

Driver-Age Crash Data Analyzed

A larger percentage of young drivers is involved in fatal crashes of domestic small cars than in fatal crashes of Japanese-made small cars, an Insurance Institute for Highway Safety analysis has shown. Half of the drivers of the domestic models were found to be 25 years or younger, compared to 27 years for drivers of the imported cars.

In the same study the Institute found that a far larger proportion of young drivers is involved in fatal crashes in small cars than in large models. While the median age of drivers of small subcompacts was found to be 27 years, the median age ranges sharply upward with increasing car size to 47 years in full size cars.

Report Questions 'Tough' DWI Laws

"Tough" driving-while-impaired (DWI) laws, proposed or adopted in many areas recently in answer to a growing public concern, are not likely to reduce the numbers of alcohol-related deaths and injuries and may even be counterproductive, a National Safety Council committee has reported.

The Action Programs Subcommittee of the safety council's Committee on Alcohol and Drugs observed that, "Efforts to increase the severity of punishment apparently are based on the intuitive belief that severe penalties will deter significant numbers of DWI offenders, and that this will in turn reduce the numbers of deaths and injuries caused by such drivers. The scientific evidence, however, indicates that this does not happen."

Severity of punishment is just one of three elements in effective DWI laws, the committee reported. The other two, equally important, factors are the amount and type of enforcement and the speed and certainty with which the punishment is administered when an offender is apprehended.

The safety council group recommended these
(Cont'd on page 7)

The Institute and the United Services Automobile Association recently had jointly announced results of studies showing, both in terms of fatalities and injury claims, a worse experience for Japanese-made small cars than for the domestic small cars. (See *Status Report*, Vol. 17, No. 1, Jan. 5, 1982.) Although it has been suggested that the worse experience of the Japanese cars was due to their being driven more often by younger drivers, the new analysis contradicts that theory and eliminates relative driver age as an explanation of the variations in crash results between Japanese and similar-sized American cars.

The new analysis is based on 1980 data from the Fatal Accident Reporting System, maintained by the National Highway Traffic Safety Administration. It is part of the continuing study by the Institute of differences in injury and fatality experience between size classes of cars and individual makes and models.

In the analysis, ages were studied for drivers of passenger cars that were one to five years old and were in crashes resulting in one or more fatalities to occupants of the vehicle.

Younger drivers were disproportionately involved in single-vehicle crashes, the analysis reveals. Half of all drivers of small subcompacts so involved were 24 years old or younger. For subcompacts this median age was 23, for compacts 25, intermediates 28, and full
(Cont'd on page 8)

NHTSA Cancels Multipiece Wheel Rulemaking

After nearly a year of predicting the action, the National Highway Traffic Safety Administration (NHTSA) on February 22 formally abandoned rulemaking efforts to correct problems of explosive separation of multipiece rims manufactured for heavy trucks and some recreational vehicles.

As an explanation of its action, NHTSA argued that a 1980 regulation by the Occupational Safety and Health Administration (OSHA) effectively deals with most multipiece rim servicing problems, that two types of the wheels responsible for most of the reported explosive separations have not been manufactured since at least 1973, and that the trucking industry already is shifting away from the use of multipiece rims to single-piece wheels. (See *Status Report*, Vol. 16, No. 20, Dec. 21, 1981.)

NHTSA estimated that the cost of converting the trucking industry from multipiece rims would be from \$598 million to \$747 million. "This substantial cost cannot be justified, in light of the agency's belief that the separations of multipiece rims will decrease without the imposition of these costs," NHTSA commented in the order terminating rulemaking.

Agency Verifies Incidents

NHTSA acknowledged that it had verified 549 incidents of explosive separations of multipiece rims between 1954 and 1978. These resulted in 368 injuries and 89 deaths, the agency said.

Just three days before the rulemaking was terminated, the Insurance Institute for Highway Safety had submitted reports of 23 more incidents of rim separation, bringing to a total of 414 the cases reported to NHTSA. Nine of these incidents, including one resulting in a fatality, have occurred since the OSHA standard went into effect, the Institute pointed out.

