

Catalytic Converters May Be 'Potential Fire Hazard'

A number of federal agencies have expressed concern that catalytic converters may be a "potential fire hazard," and have quietly issued memoranda warning federal employees against possible heat risks associated with such anti-pollution systems.

Meanwhile, Transportation Secretary William Coleman has sent a memorandum to the President saying that the "potential problem" of fire safety hazards associated with catalytic converters "has been recognized early and at this time there is nothing to indicate that a significant hazard exists." However, Coleman told President Ford, "We are continuing to investigate incidents of converter heat damage to determine if product improvements are required."

DOT's National Highway Traffic Safety Administration has received what one official estimated to be about 500 reports of catalytic converter incidents. To date the agency has not initiated a formal defects investigation of catalytic converters. However, it has requested information and reports of incidents from auto makers. It has also established a public file to gather data on catalytic converter-related hazards. (Reports should be sent to Docket 75-13, National Highway Traffic Safety Administration, 400 Seventh St., Washington, D.C. 20591.)

Catalytic converters were chosen by all major domestic and many foreign auto makers for at least some of their 1975 model cars to satisfy pollution control regulations.

According to a General Services Administration bulletin, dated Jan. 21, 1975, and sent to heads of federal agencies, one danger of the devices is "internal temperatures reaching 1,200-1,300 degrees

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Fahrenheit” during operation. This is “approximately twice that of exhaust systems on prior year models.” A vehicle equipped with a converter system and “driven over or parked on a surface of easily combustible material such as dry grass could cause a fire,” GSA said.

Since the GSA warning, other federal agencies, including the Army, the Navy, and the Department of Agriculture’s Forest Service, have warned of heat-related hazards associated with catalytic converters. The Air Force put out, in addition, regulations that prohibit any vehicle equipped with a catalytic converter from being driven “within 50 feet of any air craft,” fuel spill, explosives area “or other potentially hazardous areas.”

EPA HEDGES

The Environmental Protection Agency is the federal body that issued the federal emissions control standard and is responsible for assuring auto maker compliance with it.

EPA’s “Emission Regulations for New Gasoline-Fueled Light Duty Vehicles” (Sec. 85.004) states that an emission control system “shall not in its operation, function, or malfunction, result in any unsafe condition endangering the motor vehicle, its occupants or persons or property in close proximity to the vehicle.”

In a June 12 “Advisory Circular” sent to auto makers EPA qualified that standard. “Several manufacturers have suggested that they could not accurately state that, under all reasonably foreseeable conditions of malfunction, misuse or abuse, their vehicles would comply with a literal reading” of that requirement, EPA said. So, in order “to avoid the unrealistically stringent results that might accompany literal reading” of the safety clause, EPA outlined a series of conditions, including “vehicle abuse, misuse, tampering or significant failure to perform essential maintenance,” that could result in a hazardous condition without affecting an auto maker’s compliance with the standard as far as EPA is concerned.

In his memorandum to the President, Transportation Secretary Coleman acknowledged that “while the number of reported incidents [relating to the hazard] is relatively small at this time, it is of concern that the problem could escalate in the future when cars are operated under conditions of less than favorable engine maintenance.”

OTHER DANGERS

According to a preliminary report, released in July, of catalytic converter temperature tests conducted by the Forest Service, “a supply of raw fuel to the converter, resulting from one or more spark plugs not firing or other reasons, causes a rapid temperature rise in the converter and in all of the exhaust system components downstream from the converter,” thereby increasing a “direct forest fire hazard.”

The Forest Service said it came upon “another, unexpected finding of potentially more serious consequences than ignition of grass or brush. During the malfunction phase of testing, heat from the exhaust system charred a rubber fuel line nearly through and caused flaming ignition of rubber underbody parts” in one vehicle. Three other vehicles had “charred undercoating and burned carpeting,” the Forest Service said.

Earlier this year the Insurance Institute for Highway Safety reported to the National Highway Traffic Safety Administration and the Environmental Protection Agency that a new 1975 Malibu, purchased for use in a low-speed crash test project, had caught fire “apparently as a result of overheating of its catalytic converter.”

