

Governors See Little Hope For Belt-Use Laws

The states' top executives have predicted a bleak outlook for any mandatory belt-use legislation coming before state legislators in the near future, although some have agreed to recommend consideration of such laws.

In letters to the National Highway Traffic Safety Administration (NHTSA), 27 governors or their representatives have responded to Administrator Joan Claybrook's Aug. 21 call for "renewed consideration" of belt use laws. (See *Status Report*, Vol. 13, No. 13, Sept. 20, 1978.) Many said they would continue to run belt-use promotional campaigns, despite their limited effects, but indicated that the American public isn't yet ready for belt-use laws.

Some Reactions From The States

Among the responses to NHTSA head Joan Claybrook's call for "renewed consideration" of mandatory belt-use laws:

MARYLAND

"Compulsory seat belt legislation has been before the Maryland General Assembly in the past. It has always met strong opposition from legislators reflecting the concerns of their constituents."

*Blair Lee, III
Acting Governor*

IOWA

"The climate of the Iowa General Assembly, based on an evaluation of the attitude displayed when considering highway safety legislation during recent sessions, offers no encouragement for passage of legislation 'aimed at self preservation.' . . . The needless death and injury, which could be

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No one argued with Claybrook's contention that "thousands of Americans are needlessly dying and being crippled in car crashes each year simply because they have failed to wear their safety belts." Claybrook urged the governors to consider mandatory belt-use laws because "the death and maiming promises to go on unabated" in the decade between now and the time virtually all the nation's cars will be equipped with passive restraints.

Oregon Gov. Robert Straub reflected the growing concern of the governors when he reported a state senate committee's failure to discharge a bill that had been approved by the Oregon house during the 1977 session. Straub, who had agreed to sign the mandatory belt-use law if it were passed, said, "I am aware of both the freedom of action arguments against the measure as well as the fact that some 100 persons who were killed in traffic since the last session would still be alive if the safety belt bill had passed and if it had been as successful as it has been in Australia and other countries."

Gov. Hugh Carey of New York said that a task force had "studied" the issue and concluded "passage of such a law may well be the most

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Governors See Little Hope For Belt-Use Laws (Cont'd from page 1)

cost-effective countermeasure to highway death and injury yet identified.” But many officials seemed to doubt the capacity of local authorities to enforce belt-use laws.

Iowa’s deputy commissioner of public safety, Robert Holetz, reported that a recent survey covering more than 4,000 Iowa motorists “disclosed that only 15 percent use seat belts and/or shoulder belts.” Holetz added that only 31 percent of the Iowans surveyed would favor mandatory belt-use legislation. California officials reported that 65 percent of the Californians surveyed are “opposed to seat belt legislation.” And in North Dakota, Gov. Arthur Link reported that three city surveys revealed that “36 percent favor a law, 36 percent oppose a law, and 28 percent are undecided.” Under those circumstances, Link said that a seat belt law looks “unlikely,” although “child restraint legislation might be considered.”

Three other states also indicated some interest in child restraints. (Currently only Tennessee requires children to be restrained in cars. See *Status Report*, Vol. 13, No.7, May 31, 1978.)

Gov. Robert Bennett of Kansas was among the most critical of Claybrook’s request when he took a slap at “big brother government.” “We have far too many federal and state rules, regulations and statutes . . .,” he asserted, and added, “How an officer could determine that a law was being violated by viewing a passing car, I don’t know. In any event, we currently do not have enough officers to enforce the 55 mile per hour speed limit, let alone a proposal such as you suggest.”

In other nations, belt-use laws have resulted in reported wearing rates ranging from a low of 50 percent in Canada to as high as 80 percent in Sweden. However, only 16 percent of U.S. drivers now buckle up, according to an early 1978 NHTSA survey, compared to 18.5 percent in 1976. (See *Status Report*, Vol. 13, No. 13, Sept. 20, 1978.)

Some Reactions From The States (Cont'd from page 1)

curtailed by utilizing occupant restraints, continues to be an enigma because drivers view traffic crashes impersonally.”

*Robert Holetz
Deputy Commissioner
Department of Public Safety*

CALIFORNIA

“A study . . . indicated that an improved seat belt design — ‘making them easier to use and wear’ — was the solution that was most likely to be successful in getting people to wear seat belts consistently.”

*Thomas A. Lankard, Chief
Office of Traffic Safety*

NEW MEXICO

“Our experience confirms . . . that there is little hope of voluntary compliance. Legislation has been introduced in the past in this state to require use of seat belts. However, the legislation was not passed.”

