

Statement of Dr. Sue Bailey
Administrator, National Highway Traffic Safety Administration
before the
Committee on Commerce, Science, and Transportation
United States Senate
September 12, 2000

Mr. Chairman and Members of the Committee:

I am pleased to appear before you this morning to address the investigation and recall of Firestone ATX, ATX II and Wilderness AT tires. The National Highway Traffic Safety Administration (NHTSA) has learned some valuable lessons from this recall, and now is the time to put those lessons to use in preventing future problems.

Secretary Slater has outlined the legislation that we believe we need. I will discuss what I believe we must do to improve our regulations and our internal procedures. First, let me summarize where we now are in the Firestone investigation.

The Firestone ATX/Wilderness Recall

Firestone originally began producing the tires under investigation in 1991. By the end of 1999, approximately 47 million had been produced. By that time, NHTSA had received 46 reports scattered over 9 years about incidents involving these tires. The tires were on a variety of vehicles, primarily on Ford Explorer sport utility vehicles. In view of the large number of tires that had been produced, the variety of possible causes of tire failure (road hazards, excessive wear, etc.), and the fact that all types of tires can fail in use, the reports that we received did not indicate a problem that would warrant opening a defect investigation regarding these tires. The informal submission by State Farm in 1998 of 21 claims over an eight-year period also did not provide such an indication.

The situation changed rapidly following the airing of a news story by KHOU in Houston on

February 7, 2000, that dramatized the question of the tires' safety. In addition to highlighting two fatalities, the KHOU story alluded to a number of other crashes and fatalities.

Upon learning of the KHOU story, we contacted the station to obtain more details about the incidents. They have not given us the information we requested, but the growing publicity generated other reports to us, including several provided by other media outlets and by plaintiffs' attorneys. Over the next few weeks, we were able to verify many of these reports. We opened a Preliminary Evaluation on May 2. At that time, the agency was aware of 90 complaints, including reports of 33 crashes, and 4 fatalities. On May 8 and 10, we sent Ford and Firestone extensive Information Requests asking for information about the tires. At that point NHTSA began a constant communication with both companies, which continues today.

Information accumulated rapidly as a result of the investigation and attendant publicity. By August 1, we had 193 complaints alleging tread separations on these tires, with 21 reported fatalities. In a meeting on August 4, we suggested that Firestone consider recalling the tires. By August 9, when Firestone announced that it was recalling the ATX and ATX II tires, and Wilderness AT tires produced at its Decatur, Illinois, plant, we had over 300 complaints, with 46 reported fatalities. The number has continued to grow. As of August 31 we had 1400 complaints with reports of 88 fatalities and 250 injuries involving the tires covered by the investigation. We will provide information about additional incidents as we collect it.

Firestone has recalled all of the ATX and ATX II tires of the P235/75R15 size manufactured since 1991. It has also recalled Wilderness AT tires of that size made at its Decatur, Illinois, plant, for a total of 14.4 million tires out of the 47 million tires covered by our investigation. As of August 9,

Firestone estimated that approximately 6.5 million of the 14.4 million tires included in the recall were still on the road. Ford and Firestone are taking a number of measures to provide replacement tires.

NHTSA is continuing its investigation to ensure that the scope of the recall is proper and that all unsafe tires are recalled. At our request, Firestone and Ford have given us voluminous information about the tires, and we have sent follow-up requests for additional information to both companies and to Goodyear Tire and Rubber Company, for a peer comparison. We are continuing to monitor the recall to ensure that all defective tires are replaced promptly.

Our review of data from Firestone has already disclosed that other tire models and sizes of the tires under investigation have rates of tread separation as high or higher than the tires that Firestone is recalling. On August 30, we recommended to Firestone that it expand its recall to include these tires. When Firestone declined to expand the recall, we issued a consumer advisory on September 1 to advise owners of these tires to take actions to assure their safety.

Lessons learned

As Secretary Slater stated in his opening remarks, we have concluded that we need to get additional legislative authority to enable us to learn of defects that first appear in vehicles or equipment in foreign countries. Such authority could have enabled us to learn of the problems being experienced by Ford and Firestone sooner than we did. If we get the additional authority, I assure you that we will work vigorously to use it.

We have also learned that we can do a better job of using the authority that we already have. In particular, we must accelerate our efforts to bring NHTSA's tire safety standard into line with current practice. We are expanding our review of the standard, which has not been significantly changed since

1968. The vehicles on the road today are much different than those of 30 years ago and are operated at higher speeds now that the national maximum speed limit has ended. We need to amend the standard to address those changes.

A number of claims, and several law suits, had been filed against Ford and Firestone before we became aware of any trend that would indicate a potential defect. We received no information about those events from the companies or from the plaintiffs' attorneys. Our current regulations do not require the manufacturers to give us information about claims or litigation. The existing law gives us broad authority to seek information from vehicle and equipment manufacturers during the course of an investigation. We plan to implement measures that would allow us to track claims and litigation information routinely, even as we are asking Congress to enhance our authority to get this information.

We will also continue our efforts to provide information to consumers about vehicle stability. It seems clear that the failure of these tires presents a greater risk to occupants of sport utility vehicles and compact pickups, with their greater susceptibility to rollover, than to occupants of passenger cars. We are urging the conferees on our appropriations bill for fiscal year 2001 to allow us to complete our implementation of the consumer rollover rating system proposed in June without delay.

Finally, we are taking a hard look at our investigative procedures to make sure we do not miss problems like this in the future. We will ensure that we use our people and resources in the most effective way and seek any additional resources that we may need.

Mr. Chairman, I want to assure you that this investigation is the highest priority in NHTSA. We will remain focused on the investigation, closely monitor the current recall campaign, and seek any expansion of the campaign that may be necessary.

Mr. Chairman, I want to conclude by expressing my thanks to you for holding this hearing. I will be glad to answer any questions you may have.