"The vehicle was being moved in a routine manner in a storage area when the driver smelled smoke and turned around to see the smoke in the back seat area. Flames were observed extending from around the converter back along the exhaust pipe to the muffler prior to the fire being extinguished. The result was that the floor pan above the converter was badly burned over an area of approximately five by six inches. The carpet and padding in this area were burned and scorched. The rear floor pan carpet and padding were also burned and scorched," IIHS told the two agencies.

(Approximately one month prior to the fire, IIHS reported, the car had "been in a 10 mile per hour collision in which its front had impacted another vehicle." Such crashes are not an uncommon highway occurrence.)

REPORTED INCIDENTS

Seven auto makers have responded to NHTSA's request for information on possible safety-related incidents stemming from emission control devices:

- General Motors reported 340 heat-related incidents. In its initial report to NHTSA, GM said it had "reports of 189 vehicles in owner use purportedly involving incidents of converter damage due to overheating. The vast majority of these reported incidents involved only catalytic converter damage. . . . We are aware of 138 additional incidents which occurred prior to delivery of the vehicle to the customer." GM subsequently added another 13 incidents that it said "were inadvertently not included" in its initial report.

- Ford Motor Co. reported 78 heat-related incidents. "Forty-four incidents occurred immediately after vehicle manufacture or during predelivery servicing and 34 incidents occurred during owner use," Ford said.

- Chrysler reported 10 incidents, but stated ". . . on the basis of the facts available to us at this time we do not consider catalytic converter heating to be a vehicle safety problem."

- Volkswagen reported two incidents of overheating that occurred during delivery. Volkswagen said that in "both cases the vehicles were significantly mishandled during unloading" when shipment personnel left the vehicles "idling at high rpm for a considerable period of time."

- American Motors, Toyota, and Toyo Kogyo (Mazda) claimed they know of no safety-related incidents associated with emission control devices on their 1975 cars.

WARNING DEVICES

EPA Deputy Assistant Administrator Eric Stork has said that one answer to the "growing concern" over the possible fire hazards of catalytic converters is the voluntary installation by auto makers of "catalyst overtemperature warning devices." Stork said, in a speech he gave on June 10 before the 1975 Automotive Electronics Conference, that such a device could consist of "a temperature sensor on or near the catalyst, and something like a flashing light or a buzzer on the dashboard." Although some drivers may ignore the warning, he pointed out, a warning device would give a driver "adequate information" that a hazard exists.

In a July 31 letter, Stork informed 13 auto makers that NHTSA's Administrator, Dr. James Gregory, "shares our concern" over the matter of the fire risk in catalytic converters and has "invited our cooperation and assistance in possible rulemaking" on a warning system.

DOT May Penalize Delinquent States

Three states – California, Illinois and Utah – are in danger of losing a total of \$87 million this fiscal year for failing to enact laws to require that motorcyclists wear helmets.

Passage of a motorcycle helmet use law is one of 18 national highway safety program standards that states are supposed to implement in order to qualify for federal-aid highway and safety funding.

States that do not meet these standards risk losing all of their highway safety program funding and can suffer a ten per cent cut in federal-aid highway construction funds, at the discretion of the Secretary of Transportation.

Although DOT has used the threat of sanctions in the past, the helmet issue marks only the second time that it has initiated actual sanction proceedings. DOT first initiated sanction proceedings last year, when it informed Maryland and Puerto Rico that they would have to explain at formal hearings why they should not lose federal funds for their failure to enact drunk driving restrictions in accordance with federal standards. After an “interim agreement,” and repeated hearing postponements, both jurisdictions passed the required laws earlier this year. (See *Status Report*, Vol. 9, No. 22, Dec. 10, 1974.)

In July 28 letters notifying each of the three states that the decision to begin sanction proceedings was “made in the light of the demonstrated effectiveness of helmets,” DOT pointed out that:

- NHTSA already had granted California, which could lose as much as \$47 million, a grace period “despite the failure of the helmet bill to pass during the 1974 [legislative] session.” NHTSA said it was recommending the sanctions after seeing “little or no impetus to enact the helmet bill now in the legislature;”
- Illinois, which risks losing up to \$29 million, once had a helmet law, but, it “was declared unconstitutional by the Illinois Supreme Court on narrow constitutional grounds,” and the state has since failed to “restore its law in a manner responsive to the Court’s concerns;”
- Utah, faced with an \$11 million loss, has petitioned for a waiver of the helmet requirement in view of its law requiring helmet use at speeds above 35 mph. DOT “will consider Utah’s petition . . . in weighing our ultimate recommendation on the question of sanctions,” the letter said.