Jerry Apodaca, Governor

AMERICAN SAMOA

“. . . our speed limits are very low; basically 25 mph, except for a short distance in which 30 mph is allowed. Another factor is that our people are very husky and quite frequently, the seatbelts that come

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‘There Is A More Fundamental Approach’

Joan Claybrook, head of the National Highway Traffic Safety Administration, was recently quoted in the press to the effect that high-speed police chases are a threat to highway safety and should be more closely controlled by law enforcement agencies. In a letter to Claybrook, William Haddon, Jr., M.D., president of the Insurance Institute for Highway Safety, made these observations about the matter:

“I, of course, agree with your comments concerning hot pursuit. Many people are being killed each year, and needlessly. However, as important as more restraint on the part of police probably is as an approach to part of the problem, it certainly would never suffice, I believe, to eliminate it sufficiently, and there is a more fundamental approach, which would have payoffs in several other important directions.

“Simply stated, police and emergency vehicles should be the only ones permitted to be manufactured and sold capable of achieving high speeds (and even years hence, we will probably find that there should be a limit even to the speeds permitted then). As you well know, lowering the top speeds manufacturers are permitted to build into their vehicles (now commonly two or more times the highest legal speed in the country) would result in great savings in hydrocarbons for both tires and fuel, reductions in the wear and tear on vehicles, and more importantly, in huge savings in life and limb. And, of course, police would be a logical constituency for such a move, and hot pursuit of the sorts we have now would progressively disappear since the police would easily be able to catch any non-police, non-emergency vehicle without having to push their own vehicles to the utmost.”

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with new vehicles will be too short to be fastened. Thirdly, the climate is quite hot and humid and the belts add to discomfort. Nonetheless, we will continue to emphasize seat belt safety”

Peter Coleman, Governor

WASHINGTON

“We are finding that the majority of people are highly in favor of air bags and, to some extent, support automatic seat belts. It is hoped that automobile manufacturers will install air bags in the majority of cars, large and small.”

*Walter M. Friel, Director
Traffic Safety Commission*

MISSISSIPPI

“It is hard to believe that only about 16 percent of drivers use their safety belts. It appears that our drivers are very hard to convince that it is safe and proper to use their safety belts I would hesitate to suggest that a law be passed to require the use of safety belts until all possible alternatives to get compliance have been exhausted.”

Cliff Finch, Governor

Bumper Standard Is 'A Fraud,' Institute Says

The federal bumper standard that became effective this year for the 1979-model automobiles is "a fraud," the Insurance Institute for Highway Safety has told a House hearing.

The conclusion was based on the results of the Institute's low-speed impact tests of nine new-model cars, which showed that the tested cars, while complying with the current standards, still are sustaining "huge, unnecessary, unjustified amounts of damage" in minor collisions at 10 and even 5 miles per hour. "In a few cases," the Institute reported, "performance is better than in the past but, on balance, the picture is a disappointing one."

Estimated repair costs covering four low-speed tests ranged from \$2,420 for the worst performer to in excess of \$850 for the best.

"There is no real question that the 1979 models are in fact meeting the new federal standard," Ben Kelley, Institute senior vice president, told the House Consumer Protection and Finance subcommittee. "The standard is so weak, in fact, that some new cars were complying with it as long ago as 1974."

5 MPH BUMPER IS DISPUTED

Although the public has been led to believe that under the new law bumpers are required to prevent or reduce damage in all or most kinds of 5 mph frontal and rearward impacts, "Nothing could be further from the truth," Kelley asserted. He pointed out that the standard that took effect September 1 is limited to direct perpendicular impacts of a car into a test barrier at 5 mph, 5 mph perpendicular impacts by a pendulum, and corner impacts of the car's bumpers with a pendulum moving at only 3 mph.

"The current requirements include *no* impacts, at *any* speeds, with poles, angled surfaces, or other structures, including other cars, similar to those that drivers commonly impact at very low speeds in parking and backing situations every day, all over the country," Kelley noted.

Institute crash tests of the 1979 models included 5 mph front-into-angle barrier crashes, in which the estimated repair costs ranged from a high of \$366 for a compact Chevrolet Malibu to a low of \$14 for a subcompact Ford Mustang III. Tests of 5 mph rear-into-pole produced repair costs from \$259 for the Ford Mustang III to \$114 for the Plymouth Horizon.

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'Absolutely Shocking,' Says Congressman

"I think it is absolutely shocking that the automobile manufacturers have made so little progress since this act was put into effect in 1972," said Rep. Bob Eckhardt (D.-Tex.), chairman of the House Consumer Protection and Finance subcommittee, after hearing results of the Institute's 1979-model low-speed crash tests.