"The OSHA standard can reasonably be expected to affect only tire service employees," the Institute said in a letter to Raymond A. Peck, Jr., NHTSA administrator. "The standard cannot reach the small businessmen and the drivers who use trucks and other vehicles equipped with multipiece wheels."

Chart, Poster Supplies Limited

The Institute pointed out that while the OSHA standard relies heavily on educational materials for effectiveness, its usefulness is hampered by the fact that "apparently the rim matching charts and safety posters put out jointly by NHTSA and OSHA are out of print and unavailable in quantity from any government source." Both NHTSA and OSHA report limited supplies, available only one to a requester, and the Government Printing Office said the materials have been out of print since Feb. 2, 1981.

\$1.8 Million Verdict Awarded in Multipiece Rim Suit

In one of the first multipiece rim damage suits to go to trial, a Montana Eighth District Court jury has awarded the victim of a rim explosion \$1.8 million in damages.

The plaintiff, 24-year-old Dennis Kuiper, received the damage award for injuries suffered in a 1979 incident when a Goodyear K Type multipiece rim exploded and struck him in the face. The Great Falls jury, finding that the rim was defectively designed and unreasonably dangerous, awarded the plaintiff \$325,000 in compensatory damages and \$1.5 million in punitive damages.

The shortage of charts and posters became evident when the Arizona Department of Transportation tried to get several copies for use in the department's tire repair facilities. The visual materials are important to provide "a continual daily reminder of the precautions that must be observed when servicing multipiece rim type wheels," a department spokesman said. Explaining that the state is making every effort to comply with the OSHA standard, the spokesman added: "At the same time, however, I feel that without the proper charts, compliance will be impossible and that the 'lasting effect' of any training provided will be substantially reduced."

Court Panel Hears Automatic Restraint Arguments

In oral argument before a panel of the U.S. Court of Appeals in the District of Columbia on March 1, attorneys for auto casualty insurance interests challenged the National Highway Traffic Safety Administration's (NHTSA) October revocation of a rule requiring automatic crash protection in new cars, under Federal Motor Vehicle Safety Standard 208. (See *Status Report*, Vol. 16, No. 17, Nov. 5, 1981.)

The court panel, composed of Judges David L. Bazelon, Abner J. Mikva, and Harry T. Edwards, has two possible courses of action: it can sustain the agency action or remand the case to the agency with instructions. Such instructions could cover a range of options, including asking NHTSA to provide more evidence to buttress its case or ordering the agency to reinstate the standard. They also could reinstate the standard but order the agency to preclude an easily detachable belt design which General Motors has said it intends to use.

Attorneys for State Farm Mutual Insurance Co. and the National Association of Independent Insurers (NAII) told the panel that NHTSA administrator Raymond A. Peck, Jr., erred when he ordered revocation of the standard. The basis of the error, argued James Fitzpatrick of Arnold and Porter, who represented State Farm, was that the administrator had looked at a new technology developed by General Motors, a so-called automatic seat belt that, in fact, could be permanently detached.

NHTSA Found Detachable Belt 'Automatic'

Not only did the administrator find the new design would meet the standard, said Fitzpatrick, he decided it resembled manual belts so much it wouldn't be used any more frequently than they are. On those grounds, said Fitzpatrick, Peck ordered cancellation of the rule.

There was no evidence to support the administrator's contention the new belt system would not raise seat belt use rates, Fitzpatrick said, because it had never been installed in cars and sold. In fact, automatic belts that had been installed in Volkswagens and Chevettes have achieved 60 to 70 percent usage rates, significantly higher than use rates in models equipped with standard belts, Fitzpatrick told the court. (See *Status Report*, Vol. 16, No. 7, May 13, 1981.)

Judge Mikva asked Fitzpatrick whether the standard had been devised to permit detachable automatic belts, and Fitzpatrick replied there had "always been a collateral concern" that emergency egress be permitted under the rule. "But never," said Fitzpatrick, "did anyone contemplate use of a belt that would not permit added safety."

If the administrator was right that the GM belt design would frustrate use, Fitzpatrick said, the agency "should have rejected the belt as not meeting the standard" instead of writing off the safety rule.