Next in line for sanctions are those states without motor vehicle safety inspection programs, according to an NHTSA official. They are Alabama, Arizona, Iowa, Maryland, Minnesota, Montana, Nevada, North Dakota, Oregon, and Tennessee. California and Illinois also lack approved inspection programs. However, if they lose funds for not having helmet laws, they would not be penalized for their vehicle inspection deficiencies, the NHTSA official said.

These states, with the possible exceptions of California and Illinois, will receive all the funds due them for this fiscal year, although their long range plans will not be approved beyond Dec. 1, 1975, he said.

No timetable has yet been set for initiating sanctions against these states, the official told *Status Report*. DOT is “capable of taking on only so many states at a time,” he said, though lack of approval of their long range, “comprehensive plans” is, in effect, “a final warning,” he added.

According to a notice published in the *Federal Register*, June 13, nine states without classification of drivers' licenses and 17 states without periodic reexamination of drivers make up what NHTSA considers the third and least pressing area of non-compliance. "Alternative approaches to compliance" developed by some states "may prove satisfactory" in implementing these two standards, DOT said.

Virginia, for example, was recently granted a "temporary waiver" of the driver reexamination standard to allow the state to study the relationship between knowledge of the rules of the road and subsequent driver performance.

As long as states have "plans for achieving the purposes" of the two standards, their long range comprehensive plans and funding will be approved, DOT said.

Reaction of the states to DOT's use of penalties to enforce highway safety standards has not been favorable. According to a resolution passed by the National Governors Conference at its recent meeting in New Orleans, "The present ten per cent penalty clause in the Highway Safety Act should be replaced by a more positive incentive program to reward states with progressive highway safety programs"

Current sanction procedures provide that after public hearings, at which the states and other interested parties will be "afforded an opportunity to present views and evidence concerning the specified highway safety program deficiencies," FHWA and NHTSA administrators make their recommendations to the DOT Secretary.

Utah is scheduled to argue its case on September 4, Illinois on September 9, and California on September 11.

Further information on the hearings is available from the Presiding Officer, Sanctions Hearing Board, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590.

Bills Would Alter Penalty Authority

Two bills that could affect the Department of Transportation's policies for penalizing states that do not implement highway safety program standards are pending before the Congress.

One (HR 3869), introduced by Rep. Stewart McKinney (R-Conn.), would prohibit DOT from penalizing states that don't require motorcyclists to wear helmets.

The other (HR 8944), the Administration's proposed "Highway Safety Act of 1975," could reduce, by as much as half, the amount that DOT would penalize a state if the Secretary of Transportation determines that it is not making satisfactory progress in implementing the national highway safety program standards.

The House Public Works Committee's Subcommittee on Surface Transportation held its first round of hearings on the motorcycle helmet bill in July. Hearings on that bill and on the Highway Safety Act of 1975 are scheduled for September.

'Very Substantial' Increase Reported In 1975 Model Claims

The average size of collision claims for 1975 models shows a "very substantial" increase as compared with the corresponding dollar totals for the 1974 model year, according to insurance claim payment data contained in a report from the Highway Loss Data Institute.

The report contains initial results from a study of insurance collision claims for damage to 1975 model cars. It was published later in the model year than the corresponding initial report for 1974 models because "reduced registrations of 1975 models have resulted in corresponding lower numbers of insured vehicles," the report said.

A second report, published simultaneously, compares collision coverage claim data for 1975, 1974 and 1973 model years. Data in both reports were standardized to minimize differences that might be due to driver age and insurance deductible amounts.

The 1975 results also showed that in the seven vehicle market classes studied — sub compact, compact, intermediate, full size, luxury, specialty and expensive specialty — there were "consistent increases in claim frequency . . . compared to the corresponding 1974 models."