Eckhardt added: "Frankly, I think we ought to get a good deal stricter. I have some question in my mind as to whether or not we should so assiduously avoid design standards when all of these years have passed and we still are confronted with the same level of damage, and when it appears that the manufacturers are only attempting to meet a standard; that is, to make the cost of repair zero only on a direct frontal impact, without regard to the other types of damage that you have described here: the corner collision, striking of a pole, the real-world situations as we call them."

At 10 mph in front-into-angle barrier crashes, the repair cost was from \$1,036 for the subcompact VW Rabbit to \$547 for the subcompact Plymouth Horizon. And 10 mph front-into-rear crashes of the same models produced repair bills that ranged from \$925 for the compact Ford Fairmont to \$12 for the subcompact AMC Spirit.

Three models that experienced override due to their bumper designs showed the highest repair costs after front-to-rear crash tests, Kelley explained. "These results put the lie to claims that the federal standard's pendulum test requirement can effectively prevent bumper override in low-speed front-to-rear collisions," he commented. "The Institute test results also put the lie to assertions that better damage-resisting performance necessitates heavier, costlier-to-replace bumpers."

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Insurance Institute for Highway Safety
1979 Model Low Speed Crash Test Results^{1,2}

	5 mph front into angle barrier	5 mph rear into pole	10 mph front into angle barrier	10 mph front into rear			Total damage all tests
				front damage	rear damage	damage to both	
<u>SUBCOMPACTS</u>							
Plymouth Horizon	\$159	\$114	\$ 547	\$ 37	\$ 16	\$ 53	\$ 873
AMC Spirit	248	140	796	12	0	12	1196
Ford Mustang III	14	259	945	46	6	52	1270
Volkswagen Rabbit	172	119	1036	39	96	135	1462
Chevrolet Chevette	272	167	874	46	155	201	1514
Averages	173	160	840	36	55	91	1263
<u>COMPACTS</u>							
AMC Concord	273	144	750	18	48	66	1233
Plymouth Volare	271	179	795	131	142	273	1518
Chevrolet Malibu	366	168	990	284	191	475	1999
Ford Fairmont	361	220	914	722	203	925	2420
Averages	318	178	862	289	146	435	1793
Overall Averages	237	168	850	148	95	244	1498

¹Each damage appraisal was prepared by three members of an independent damage appraisal service using a labor rate of \$12 per hour.

²Rounded to nearest dollar.

Bumper Standard Is 'A Fraud,' Institute Says (Cont'd from page 5)

The best-performing car in the four test series, the Plymouth Horizon, had the lightest bumpers of any cars tested – only 41 pounds, or 1.8 percent of the car's curb weight.

“Today's new-car bumpers, on balance, perform no differently from those of the past few model years,” Kelley concluded. “They merely comply with the literal terms of a weak, inadequate federal test requirement that fails to represent low-speed crash conditions in the real world.”

