, Stall and Vegetate" tactic to "stop any significant progress in promulgating advanced motor vehicle safety standards."

- Called on NHTSA to investigate a report that General Motors is "cutting costs by eliminating necessary safety checks" for possible avenues of carbon monoxide seepage into new-car passenger compartments.

Mileage Considered, Race Drivers Compare Poorly

Claims that race drivers are on the highway more than run-of-the-mill drivers do not explain “the excess violations and crashes that these drivers experience compared with other drivers of the same age and sex,” according to Insurance Institute for Highway Safety research.

In October, 1973, IIHS released data showing that driving records of Sports Car Club of America national competition license holders contain many more violations and more highway crashes than the driving records of comparison drivers.

Some racing enthusiast publications, questioning the findings, claimed in response that race drivers spend more time on the highway than run-of-the-mill motorists – thereby increasing their exposure to crashes and other violations.

The researchers have now expanded the study to address this question. Of the three states – Florida, New York and Texas – supplying data for the study, only New York had data on mileage driven. Mileage figures were estimated by drivers on their most recent New York license renewal applications.

With the limited data available, the researchers assessed the effects of mileage by comparing the records of 37 race drivers with the records of 37 non-race drivers. The comparisons were based on race and comparison drivers who matched on self-reported mileage, age and sex. These 37 pairs were all of the matches that could be made from available data. (See results below.)

“These results suggest that the greater average self-reported mileage of the race drivers in the previous year does not explain the excess violations and crashes that these drivers experienced compared with other drivers of the same age and sex,” the researchers concluded.

The study will appear in *Accident Reduction and Prevention*. Pre-publication copies of the expanded study are available from “Race Drivers,” Insurance Institute for Highway Safety, Watergate Six Hundred, Washington, D.C. 20037.

AVERAGE NUMBER OF REPORTED CRASHES AND VIOLATIONS FOR 37 MILEAGE-MATCHED DRIVERS (NEW YORK)

	<u>Race Drivers</u>		<u>Comparison Drivers</u>	
Reported Crashes	0.62	(0.64)*	0.43	(0.42)
Speeding Violations	1.00	(1.06)	0.24	(0.35)
Other Moving Violations	0.54	(0.49)	0.35	(0.38)
Non-Moving Violations	0.16	(0.17)	0.16	(0.07)

*Numbers in parentheses give the data for all New York race and comparison drivers studied.

Nixon Requests \$482 Million For Safety Programs

President Nixon has requested \$482.4 million to carry out Department of Transportation motor vehicle and highway safety programs during fiscal 1975. Nearly 90 per cent of the money requested for fiscal 1975, which begins July 1, 1974, would be spent on state highway safety programs.

Such programs have received similarly large shares of Federal loss reduction money each year since the program began in 1966.

The budget requests \$431.5 million to finance highway safety programs under the Highway Safety Act of 1966 and the Federal-aid Highway Act of 1973, and \$50.9 million to finance motor vehicle programs under the 1966 Motor Vehicle Safety Act and the Cost Savings Act of 1972. All funds for highway safety programs will now come from the Highway Trust Fund. Previously two-thirds of the highway safety money came from the trust fund and one-third from the general treasury. Motor vehicle programs are financed from the general treasury.

While the President's budget request is \$225.2 million more than last year's, much of the difference is accounted for by funding of new highway safety programs established in the Federal-aid Highway Act of 1973. The new programs include grants for elimination of roadside obstacles and correction of high hazard locations and incentive grants for the states. The incentive program would provide additional federal highway loss reduction funds to states that enact laws requiring mandatory safety belt use and states that make "significant progress in reducing traffic fatalities."

The budget also requests \$3.5 million to lease and equip a compliance test facility for NHTSA near Columbus, Ohio. The Secretary of Transportation recently requested the Congress to approve leasing of a test facility rather than construction of a new one. During the previous fiscal year, the Nixon administration had impounded the \$9 million that the Congress had appropriated for construction of a test facility.

