



ADVOCATES
for Highway & Auto Safety
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**STATEMENT OF JACQUELINE S. GILLAN
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ON

**“Oversight of and Policy Considerations for the National Highway Traffic
Safety Administration”**

BEFORE THE

**SENATE SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT
SAFETY, AND INSURANCE**

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

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Introduction

Good afternoon Chairman McCaskill, Ranking Member Heller, and members of the Senate Subcommittee on Consumer Protection, Product Safety, and Insurance. I am Jacqueline Gillan, President of Advocates for Highway and Auto Safety (Advocates). Advocates is a coalition of public health, safety, and consumer organizations, insurers and insurance agents that promotes highway and auto safety through the adoption of safety policies and regulations, and the enactment of state and federal traffic safety laws. Advocates is a unique coalition dedicated to improving traffic safety by addressing motor vehicle crashes as a public health issue.

According to the federal government, each year motor vehicle crashes claim more than 33,000 lives and millions more are injured. Each day, approximately 90 people die and more than 5,000 suffer injuries on America's highways. Every minute four people are injured and every 17 minutes a life is lost in a crash.¹ In the span of this hearing alone, seven people, more than the number of people on this witness panel, will have become victims of a fatal traffic collision and more than 450 will have been injured. The annual comprehensive cost of motor vehicle crashes is approaching one trillion dollars,² including productivity losses, property damage, medical costs, rehabilitation costs, congestion costs, legal and court costs emergency services such as medical, police, and fire services, insurance administration costs, costs to employers, and values for more intangible consequences such as physical pain and lost quality-of-life.

The Senate Committee on Commerce, Science and Transportation, under the leadership of Democrats and Republicans, has been responsible for some of the most significant advances in highway and auto safety beginning with the drafting and passage of legislation in 1966, leading to the creation of what is now the National Highway Traffic Safety Administration (NHTSA). Over the last 20 years, this Committee has passed other lifesaving measures requiring airbags as standard equipment in the front seat of all passenger vehicles as well as directing agency action on numerous vehicle safety standards on tire safety, child restraints, rollover protection, anti-ejection prevention, electronic stability control, roof crush strength, side impact protection, and rearview cameras.

Additionally, the safety title of the Moving Ahead for Progress in the 21st Century Act³, or MAP-21, was another important bill advancing safety. It included vehicle and traffic safety provisions directing agency actions on key lifesaving measures including occupant protection, teen driving, distracted driving, and impaired driving. In particular, this Committee held hearings and pushed passage of a comprehensive motorcoach safety bill based on numerous overdue and ignored recommendations, many of them decades old, issued by the National Transportation Safety Board (NTSB) to improve occupant protection and operational safety of intercity bus travel. Several safety accomplishments include a seat belt installation requirement which was issued in November 2013,⁴ as well as directing that final rules be issued on roof strength, anti-ejection glazing and rollover crash avoidance. I am attaching a list and a chart showing the status of key requirements enacted in MAP-21 to my testimony. These issues languished for years until specific deadlines for agency action were included in the recent reauthorization bills.

Even now, deadlines for the issuance of a number of final rules and other actions required by MAP-21 are delayed and will not be completed on time, including final rules on several key

motorcoach safety issues for roof strength, anti-ejection protection and rollover crash avoidance,⁵ as well as for improvement of child restraint systems also known as Lower Anchorages and Tethers for Children (LATCH), the criteria for increased civil penalties, and the study on the need for a vehicle electronics standard.

Despite these important safety gains, there is still an unfinished safety agenda. The reauthorization of MAP-21 provides an opportunity to address these safety concerns and take action to forge solutions. There is no question that hearings by this Subcommittee on the General Motors (GM) cover-up of a deadly defect in the ignition key switch have put a bright spotlight on outstanding problems and solutions that are needed. We cannot allow a lack of strong auto regulatory laws to combat industry failures, a lack of sufficient resources, a lack of accountability and a lackluster performance by NHTSA to jeopardize the safety of the public.