In each of the market classes studied, the increased claim size together with the increased frequency greatly inflated the average loss payment per insured vehicle year, the results showed.

INCREASES EXPECTED

The exceptionally large increases in average loss payment amounts ". . . were to be expected for the 1975 models, since automobile crash parts prices have been increasing at a rate far greater than that of the consumer price index and other economic indicators during recent months," the report said.

The increases in 1975 claim frequencies are, "at least in part, probably also due to this rapid inflation in charges for automobile crash parts, because these collision coverage insurance results are based on insurance coverage sold with \$50 and \$100 deductibles — amounts which must be exceeded before claims can be made. Thus, when the cost to repair the same automobile crash damage increases, the number of claims exceeding the deductibles will increase even if the total number of vehicles damaged remains unchanged," the report said.

SUB COMPACTS FARE POORLY

The initial 1975 results showed that, although increases were large in all seven market classes, sub compacts compared poorly with the other major market classes — compacts, intermediates and full size.

The report found, "All of the six sub compact vehicle series summarized had average loss payment amounts greater than \$600 (including three more than \$700), whereas only one of the six compacts, two of the eight intermediates and one of the eight full size vehicle series had averages above \$600."

The average loss payment per claim for 1975 sub compacts "showed an increase of 30 per cent over 1974 sub compacts," the report said.

In 1975, as in previous model years, the three minor market classes — luxury, specialty and expensive specialty — had higher claim frequencies and higher average loss payments per insured vehicle year than each of the major market classes, the report said. "In the case of average loss payment amounts, however, although the minor market class results were all higher than three of the major market classes, they were all lower than the sub compact results," according to the report.

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LOSS PAYMENT SUMMARY BY MAKE AND SERIES – 1975 MODEL INITIAL RESULTS – COLLISION COVERAGES

Make	Series	Total Exposure (insured vehicle years)	Claim Frequency per 100 insured vehicle years	Average Loss Payment per claim	Average Loss Payment per insured vehicle year
All	All	116,794	10.7	\$596	\$64
SUB COMPACT		12,463	10.0	690	69
Chevrolet	Vega Kammback S.W.	1,006	8.3	624	52
Chevrolet	Vega	2,151	10.2	638	65
Ford	Pinto S.W.	1,294	8.4	838	70
Ford	Pinto	1,199	11.1	649	72
Volkswagen	Rabbit	1,389	9.4	779	73
Toyota	Corolla	1,080	10.5	704	74
COMPACT		22,690	9.2	561	52
Pontiac	Ventura	1,085	8.3	401	33
Buick	Apollo	1,137	7.9	533	42
Chevrolet	Nova	4,506	8.6	521	45
Ford	Maverick 4-Dr. Models	1,102	11.0	475	52
Mercury	Monarch	1,791	10.1	560	57
Ford	Granada	6,109	10.1	668	67
INTERMEDIATE		30,121	10.4	564	59
Chevrolet	Chevelle 4-Dr. Models	1,058	10.5	474	50
Oldsmobile	Cutlass 2-Dr. Models	5,311	9.4	559	53
Dodge	Charger	1,044	10.1	563	57
Pontiac	Le Mans 2-Dr. Models	1,601	10.8	534	58
Chevrolet	Chevelle 2-Dr. Models	2,862	11.4	529	60
Chevrolet	Monte Carlo	4,989	11.5	544	63
Buick	Century 2-Dr. Models	2,536	10.6	646	68
Ford	Elite	2,977	10.6	637	68
FULL SIZE		28,240	9.8	541	53
Pontiac	Catalina	1,540	8.0	502	40
Chevrolet	Impala	3,173	9.0	458	41
Chevrolet	Caprice Classic	2,452	10.1	460	46
Buick	Le Sabre Custom	1,702	9.1	505	46
Ford	LTD	4,375	9.3	538	50
Oldsmobile	Delta 88	2,523	9.7	570	55
Buick	Electra 225	2,273	11.9	552	66
Oldsmobile	Ninety Eight	2,058	10.5	696	73
LUXURY		4,980	12.3	666	82
Cadillac	De Ville	3,488	12.1	671	81
SPECIALTY		8,675	13.7	643	88
Chevrolet	Camaro	2,822	14.6	564	82
Chevrolet	Monza	1,428	11.3	773	87
Pontiac	Firebird	1,538	14.3	651	93
Ford	Mustang II	2,826	13.9	680	95