NEW LAW'S FUNDS CUT

Programs implementing the Motor Vehicle Information and Cost Savings Act of 1972 underwent a substantial reduction during the Nixon administration's budget formulation process. In a letter to Sen. Warren G. Magnuson (D-Wash.), chairman of the Senate Commerce Committee, the National Highway Traffic Safety Administration revealed that the Secretary of Transportation's office cut \$5.5 million from NHTSA's request for money to support Cost Savings Act programs. NHTSA had requested \$3 million for funding a consumer information study on automobile crashworthiness and damage susceptibility and \$9.2 million for state diagnostic inspection demonstration projects. According to the letter, the Secretary's office recommended instead that the President request no money for the consumer information study and only \$6.7 million for diagnostic inspection demonstrations. This recommendation was adopted in the budget.

NHTSA told Sen. Magnuson that the consumer information study will be only partially completed by 1975. NHTSA said that the study's findings will be limited to ratings of "high volume models of one car class."

CURRENT FISCAL YEAR

In the President's budget, NHTSA is also seeking congressional authorization to spend an additional \$10 million during the current fiscal year, which ends June 30, 1974. Of the money, \$9 million would go

for state incentive grants. The remaining \$1 million would finance highway safety research mandated by the 1973 Highway Act.

In millions, the fiscal 1975 budget request compares with the fiscal 1974 budget request and with congressionally sponsored levels for fiscal 1974 as follows:

	FY 1974 Budget Request	FY 1974 Appropriations	FY 1975 Budget Request
Traffic and Motor Vehicle Safety Act of 1966	35.1	30.3	42.5
Motor Vehicle Information and Cost Savings Act of 1972	15.0	15.0	8.4
Highway Safety Act of 1966:			
Highway Safety Research and Development (Sec. 403)	41.9	38.8 (1.0)*	33.5
State and Community Safety Program Grants (Sec. 402):			
NHTSA (15 standards)	77.0	66.7	85.0
FHWA (3 standards)	13.2	13.0	15.0
Federal-Aid Highway Act of 1973:			
Highway Safety State and Community Grants	75.0**	75.0	250.0†
Incentives for Belt Law and Fatality Reduction	0	(9.0)*	48.0
	257.2	238.8 (10.0)*	482.4

* Supplemental appropriations requested for FY 1974.

** Grants to be used for bridge replacement.

† Includes grants for elimination of roadside obstacles, correction of high hazard locations, improvement of railroad-highway crossings, establishment of federal-aid safer roads demonstration projects and replacement of hazardous bridges.

British Safety Act Effectiveness Questioned

The long range success of Britain's tough Road Safety Act of 1967 in reducing fatalities in that country has been questioned in a new study.

The act added pre-arrest breath tests to existing post-arrest laboratory tests to determine and define drunk driving violations. At first a significant drop in deaths and injuries occurred. The effect of the law, however, gradually diminished and casualty rates returned to pre-act levels by the end of 1970. The study suggests this was the result of insufficient police enforcement.

By a detailed analysis of the legislation and available data, University of Denver law professor H. Laurence Ross has established in the study that the initial decline in British highway casualties was directly attributable to the 1967 act. Professor Ross, an authority in the field, conducted the first comprehensive analysis of the British law four years ago and also has studied other drunk driving measures, such as the unsuccessful Chicago "crackdown." (See *Status Report*, Vol. 7, No. 10, May 22, 1972.)

During the three months immediately after the act went into effect on Oct. 9, 1967, casualties dropped by 16 per cent when compared with the same period in 1966. Deaths alone decreased by 23 per cent. Ross made a careful study of data on possible explanations for the decrease, including unusual weather, economic factors, changes in recording statistics or several commonly found patterns of variations in statistics. He was able to show that the "unusual decline" in the casualty rate beginning in October, 1967, was caused by the act and not by these alternative explanations. The effect of the intense publicity about the act, however, could not be distinguished from that of the act itself.

When the casualty rate was broken down into separate figures for deaths, serious injuries and slight injuries, he found the drop was greatest for deaths and least for slight injuries.

The act makes it an offense to drive with a blood alcohol concentration higher than 0.08 per cent. This was the first British law to set a fixed limit and to make a *per se* offense of exceeding the limit. Eight U.S. states have *per se* laws. Most states accept a blood alcohol concentration equal to or higher than 0.10 per cent as presumptive evidence of intoxication rather than proof of an offense in itself.

Penalties for violating the British act, in addition to possible fine and imprisonment, include automatic license suspension for one year.