I welcome this opportunity to appear before you today to strongly endorse several important bills that have been introduced to address these defects in the law and deficiencies by NHTSA including Chairman McCaskill's comprehensive six-year reauthorization bill, the *Motor Vehicle and Highway Safety Enhancement Act of 2014*, S. 2760. This bill contains needed safety provisions and funding authorization levels to continue improvement of highway safety and reduction of traffic fatalities. I will discuss the need for this legislation as well as other bills pending before the Committee including *The Early Warning Reporting System Improvement Act of 2014*, S. 2151, *The Motor Vehicle Safety Act of 2014*, S. 2559, *The Automaker Accountability Act of 2014*, S. 2398, and *The Pedestrian Safety Act of 2014*, S.2284, as well as issues not yet introduced as legislation that are worthy of your support and leadership. We are very grateful to the Chairman and also Subcommittee Members Senators Richard Blumenthal (D-CT), Brian Schatz (D-HI) and Cory Booker (D-NJ), as well as Commerce Committee Members Senators Bill Nelson (D-FL) and Edward Markey (D-MA), and Senators Kirsten Gillibrand (D-NY) and Tammy Baldwin (D-WI) for cosponsoring these lifesaving pieces of legislation.

Lives Saved by Safety Systems and Programs

When Congress acts, NHTSA reacts and lives are saved. Laws passed by Congress, including those that originated with this Committee, and subsequent rules issued by NHTSA requiring vehicle safety standards and technologies have saved thousands of lives. NHTSA studies show that since 1975 motor vehicle safety technologies have saved nearly 418,000 lives.⁶ For example, frontal air bags, a safety technology that this Committee championed in 1991,⁷ saved 2,213 lives in 2012 and have saved nearly 37,000 people since 1991.⁸ Seat belts saved the lives of an estimated 12,174 people over the age of four in 2012, and nearly 305,000 lives since 1975.⁹ Child restraints saved the lives of 284 children age four and under in 2012 and more than 10,000 young children since 1975.¹⁰ These safety measures have the potential to save many additional lives and prevent costly injuries if they are used to protect everyone at risk who needs them. For example, in 2012 if all passenger vehicle occupants age five and over had worn seat belts, an additional 3,031 lives could have been saved, and a 100 percent motorcycle helmet use rate would have saved an additional 781 lives in motorcycle crashes.¹¹ In addition to laws requiring safety technologies, laws such as the 21-year-old minimum drinking age law saved 525 lives in 2012.¹² In 2012, electronic stability control (ESC) saved an estimated 1,144 lives among passenger vehicle occupants.¹³

A comprehensive NHTSA reauthorization bill with sufficient agency funding and requiring additional commonsense and cost-effective safety improvements will allow NHTSA to fulfill its statutory mission to prevent death and injuries and economic losses from motor vehicle crashes.

Sufficient Resources for NHTSA is Essential

NHTSA's funding and staffing levels have suffered over the years. Today, 94 percent of transportation-related fatalities and 99 percent of transportation injuries¹⁴ occur on our streets and highways and yet, NHTSA receives only one percent of the overall U.S. Department of Transportation (DOT) budget.¹⁵ NHTSA is responsible for the safety of over 300 million Americans who drive or ride in or are around more than 265 million registered motor vehicles that use our nation's highways.¹⁶ Even with the recent downturn in motor vehicle traffic fatalities, approximately 32,850 people were killed in 2013 on our highways¹⁷ and millions more were injured at an annual comprehensive cost of more than \$870 billion.¹⁸ Motor vehicle crashes are the leading cause of death for all Americans ages five to 24, and the second leading cause of death among children ages one to four and adults 25 to 44 years of age.¹⁹ In order to maintain safety gains and improve the agency's efforts in detecting and investigating safety threats, a justified and necessary increase in funding is essential.

The current agency budget for motor vehicle safety activities and research is a small portion of NHTSA's overall budget. Current funding for NHTSA's operations and research covering the Nation's entire vehicle safety program was only \$248 million for Fiscal Year (FY) 2013.²⁰ This total is grossly inadequate in the face of the agency's mission and safety responsibilities that affect every American and every registered motor vehicle on our roads. Moreover, this paltry sum has barely increased over the past decade.²¹ When accounting for inflation over that same time period, **NHTSA has effectively experienced a 9 percent decrease in funding for operations and research activities.** The agency's operations and research budget of \$248 million equates to NHTSA receiving less than a dollar for each of the 266 million registered vehicles on the road in the U.S.²² (94 cents to be exact). While NHTSA's safety budget has shrunk, the number of vehicles on the road the agency must regulate has increased by 23 percent, from 217 million vehicles in 2000 to 266 million in 2012.²³ NHTSA remains woefully under-resourced and the agency's ability to keep up with technology and crash and injury trends is imperiled by the lack of sufficient resources. There are hundreds of other federal programs of far less significance with higher budgets than NHTSA's. This is unacceptable in light of the important lifesaving mission of this agency.