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Make	Series	Total Exposure (insured vehicle years)	Claim Frequency per 100 insured vehicle years	Average Loss Payment per claim	Average Loss Payment per insured vehicle year
EXPENSIVE SPECIALTY		8,973	13.2	661	87
Chrysler	Cordoba	2,005	10.2	452	46
Mercury	Cougar	1,209	13.2	730	96
Pontiac	Grand Prix	2,158	13.8	718	99

(Cont'd from page 6)

Single copies of the reports, *Automobile Insurance Losses, Collision Coverages; Initial Results for 1975 Models* (HLDI R75-1) and *Automobile Insurance Losses, Collision Coverages; A Comparison of Results for 1973, 1974 and 1975 Models* (HLDI A-3), are available by writing to "R75-1" and "A-3," Highway Loss Data Institute, Watergate Six Hundred, Washington, D.C. 20037.

School Bus Seat Proposal Still Flawed

The National Highway Traffic Safety Administration has again revised its school bus seat proposal without correcting shortcomings of the original proposal issued more than two years ago. The proposal does not:

- set seat strength requirements for oblique or side crashes;
- prohibit hostile window frame structure, overhead hand grasps, foot rests, luggage racks, aisle poles or other needlessly hazardous interior features that are beyond a small designated protected zone around the seat.

NHTSA originally began its bus seat rulemaking in February, 1973, when it proposed strength performance tests for transit bus and school bus seats and proposed that the seat backs be at least 28 inches high. Under the proposal, manufacturers would not have been required, but would have had the option, to install safety belts. The agency proposed a Sept. 1, 1974, effective date for the requirements. (See *Status Report*, Vol. 8, No. 5, Feb. 26, 1973.)

In April, 1974, NHTSA issued a modified version of the bus seat proposal that would have applied only to school buses and would have delayed the effective date of the standard until Jan. 1, 1976. In addition, the agency dropped the seat belt option, while still proposing that seat belt anchorages be required so that school bus purchasers could install seat belts. However, the anchorages would not have been required to be as strong as those in cars.

NHTSA also dropped the upward seat strength proposal, designed to test seat strength in a rollover crash, and proposed that seat backs be 24 inches high, rather than the 28 inches it had proposed earlier.

The agency claimed that testing has shown that a 24-inch height will provide "adequate containment." It did not say whether such low seat backs might allow needless whiplash and other neck

injuries in crashes, or whether the 24-inch seat backs might allow collision between passengers' heads, a source of injuries in some types of crashes. (See *Status Report*, Vol. 9, No. 18, Oct. 11, 1974.)

In its latest notice, issued in April, NHTSA proposed retaining the 24-inch seat back height and delaying the effective date until April 1, 1976.

In support of its decision to require a 24-inch instead of a 28-inch seat back, NHTSA said that crash tests conducted by UCLA "indicated adequate containment with a seat back substantially equivalent to those required here. Testing with the Transbus seat [a prototype developed for DOT's Urban Mass Transit Administration] yielded similar results. And contrary to the impression held by some commenters, the seat back height requirement is not intended to provide whiplash protection; accident statistics indicate that whiplash is not a problem in school bus accidents."

However, when NHTSA issued its first bus seat proposal it stated that it was proposing a high seat back since "the lower the seat, the greater the likelihood that in a forward crash occupants behind it will be thrown over it, and that in a rearward crash the occupant in the seat will be exposed to head and neck injury or to rearward ejection."

Prior NHTSA proposals did not establish any strength performance requirements for side-facing or rear-facing seats. In the latest notice, NHTSA proposed that all seats face forward. The agency said, "If further research indicates that rear-facing or side-facing seats are equal or superior to forward-facing seats, and it appears that there is a market for them, appropriate requirements will be developed."

The agency said it plans to issue a final rule on the standard before Sept. 1, 1975.