Fitzpatrick asked the panel to order reinstatement of the standard beginning Sept. 1, 1983, noting that was the lead time established under the standard, issued in 1977, approved by the court, and had been agreed to by the manufacturers.

Americans 'Asked To Die' For Less Regulation

Raymond Rasenberger of Zuckert, Scoutt, and Rasenberger, attorney for NAII, said the passive restraint rule wasn't just one of many standards issued by the agency, but was the centerpiece of its safety program. None of the other rules has the lifesaving potential of FMVSS 208, Rasenberger said.

(Cont'd on page 4)

Court Panel Hears Automatic Restraint Arguments (Cont'd from page 3)

The administration abandoned the standard “because two-thirds of the manufacturers said they would use the least beneficial system,” Rasenberger said. “This is the first case I can remember when Americans are being asked to die in the interest of less regulation.”

Rasenberger said the record shows that 68 percent of the people who do not use seat belts cite inconvenience, laziness, or forgetfulness as their reason for not utilizing them and not fear of entrapment, as the agency has claimed. Rasenberger called “ridiculous” NHTSA’s estimate that belt use will rise by only 1 percent under the rule.

David Allen, representing NHTSA, told the court that the National Highway Safety Act of 1966 does not mandate automatic restraints, but leaves NHTSA the discretionary right to repeal its rule.

Judge Edwards asked why the agency discarded the VW and Chevette evidence when their automatic belt systems had increased belt use from 40 to 70 percent. “That’s not minimal,” said the judge.

Allen replied that it was considered carefully, but was a small sample. He added that the “climate” had changed since the 1977 rule was adopted. Instead of regulating large cars, NHTSA was faced with the fact it would have a fleet of small cars equipped with automatic belts instead of air bags.

NHTSA Cites Change In ‘Climate’

Judge Edwards pressed Allen, saying, “Where is there evidence of public hostility” to automatic seat belts? Judge Mikva also said he was “troubled” by the lack of evidence. “Suppose GM hadn’t come up with this new belt,” Judge Mikva said. “Were there other reasons to chuck the standard?”

Allen answered, “The manufacturers found themselves in difficult circumstances and nobody was going to provide the system that (former Transportation Secretary Brock) Adams thought they would,” meaning air bags.

Should the case rest on whether or not seat belt usage will be enhanced or not enhanced by the standard, Allen conceded in answer to a question from Judge Edwards, the government’s position is “a lot shakier.”

“Why don’t you give us something to look at?” Judge Edwards asked, adding in reference to the government’s brief; “There’s no evidence in these pages, just assumptions and predictions.”

MVMA Supports NHTSA Position

Lloyd Cutler of Wilmer, Cutler, and Pickering, counsel for the Motor Vehicle Manufacturers Association, appeared in support of the government’s position. He cited a Volkswagen survey which indicates that “many” Volkswagen owners have developed the habit of unlatching their automatic belts. He added that GM had spent \$1 million advertising the Chevette’s automatic belt system, but only 13,000 out of a fleet of 25,000 were sold—3 percent of the total number of Chevetttes sold—despite financial incentives GM said it provided to sales personnel to encourage such sales.

(In 1980, the Insurance Institute for Highway Safety conducted an informal survey of Washington, D.C., and Richmond, Va., area Chevrolet dealers. Out of eight dealers surveyed, only one had a Chevette equipped with automatic belts. Sales personnel at the dealerships tended to disparage the automatic belt option. (See *Status Report*, Vol. 15, No. 5, March 26, 1980.)

. . . I am very much against dropping this requirement since the body repair cost now is very expensive and with the very thin sheet metal in bodies much damage can be done if the bumper does not absorb or at least ward off a 5 mile or less blow. . . .

William A. Grist, Sr.
Fayetteville, Ga.

I want all the engineering safety known to man in the car I drive in Atlanta traffic every day, including bumper safety, and I'm willing to pay for a first class product or a first class community.

Ruth H. Collins
Decatur, Ga.

I wish to protest the proposed abolition of the five mile an hour bumper regulation.

It is important for me to save hundreds of dollars on a low-speed rear-end collision and also avoid the hassle of repairs....

Richard Benson
Flushing, N. Y.