The agency budget for vehicle safety should reflect its important lifesaving mission. In order to provide a solid foundation for NHTSA to address the safety of current and future vehicles, I urge the Committee to assure this small agency is given the funds needed to do its job. Laws and programs administered by NHTSA are responsible for saving at least an estimated 418,000 lives since 1975.²⁴ NHTSA authorization for operations and research should be substantially increased in acknowledgement of the daunting task the agency faces and tremendous beneficial impact the agency's work has on the lives of so many Americans.

Safety Bills Which Should be Included in the Safety Title

NHTSA is over 40 years old²⁵ and should be given authority and powers commensurate with the agency's experience and safety mandate. This responsibility should be coupled with powers that permit the agency to fully perform its duties and allow the agency to exercise its enforcement authority to ensure the safety of vehicles on our streets and highways. For this reason Advocates supports amending several federal laws to provide NHTSA with enhanced authority to address existing safety challenges with 21st Century approaches that will allow the agency to leverage its resources to protect the American public. Advocates strongly supports the following legislation.

The Motor Vehicle and Highway Safety Enhancement Act of 2014, S. 2760

We commend Senate Commerce, Science and Transportation Subcommittee on Consumer Protection, Produce Safety, and Insurance Chairman Claire McCaskill (D-MO) for introducing the Motor Vehicle and Highway Safety Enhancement Act of 2014, S. 2760, and strongly support its enactment. This bill provides for a six-year reauthorization of highway and auto safety funding at NHTSA and doubles NHTSA's funding for vehicle safety over that time period. It provides the agency the enhanced resources and authorities necessary to keep Americans safe on our roads and holds accountable those who willfully ignore or violate safety laws and regulations.

Specifically, Advocates supports the increases to the highway safety grant funds and the addition of eligibility to use the funds to reduce injuries and deaths to older drivers, to improve emergency medical services response to crash sites, and to create countermeasures designed to decrease deaths and injuries to pedestrians and bicyclists traveling in the roadways. More pedestrians were killed in motor vehicle crashes in 2012 than in any of the previous four years. Pedestrian fatalities have increased by 15 percent and the number of pedestrians injured has increased by 29 percent since the recent low in 2009.²⁶ In 2012, the latest year of data available, there were 4,743 pedestrian deaths and 76,000 pedestrians injured. Vulnerable populations make up a significant share of pedestrian fatalities. More than one-fifth of children ages five to 15 who were killed in traffic crashes were pedestrians. Older pedestrians (age 65+) accounted for 20 percent (935) of all pedestrian fatalities in 2012. Moreover, the fatality rate for older pedestrians (age 65+) was 2.17 per 100,000 population – higher than the rate for all the other ages under 65. In 2010, pedestrian crashes resulted in \$67 billion in comprehensive costs.²⁷

Additionally, we support the revision of the criteria states must meet to receive grant funding for enacting ignition interlock device (IID) laws. Currently, the grant program as interpreted by NHTSA after enacted in MAP-21, is overly prescriptive and hence ineffective. While 24 states have all-offender IID laws or laws required for the first offense of an offender with a blood alcohol concentration (BAC) of .08 percent, only two states received grant funding in FY 2013 and four states received grant funding in FY 2014. The commonsense changes contained in S. 2760 will help encourage states to enact IID laws which are effective and reduce the number of repeat offenders by 64 percent.²⁸ Since 50 to 75 percent of convicted drunk drivers continue to drive on a suspended license, it is essential that all drivers convicted of impairment be required to use an IID in order to prevent them from driving drunk in the future.²⁹

In 2012, an average of one alcohol-impaired driving fatality occurred every 51 minutes in our country resulting in a total of 10,322 deaths or almost a third of all traffic fatalities for the year.³⁰ According to the Centers for Disease Control and Prevention (CDC), adults drank too much and got behind the wheel to drive about 112 million times in 2010 – the equivalent of nearly 300,000 incidents of drinking and driving each day in America.³¹ Nationally, every two minutes, a person is injured in a drunk driving crash and, on average, one in three people will be involved in a drunk driving crash in their lifetime.³² Along with the unacceptable loss of life caused by drunk driving crashes, the financial costs are staggering. Nationally, drunk driving costs exceed \$206 billion annually.³³