Although the formal comment closing date for NHTSA's latest proposal has passed, comments can still be sent to: Docket 73-3, Notice 3, Docket Section, Room 5108, 400 Seventh Street, S.W., Washington, D.C. 20590.

House, Senate Disagree On Safety Funds

The House and Senate have passed measures approving differing amounts of money for the National Highway Traffic Safety Administration's budget for fiscal year 1976 (which began July 1, 1975). Both bills would cut funds for motor vehicle safety, but increase funds for the newly independent National Transportation Safety Board.

The two bills must now go to a conference committee to iron out differences. That committee will not meet until September when the Congress returns from its summer recess. DOT funding at present is authorized by a continuing resolution.

If the House-passed appropriations bill is adopted, it will represent a \$13.3 million reduction in NHTSA's \$180.2 million request and amount to \$5.1 million less than the Congress appropriated for NHTSA during fiscal year 1975.

As the result of a \$12 million increase in highway funds, the Senate version would provide \$7.3 million more in total funds than NHTSA requested. But, it would cut motor vehicle safety funds by \$4.7 million. (Motor vehicle safety programs have consistently received smaller shares of federal funds than have highway safety programs since both began in 1966. See *Status Report*, Vol. 9, No. 20, Nov. 11, 1974.)

PROPOSED CUTS

Both bills include a \$200,000 cut in the \$800,000 that NHTSA requested for air bag research.

Crash Recorder Being Developed

The Insurance Institute for Highway Safety is supporting a scientific manufacturing firm, the Breed Corp., in developing a low-cost, compact, crash recorder that measures impact velocity and direction.

The devices would be used by researchers in determining the consequences of real-world crashes. In quantity production, such units are expected to be installed by highway loss research workers in large numbers of vehicles at relatively little cost.

Prototypes of the device have been tested, and preliminary results indicate an acceptable degree of accuracy.

During hearings, members of the Senate Appropriations Committee urged NHTSA to concentrate on increasing safety belt use. The committee said in its report that it "wishes to emphasize that no actions taken by the Congress in the past or at present prevent the National Highway Traffic Safety Administration from developing incentive grant programs to encourage states to enact effective seat belt usage legislation within the limits of available funds." Last year, the Congress refused to appropriate new funds for belt law incentive grants. NHTSA interpreted this as prohibiting its use of existing funds for such grants. (See *Status Report*, Vol. 9, No. 13, July 8, 1974.)

CRASH DATA

Both House and Senate bills would appropriate the full request of \$7.2 million for accident investigation and data analysis. The Senate committee said it concurred with NHTSA's own admission that the agency "has lagged behind other federal agencies in the development of a viable statistical research operation. . . ."

However, both House and Senate bills would eliminate \$1 million NHTSA requested for crash recorders. The Congress denied these funds last year as well. (See *Status Report*, Vol. 9, No. 19, Oct. 29, 1974.) Crash recorders — devices installed in motor vehicles to record impact severity — can provide researchers with reliable, precise information on vehicle impact speed and direction.

Both committees, however, said that NHTSA should use some of its accident investigation and data analysis funds, "to investigate alternative strategies for obtaining crash severity data including the use of low cost recorders." The Senate committee said it "anticipates a report on the outcome of this investigation next year."

The Senate committee said it was concerned "by the lack of a national accident sampling strategy and data collection and analysis system which is needed to provide a valid statistical base for standards setting by NHTSA. . . ." The committee called for a "thorough review of the [National Accident Sampling] Plan by a broad group of subject matter experts prior to pilot implementation . . . in fiscal year 1976," and requested a report on this review.

The National Accident Sampling Plan is an NHTSA program that would establish at least "five accident research teams selected on a sampling basis who would investigate an average of 500 accidents per year," according to NHTSA testimony.

Other reductions in motor vehicle programs included funding cuts for defects investigations, vehicles-in-use research and vehicle structures programs.