Please do not eliminate the 5 mph front and rear bumper crash standards. The present standards are such a big improvement over reduced or no standards that existed in past years, that I can hardly conceive of your agency considering reducing or abolishing the standards. . . .

Roland J. Brett, M.D.
Louisville, Tenn.

PLEASE - let's keep this useful type of bumper and save us all a lot of headaches, as well as money. . . .

Dorothy Kolkmeyer
Joplin, Mo.

With respect to auto bumper standards, I speak from experience (a 3 mph collision with *no* damage to either car) when I urge you to retain the 5 mph shock absorption features in auto bumpers. As a concerned citizen who objects to much of "government control," I heartily endorse this standard.

Herbert Malamud
Westbury, N. Y.

. . . I own a 1977 Volkswagen, purchased new, that is equipped with 5 mph bumpers front and rear. After several 2-to-3 mph collisions, both front and rear, I can only say that the bumpers are a money saver, inasmuch as my car has sustained no damage whatsoever to the body or lights. The only damage to the bumpers has been scratched paint.

Gary M. Thompson
Gresham, Ore.

I am appalled that your "safety" administration is even contemplating returning to the automobile junk era of baby carriage bumpers. . . .

William F. Meehan
Calverton, N. Y.

. . . Don't rip off the consumer, again, or rather, don't let the auto industry do it. We need higher standards, not lowered ones.

Charles W. Smith
Millbrook, Ala.

. . . Why turn the clock back to the 1950s and 1960s when bumpers were nothing more than chrome-plated decorations? . . .

Frank Sweeney
San Jose, Calif.

Please consider my vote FOR continued front and rear bumper standards of 5 mph *or more*. . . .

Gita Maritzer Smith
Atlanta, Ga.

Consumers Endorse 5 MPH Bumpers

In a flurry of letters, automobile owners from across the country have told the National Highway Traffic Safety Administration (NHTSA): Don't tamper with the 5 mph bumper standard. By last week 73 had sent that message in varying terms, while only 7 indicated they wanted the standard weakened. Since holding two days of hearings late last year, NHTSA has been studying proposals to abandon bumper crash standards or to roll back the bumper performance requirement. (See *Status Report*, Vol. 16, No. 18, Nov. 24, 1981.) On this page are excerpts from a number of the consumer letters.

As drivers and consumers, we question your judgment in advising relaxation of the present bumper standards. The present system has proven functional and the cost is not excessive.

Mr. and Mrs. R. W. Allen
Knoxville, Tenn.

We want to go on record as opposing the move to roll back the bumper standard. We think it is outrageous to reinstate increased consumer hassles and greater pedestrian hazards. . . .

Mr. & Mrs. D. Gunnulson
Mrs. Martin Gunnulson
Cambridge, Wis.

Danforth Opens Attack On Alcohol-Impaired Drivers

Sen. John Danforth (R.-Mo.), chairman of the Senate Surface Transportation Subcommittee, announced in a packed hearing that he and six other senators have launched a legislative effort to beef up state and local efforts to combat alcohol-impaired driving.

The proposed legislation would consolidate and revise some legislative proposals already introduced in Congress and add a new dimension. The proposals include:

- Establishment of a federal financial incentive for states to enact a model impaired-driving statute meeting specific minimum standards. They would include setting a blood alcohol content (BAC) reading of 0.10 as the legal definition of “intoxicated”; requiring automatic suspension of an individual’s driver’s license for one year if a chemical test shows him to be intoxicated; and confiscation of any motor vehicle operated by a driver whose license has been suspended or revoked for impaired driving.
- Beefing up the National Driver Register to provide quick nationwide access to information about traffic offenders through the use of computer technology.

The proposed bill also contains provisions that would allow access to the NDR by state motor vehicle administrators on behalf of federal licensing agencies such as the Federal Aviation Administration and employers of commercial drivers seeking to screen job applicants. The National Transportation Safety Board and the Bureau of Motor Carrier Safety would also be permitted access to the register through state motor vehicle administrators for investigatory purposes. The bill makes no provision for access by researchers or insurers.

Additionally, individuals could obtain certified copies of data contained in the register in order to ascertain the accuracy of their individual driving records.