PRE-ARREST TESTS REQUIRED

Under the law, pre-arrest breath tests can be required in the event of a collision, or if a policeman has reasonable cause to suspect a moving traffic violation or that a driver has alcohol in his body. Failure or refusal of the test leads to arrest and the opportunity to take a second breath test at the police station. If the driver fails or refuses the second breath test, he is requested to give a blood or urine sample for a laboratory analysis. If the laboratory results show a blood alcohol concentration higher than 0.08 per cent, they are used as evidence in prosecution. Refusing to give such a sample is a separate offense equal to a "driving while under the influence" conviction.

"There are many signs that the initial effect of the legislation is diminishing," Ross says, because the decline in the casualty rate had leveled off by the end on 1970. He attributes this to the public's learning "that they had overestimated the certainty of apprehension and conviction for the new offense." The act, Ross surmises, was initially successful because of "the general impression that a serious penalty would be visited upon a drinking driver with a relatively high degree of certainty."

“The best chance for renewing the effectiveness of the Road Safety Act would be to change police enforcement practices,” Ross says. Comparatively few breath tests were administered because the police feared public relations problems, he says. In 1970, only 70,000 breath tests were given, compared with 48,000 that year in Sweden, whose population is less than one-sixth as large. Ross suggests more police resources, which were not increased after passage of the act, should be devoted to enforcement of this law.

Although there was a substantial increase in charges of drunk driving violations after the act, Ross demonstrates that this did not represent an increase in the total number of drunk drivers apprehended. By analyzing the number of charges in more general categories, such as “dangerous driving” or “careless driving,” Ross shows that the act had the effect of changing the charges from “careless driving to a charge that formally acknowledged the influence of drink.”

BREATH TEST DEVICES

Ross points out that small breath test devices, similar to those presently used in Britain, are subject to considerable error, as demonstrated by Insurance Institute for Highway Safety sponsored research in 1971. (See *Status Report*, Vol. 7, No. 7, Apr. 10, 1972.) False negative results may lead to the release of drivers who are violating the law. Although false positive results do not lead to conviction since the laboratory blood test result is used to determine whether or not to prosecute, they may lead to far greater use of police discretion in releasing all borderline cases and arresting only those with high positive readings. Ross suggests that a reliable quantitative breath tester be used instead of the disposable devices.

(The disposable breath test devices used in Britain, although commonly referred to there as “breathalysers,” should be distinguished from the Breathalyzer, a large, non-disposable testing instrument producing very precise results, which can be used in evidence. The Department of Transportation recently issued testing and performance standards for evidential breath testers, including the Breathalyzer. See *Status Report*, Vol. 8, No. 22, Nov. 27, 1973.)

Ross surmises that the British law affected mainly social drinkers rather than alcoholics. There was a greater reduction in casualties on weekend nights, when social drinkers are most likely to drink and drive, than during weekday commuting hours.

When cases under the act first reached the courts, many defendants were successful in contesting their conviction on various technical grounds. A high court decision, however, halted this trend. Although the loss of judicial discretion in imposing mandatory license suspension was initially resented, judges soon accepted it because it relieved them of the responsibility of imposing loss of license where the defendant claimed it would cause hardship.

Professor Ross gave an account of his findings to the National Highway Safety Advisory Committee’s Ad Hoc Task Force on Adjudication at its meeting in Chicago Jan. 26, 1974. A detailed account is contained in *Law, Science, and Accidents: The British Road Safety Act of 1967*, available from the American Bar Foundation, 1155 East 60th St., Chicago, Ill., 60637 at 50 cents a copy.

Nationwide Urges Passive Restraint Decision

Nationwide Mutual Insurance Co. has urged National Highway Traffic Safety Administrator James B. Gregory to make a decision "at the earliest possible date" on the passive restraint requirements of FMVSS 208 (occupant protection).

In a recent letter to Gregory, Nationwide Vice President W. V. Siegfried cited Nationwide's experience with 36 air bag equipped Chevrolets leased from General Motors in 1973. "We are highly impressed with the performance of this equipment," he wrote. None of the Chevrolets has been involved in a collision serious enough to lead to deployment of air bags.

"Until passive restraints are widely available," Siegfried added, Nationwide is supporting enactment of safety belt use laws as a means of reducing highway casualties.

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the highway
loss reduction

STATUS REPORT

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