HIGHWAY SAFETY FUNDS

The House bill cuts \$8 million in funds for grants to the states under section 402 of the Highway Safety Act of 1966. The Senate approved the full \$108 million requested and recommended an additional \$12 million "to continue to maximize state investment in high payoff areas such as alcohol countermeasures and selective traffic enforcement . . ." Both House and Senate also approved the full NHTSA request for \$6 million for Alcohol Safety Action Programs. (IIHS research has found no evidence that ASAP or FARE, a selective enforcement program, have reduced fatalities. See *Status Report*, Vol. 9, No. 13, July 8, 1974.)

During the floor debate, the full Senate accepted an amendment that restored funding, cut in committee, for an emergency medical services program. Sen. Richard Schweiker (R.-Pa.) said his amendment would restore \$450,000 to provide the full \$900,000 that NHTSA had requested for two demonstration projects. The projects, known as MECCA (medical emergency communications coordination assessment), "consist of a highly coordinated system of communications and transportation for accident victims at the scene and during transport to the hospital. Demonstrations will be conducted in Washington and Philadelphia during the height of the Bicentennial crowds," he said.

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Senate Approves Funds For Defect Test Center

The National Highway Traffic Safety Administration has settled for what it calls an engineering facility rather than the compliance test facility which it had long sought and for which the Congress has consistently refused funds.

The engineering facility is planned to "aid us in defects investigation work," according to NHTSA testimony before the House Appropriations Committee. The compliance test facility would have been used to test vehicles and equipment for compliance with all federal motor vehicle safety standards. NHTSA will still be able to do a "small amount" of compliance testing at the new facility, according to an NHTSA official.

Although construction of the compliance test facility was mandated by the Congress in the 1966 National Traffic and Motor Vehicle Safety Act, the Congress has consistently failed to appropriate funds for construction. (See *Status Report*, Vol. 9, No. 20, Nov. 11, 1974; Vol. 6, No. 11, June 6, 1971.)

NHTSA said it needs the engineering facility to fulfill the requirements of the Motor Vehicle and School Bus Safety Amendments of 1974 (PL 93-492). Under that act, anyone can petition NHTSA "to open a defects investigation should they believe they have a safety-related defect on the vehicle. That same legislation requires us to either open an investigation within 120 days or to publish . . . why we chose not to open such an investigation," NHTSA said in testimony. (See *Status Report*, Vol. 9, No. 19, Oct. 29, 1974.)

The Senate-passed bill contains \$1.3 million funding for the engineering facility to be constructed at a leased site near Columbus, Ohio. The House Appropriations Committee did not consider the request because NHTSA said the plan first needed approval from Commerce and Public Works Committees in both houses. Before the appropriations bill reached the Senate, those committees determined their approval was not necessary.

NATIONAL TRANSPORTATION SAFETY BOARD

The Senate appropriated \$11.95 million for the NTSB and the House bill's \$11.1 million was still a \$935,000 increase over the President's budget request and \$1.47 million more than the previous year. Both committees said they felt these increases are essential for the safety board "to effectively meet its responsibilities under the Independent Safety Board Act of 1974." However, only the Senate bill would provide all 118 new staff positions requested by NTSB. The House bill would cut the number of new positions to 70. (See *Status Report*, Vol. 9, No. 23, Dec. 26, 1974.)

'Su Carro Puede Estar Defectivo'

Motor vehicle and equipment manufacturers must send defect notification letters in Spanish as well as English to vehicle owners in Puerto Rico and the Canal Zone as the result of a new amendment to the National Highway Traffic Safety Administration regulation on notification procedures.

NHTSA said it "believes that the language problem is a significant factor in the below-average response to notification campaigns in Puerto Rico"

In June 1973, the Center for Auto Safety brought the low response rate to recall campaigns to NHTSA's attention. The center sent NHTSA a study conducted by the University of Puerto Rico's Consumer Research Center, which said it found "wholesale violations" of the law by manufacturers and "little interest in motor vehicle recalls" by dealers. (See *Status Report*, Vol. 8, No. 13, June 25, 1973.)

NHTSA subsequently conducted its own survey, which "confirmed that there was a need for bilingual defect notification." Puerto Rico is specifically included in the 1966 National Traffic and Motor Vehicle Safety Act, which established recall notification procedures.

The notice was published in the *Federal Register*, June 16, 1975, to become effective Sept. 14, 1975.

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the highway
loss reduction

STATUS REPORT

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