- An amendment to the federal bankruptcy statute to classify alcohol-impaired driving as a “willful and malicious” act. Danforth said the reason for including the provision is that some judges have said impaired driving in itself is not “willful and malicious,” and for that reason victims of impaired drivers have been denied civil damages.

Several Co-sponsor Bill

Senators Claiborne Pell, Rudolph Boschwitz, Bob Packwood, Larry Pressler, John Glenn, and Barry Goldwater have signed on as co-sponsors of the bill. Sen. Pell (R.-R.I.) along with Rep. Mike Barnes (D.-Md.) introduced comprehensive legislation to establish alcohol safety programs (S. 671 and H.R. 2488) in March 1981. Pell, together with Reps. James Oberstar (DFL.-Minn.) and John Rhodes (R.-Ariz.), also sponsored twin bills (S. 672 and H.R. 2052) to computerize the NDR and allow trucking firms to screen job applicants through state agencies as an aid for detecting problem drivers. (See *Status Report*, Vol. 16, No. 4, March 17, 1981.) Both Pell and Barnes testified in support of comprehensive legislation during the hearing.

Danforth acknowledged that alcoholism and impaired driving are related and complex issues, but said the focus should now be to get drinking drivers off the roads and keep them off.

In testimony before the committee, Diane Steed, deputy administrator of the National Highway Traffic Safety Administration, said the agency would support a “modest” financial incentive to encourage state participation in alcohol highway safety programs, but that “a uniform national law is not the best way to solve the drunk driving problem.”

Research indicates that court sanctions and procedures appropriate in one state may not be appropriate for another, Steed testified. Although suspension or revocation of a driver’s license “can be an effective deterrent,” the agency opposes mandatory sentencing requirements and remains unconvinced mandatory jail sentences would actually result in removing impaired drivers from the road.

Sally Kirkpatrick, testifying on behalf of the Alliance of American Insurers, cautioned the committee not to adopt a “quick-fix” solution to the very complex drinking-driving issue. Kirkpatrick noted increased state legisla-

ture activity aimed at combating the problem, and suggested the committee allow the President's long-awaited commission on drunk driving and other groups to do their work and come up with possible solutions.

“Highway safety experts are in almost total agreement that if the death rate on our highways is to be reduced, anti-drunk driving legislation and the administration of existing regulations by state and local officials must be tightened and upgraded,” said Kirkpatrick. “Unfortunately, that is about all the experts agree on with respect to solutions to the alcohol problem.... Deterrence programs have been tried all over the world, but none over the long run have proven successful.”

Kirkpatrick cited a study supporting the Alliance's position by H. Laurence Ross, and said the Alliance's initiatives have included support for research conducted by the Insurance Institute for Highway Safety and the National Committee on Uniform Traffic Laws and Ordinances. (See *Status Report*, Vol. 16, No. 5, April 16, 1981.)

Report Questions 'Tough' DWI Laws (Cont'd from page 1)

policies to reduce the numbers of alcohol-related deaths and injuries on the highways:

- Increase the numbers of DWI offenders identified by improving enforcement. In particular, require that all drivers in moving violations or crashes be tested by a reliable breath alcohol screening device or some other chemical test for alcohol, and widely publicize these changes in enforcement.
- Eliminate severe penalties such as jail sentences for first offenders, and *mandate* license suspension and/or revocation for fixed periods for all convictions for DWI. Assure that *all* arrests involving DWI be identified on driving records.
- Change the procedures by which offenders are processed to assure swift and certain adjudication.
- Disallow present alcohol treatment programs as an *alternative* to license suspension or revocation. (Such programs could be an *additional* mandatory requirement for repeat offenders.)
- Adopt a legal minimum drinking age of 21, if the present minimum is lower.

Harsh penalties by themselves can actually weaken the deterrent effect of DWI laws, the committee explained, because they tend to increase plea bargaining, acquittals, police leniency, and even corruption.