FIGURE 1

Estimated costs to repair 1979 models
in five mile per hour crashes

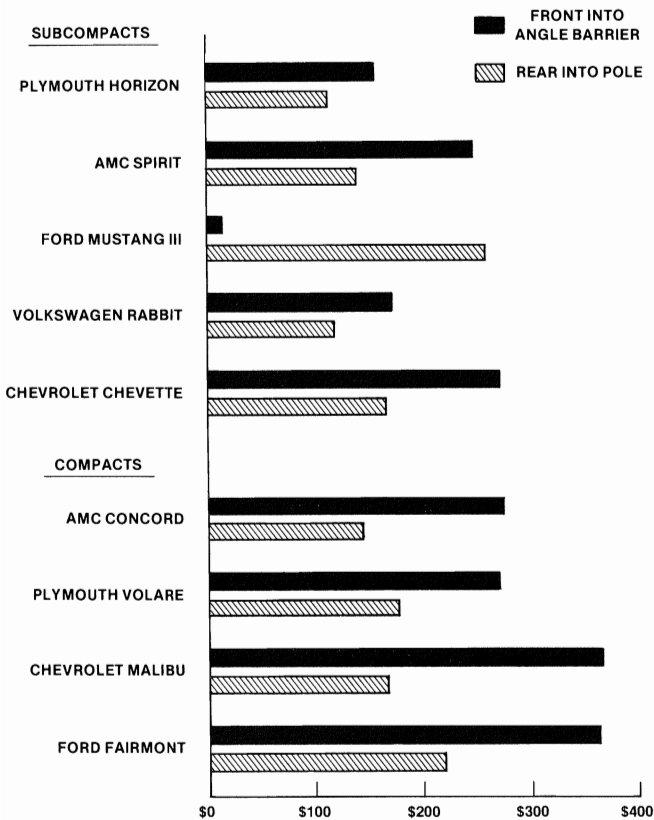


FIGURE 2

Estimated costs to repair 1979 models
in ten mile per hour front to rear crashes

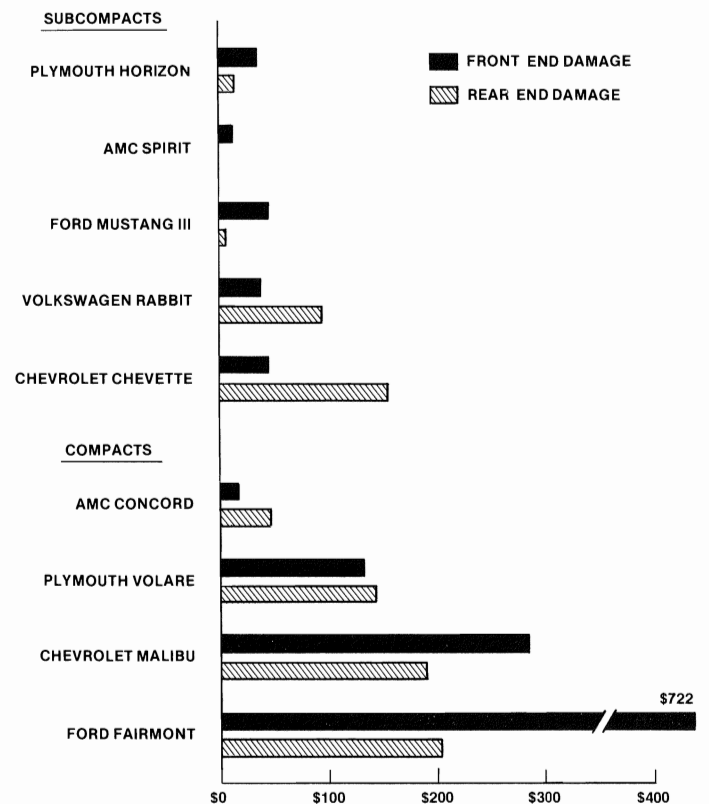


Figure 1, which summarizes the results of the two 5 mph crash tests, makes clear that the current federal standard is far from a mandate for a “5 mph bumper” and that huge variations continue to exist among the amounts of damage that, in effect, are being designed into new cars by manufacturers as the result of differing choices of materials, configurations, weights, and other bumper characteristics. Figure 2 shows a similar display of results for the 10 mph front-into-rear crashes. The worst damage in both the compact and subcompact classes was to models that experienced bumper override. (In both figures the cars are ranked within the compact and subcompact classes from the lowest to highest total amounts of damage in all of the crash tests.)

‘A Transition Standard,’ Says Claybrook

Responding to the Insurance Institute for Highway Safety testimony on effects of the bumper standard, Joan Claybrook, NHTSA administrator, had this comment:

“The 1979 model year standard is a transition standard. The old standards, which were designed to prevent damage to safety related equipment at a 5 mph impact speed, are replaced by the 1979 standard which prevents any damage to the body of the vehicle.

“The 1980 standard will prevent damage not only to safety equipment and the body of the car, but will also severely limit damage to the bumper itself. Thus, the big step in reducing bumper damage will occur in model year 1980.

“At the request of the Congress, we are now conducting an evaluation of the cost effectiveness of the standard. We expect a preliminary judgment to be completed early next year.

“The work of the Insurance Institute for Highway Safety on bumper effectiveness has provided important information to the public and has been critically important to the issuance of bumper standards and our evaluation of their worth.”

UPDATE . . .

TOYOTA FIRE CASE: In May the Insurance Institute for Highway Safety urged the National Highway Traffic Safety Administration to examine the fuel tank problems of the Toyota Corona, citing both a series of 1973 crash tests and a real-world crash of one of the cars in California. (See *Status Report*, Vol. 13, No. 11, Aug. 3, 1978) A lawsuit growing out of the real-world crash now has been settled for \$1.5 million. The plaintiff, Patricia Daniels, a 17-year-old driver at the time of the 1975 crash, was burned over 60 percent of her body. She was injured when her car, a 1969 Toyota Corona, was rear-ended by another vehicle, allegedly racing with a third car. Settlement was reached with the driver of the third car and the manufacturer, and suit still is pending against the driver of the second car, which impacted the Daniels vehicle.

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CHILD RESTRAINT STANDARD: The deadline for comments on a NHTSA proposal to amend the existing child restraint standard (FMVSS 213) for dynamic testing and anthropomorphic test dummies has been extended to Jan. 5, 1979. The proposed rulemaking would require dynamic testing of child restraints to protect children in frontal crashes up to 30 mph. (See *Status Report*, Vol. 13, No. 7, May 31, 1978.)

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