Changing Public Perceptions

Because it has been estimated that there is only about one chance in 2,000 of being caught when driving while impaired, the committee advocated that jurisdictions concentrate on not only improving those odds but also making the public aware of the change. “Increased numbers of apprehensions and convictions would begin to establish the necessary conditions for deterrence, i.e. drivers perceiving that the chances of being caught if driving while impaired by alcohol are high, and that when caught, a penalty will be promptly applied,” the committee reported. “It is not certain that these changes would be sufficient to reduce the magnitude of the problem, but the evidence is convincing that without them there is very little chance of DWI laws reducing the numbers of alcohol-related deaths and injuries.”

Relatively moderate penalties, such as license suspension for first offenders rather than jail time, if swiftly applied should help build the perception that the offender will pay for DWI, the report said. Tougher penalties would be available for repeat offenders. To speed up the process, the committee suggests administrative procedures for license revocation, lessening the burden on the court system.

The safety council's committee report in practically all respects is in agreement with the recently released report of a New York state task force on alcohol problems. (See *Status Report*, Vol. 17, No. 2, Jan. 27, 1982.) It also stresses conclusions similar to those expressed last year by H. Laurence Ross of the State University of New York at Buffalo in a study for the National Highway Traffic Safety Administration. (See *Status Report*, Vol. 16, No. 5, April 16, 1981.)

Driver-Age Crash Data Analyzed (Cont'd from page 1)

size 41. (See Table 1.) There was little difference between the median age of the drivers of Japanese and domestic small cars involved in fatal single-vehicle crashes. (See Table 2.)

Table 1

**Distributions of the Ages of Drivers of Passenger Cars with
Occupant Fatalities by Car Size and Crash Type -
Cars 1 to 5 Years Old in 1980**

Car Size	Crash Type	Driver Age						Average Age	Median Age
		< 20	20 - 24	25 - 29	30 - 34	> 34			
Small Subcompact	All	19%	24%	18%	12%	28%	31	27	
	Single vehicle	23	27	19	11	21	29	24	
Subcompact	Car to car	15	21	18	13	33	34	28	
	All	19	25	16	9	30	31	26	
Compact	Single vehicle	24	29	14	9	23	29	23	
	Car to car	16	21	17	9	37	34	28	
Intermediate	All	16	21	13	9	41	37	30	
	Single vehicle	22	27	14	8	29	32	25	
Full Size	Car to car	12	15	14	8	51	41	35	
	All	13	16	11	11	48	39	34	
Full Size	Single vehicle	19	21	12	11	37	35	28	
	Car to car	11	12	11	10	56	43	39	
Full Size	All	8	11	7	7	67	46	47	
	Single vehicle	13	14	9	6	59	42	41	
Full Size	Car to car	3	5	8	5	79	50	52	

Quoted Without Comment

We can also be proud of the American auto industry's commitment to safety. The 19 cars with the best safety records are all U.S.-made, according to the analysis by the Insurance Institute for Highway Safety: a good reason to buy American cars.

— Transportation Secretary Drew Lewis
in a speech to the Society of
Automotive Engineers at Detroit
Mich., Feb. 25, 1982

Table 2

Distributions of the Ages of Drivers of Small Subcompact and Subcompact Passenger Cars with Occupant Fatalities by Country of Manufacture and Crash Type - Cars 1 to 5 Years Old in 1980

Car Size and Country of Manufacture	Crash Type	Driver Age					Average Age	Median Age
		< 20	20 - 24	25 - 29	30 - 34	> 34		
Small Subcompact								
Domestic	All	22%	27%	15%	9%	27%	32	25
	Single vehicle	29	27	16	8	20	28	24
	Car to car	12	29	14	12	33	35	27
Japanese	All	18	24	18	12	28	31	27
	Single vehicle	20	27	20	11	22	29	25
	Car to car	17	18	21	13	32	32	28
Subcompact								
Domestic	All	21	25	16	6	32	31	26
	Single vehicle	27	30	13	6	23	28	23
	Car to car	17	20	15	7	41	35	27
Japanese	All	19	26	15	11	30	31	27
	Single vehicle	23	28	13	10	25	29	24
	Car to car	14	26	21	8	31	31	27

NHTSA Finds Head Restraints Have Been Effective

Automobile head restraints, required for the past twelve years as a means of preventing whiplash injuries, have eliminated about 65,000 injuries a year, the National Highway Traffic Safety Administration (NHTSA) has estimated.

This was one measure of head restraint effectiveness reported by NHTSA in inviting public comments on an evaluation report of Federal Motor Vehicle Safety Standard 202, under which head restraints were required in the front seats of passenger cars manufactured after January 1969. The evaluation study was performed to comply with a White House directive to review existing major federal regulations.

Integral restraints (high seat backs) have reduced the risk of injury in rear impact crashes by about 17 percent, NHTSA reported. Adjustable restraints have brought a 10 percent improvement. The sharp difference between the two types is attributed to findings that 75 percent of the adjustable restraints are left in the down position, where they do not adequately protect a driver or front-seat passenger of average height.

Institute Had Similar Findings

The NHTSA findings, based on studies of Texas crash files as well as national data, were similar to those of a study reported in 1971 by the Insurance Institute for Highway Safety in which claim files of the State Farm Mutual Automobile Insurance Co. on nearly 7,000 front-to-rear crashes were examined. At that time head restraints were found to have reduced claimed whiplash injuries to drivers by 18 percent (22 percent for female drivers and 10 per-

(Cont'd on page 10)

NHTSA Finds Head Restraints Have Been Effective (Cont'd from page 9)

cent for males). At the same time the Institute surveyed drivers in Los Angeles and Washington and found 84 percent of male drivers and 71 percent of female drivers had their adjustable head restraints positioned improperly. (See *Status Report*, Vol. 6, No. 17, Sept. 20, 1971.)

Although integral restraints were found to cost about one-third as much as adjustable restraints, NHTSA said that the latter are installed in the majority of cars. "Customer preference for adjustable restraints seems to be motivated primarily by a perception that they are more stylish and comfortable than integral restraints," NHTSA said. Besides saving costs, installation of integral restraints in all cars would eliminate 20,000 more injuries each year, the agency estimated.

Higher Adjustable Restraints Suggested

Although it wouldn't save any costs, similar levels of injury prevention could result if adjustable restraints were all to measure at least 27.5 inches high in the *down* position, NHTSA said. The present standard requires that height in the *up* position for adjustable restraints.

Copies of the NHTSA evaluation report will be available from Robert Hornickle, Office of Management Services, National Highway Traffic Safety Administration, Room 4423, 400 Seventh St. S.W., Washington, D.C. 20590. Comments on the report are solicited for the next 60 days and should be directed to: Docket Section, Room 5109, Nassif Building, 400 Seventh St. S.W., Washington, D.C. 20590. Comments should refer to Docket No. 82-01; Notice 1.

Federal Departments Oppose Air Bag Tax Incentive

Both Transportation and Treasury Department representatives have opposed a bill proposing tax incentives as a means of encouraging installation of air bags in new cars.

On the second day of a Senate subcommittee's hearing on the measure, Raymond A. Peck, Jr., head of the National Highway Traffic Safety Administration, testified he would prefer a new air bag demonstration program similar to that negotiated by former Transportation Secretary William Coleman, and later cancelled by his successor, Transportation Secretary Brock Adams.

"Why keep demonstrating things?" questioned Sen. John C. Danforth (R.-Mo.), author of the tax incentive proposal, at the hearing before the Senate Subcommittee on Taxation and Debt Management. "We've been at this for 10 years."

Peck agreed that the term, "demonstration program" might not be appropriate. "One manufacturer strongly objects to even the use of that phrase," Peck explained. "He said it implies that we are using human beings as guinea pigs The purpose of the demonstration program we're talking about is to collect sufficient data and to have this technology out there on the highway saving lives every day rather than once or twice a year, so that people will understand both the positives and the negatives of the technology."

Failure Predicted For Incentive

The tax incentive plan, which would offer a \$300 tax credit for domestic auto makers for each car produced with air bags and impose a \$300 excise tax on the sale of cars produced without air bags, would fail in its purpose, Peck said. He argued that auto makers would face a \$300 tax per car in 1984 because "only an insignificant number of cars" could be equipped with air bags by that time, the proposed effective date of the bill. This would add to today's high prices for cars and further depress the auto industry, Peck said.

Telling Danforth that he had no doubt air bags would save lives and injuries, and that air bags would be cost effective even at today's high costs, Peck told Danforth that his agency is exploring the possibility of government purchase of air bag-equipped cars as well as the possibility of equipping only the driver's side of the car with an air bag. This, he said, would produce 75 percent of the benefits to be realized by a full front-seat system.

Gregg Ballentine, deputy assistant secretary for tax analysis in the Treasury Department, told the committee, "We do not believe . . . it appropriate to use the tax system as proposed in this bill to subsidize the installation of air bags."

At an earlier hearing before the subcommittee last month, auto insurers' and consumers' representatives endorsed the tax incentive plan. (See *Status Report*, Vol. 17, No. 3, Feb. 17, 1982.)

Update

SAFETY BELT COMFORT: The National Highway Traffic Safety Administration (NHTSA) has issued a final rule delaying for one year the effective date of requirements in FMVSS 208 for improved comfort and convenience of seat belts. The requirements, one of the last rulemaking actions published by the traffic safety agency under its previous administrator, Joan Claybrook, were to have become effective Sept. 1, 1982. In delaying that effective date to Sept. 1, 1983, the agency said that the recent rescission of the automatic restraint requirements of FMVSS 208 made it necessary to review the comfort and convenience rules for all motor vehicles with a gross vehicle weight rating of 10,000 pounds or less. (See *Status Report*, Vol. 16, No. 6, April 27, 1981, and Vol. 16, No. 2, Feb. 9, 1981.)

UNDERRIDE GUARD TESTS: A report of two tests in December of truck rear underride guards meeting the minimum requirements proposed in NHTSA rulemaking has been filed in the NHTSA docket. The tests, conducted at Dynamic Science, Inc., Phoenix, Ariz., were: The impact of a VW Rabbit into a tractor-trailer at 30 mph and the crash of a Chevrolet Impala into the tractor-trailer at 24 mph. Although it was reported the underride by the Rabbit was "not excessive," it was noted this was 92 percent of the maximum allowable. Because of this result the target speed of the Impala test was reduced to 25 mph; the underride in this case was 65 percent of the maximum allowable. Under the proposed underride rule, starting with the 1984 model year most new trucks and trailers over 10,000 pounds would have to be equipped with lower, sturdier guards than at present. (See *Status Report*, Vol. 16, No. 3, Feb. 25, 1981.)

CORRECTION:

In the announcement of the Institute's newly released film, "Faces in Crashes," in the *Status Report* of Feb. 17, 1982, it was stated that the film was also available in both 1/2 - inch and 3/4 - inch videotape cassettes for \$40. It should have been noted that the 1/2 - inch cassettes will be available only on special request.

On The Inside

- **DRIVER AGE CRASH DATA** for both domestic and Japanese small cars has been analyzed in a new study by the Institute. ...Page 1
- **'TOUGH' DWI LAWS** alone are not the answer to reducing alcohol-related deaths and injuries, a National Safety Council group reports. ...Page 1
- **MULTIPIECE RIM RULEMAKING** has been cancelled by NHTSA after nearly a year of predicting the action. ...Page 2
- **AUTOMATIC RESTRAINT** rule revocation by NHTSA has been argued in the U.S. Court of Appeals by insurance group attorneys. ...Page 3
- **CONSUMERS PROTEST** the proposed rollback of the 5 mph bumper standard in letters to the NHTSA rulemaking docket. ...Page 5
- **SENATOR DANFORTH** announces to a subcommittee hearing that others had joined him in bills to curb impaired driving. ...Page 6
- **QUOTED WITHOUT COMMENT:** Transportation Secretary Lewis cites domestic car safety in a speech to auto engineers. ...Page 8
- **HEAD RESTRAINTS** required under FMVSS 202 have saved about 65,000 injuries a year, a NHTSA evaluation study has reported. ...Page 9
- **TRANSPORTATION DEPARTMENT** and Treasury Department officials testify against a tax-incentive proposal for air bag installation. ...Page 10
- **UPDATE:** Seat belt comfort and convenience rules are delayed; NHTSA engineers report on test of truck rear underride guards. ...Page 11

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