Convincing and compelling studies show states that have adopted IID laws for all offenders are saving lives and reducing injuries. Arizona, Oregon, Louisiana and New Mexico have experienced dramatic decreases in drunk driving deaths of more than 30 percent after these states enacted an all-offender IID law.³⁴ In addition, when West Virginia adopted its IID program, recidivism was reduced by 77 percent among first-time offenders.³⁵

IIDs are proven technological vaccines that help to save lives and prevent the disease of drunk driving recidivism. Nearly eight in 10 Americans support requiring IIDs for all offenders convicted of driving while under the influence of alcohol (DUI), even if it is their first conviction.³⁶ Furthermore, 82 percent of offenders themselves believe the IID was effective in preventing them from driving after drinking.³⁷ We urge the Subcommittee to support this essential improvement to the current criteria.

The bill also addresses inadequacies in laws and regulations brought into the national spotlight by the GM ignition switch debacle. Current law covers manufacturers in bankruptcy reorganization proceedings but does not cover liquidation bankruptcies. This bill would close that loophole, ensuring further protections for consumers against auto safety defects. Moreover, the bill increases the per violation cap on civil penalties from \$5,000 to \$25,000 and eliminates the maximum total penalty cap, which is currently set at \$35 million. Further, the bill also expands civil penalties to cover not only those who violate auto safety laws or regulations, but also those who cause violations to occur as well. Critically important is the provision that gives federal prosecutors greater discretion, where warranted, to bring criminal prosecutions for auto safety violations and increase the possible penalties, including up to life in prison for violations that result in death.

Additionally, Advocates supports the advancement of The Raechel and Jacqueline Houck Safe Rental Car Act of 2013, S. 921, of which a modified version is included in S.2760. This bill is sponsored by Senator Charles Schumer (D-NY) and cosponsored by a number of Senators from both sides of the aisle including Subcommittee Chairman Claire McCaskill (D-MO) and Subcommittee Members Senators Barbara Boxer (D-CA), Richard Blumenthal (D-CT), and Brian Schatz (D-HI). This legislation will ensure recalled rental vehicles are fixed before a consumer gets behind the wheel. The measure is named in memory of Raechel and Jacqueline Houck, daughters of Carol (Cally) Houck, who were killed in a recalled rental car due to a defect in a steering component that caused an under-hood fire and led to the loss of steering control. The car had been recalled but had not been repaired before it was rented to the public. Raechel and Jacqueline were ages 24 and 20. The intent of the bill is to prevent future tragedies and to

allow consumers who rent or purchase rental cars, either new or used vehicles, to do so with confidence that the vehicles do not have latent safety defects that are subject to a safety recall. The following support this legislation: Carol (Cally) Houck, Consumers for Auto Reliability and Safety, Center for Auto Safety, Consumer Action, Consumers Union, Consumer Federation of America, National Association of Consumer Advocates, Trauma Foundation, Advocates for Highway and Auto Safety, and others (see attachment).

The Early Warning Reporting System Improvement Act of 2014, S. 2151, and The Motor Vehicle Safety Act of 2014, S. 2559

Revelations about the failure of GM to timely recall vehicles with ignition defects, which led to at least 13 deaths, brought a spotlight on inadequacies with NHTSA's recall process, consumer information, corporate and agency transparency, and penalties. Advocates commends Senators Edward Markey (D-MA) and Richard Blumenthal (D-CT) for introducing *The Early Warning Reporting System Improvement Act of 2014*, S. 2151, and Committee on Commerce, Science and Transportation Chairman Jay Rockefeller (D-WV) for introducing *The Motor Vehicle Safety Act of 2014*, S. 2559. Both of these bills include numerous provisions which are needed to reform agency practice and allow adequate public access to important agency records, and they are long overdue.

Currently, NHTSA is not making documents and investigations readily available to the public. In recent years the agency has reduced the size of, and access to, its technical library, discarded thousands of documents and reports of historical importance, and prevented public access to information by overly classifying records as confidential or requiring the public to seek records through lengthy Freedom of Information Act (FOIA) proceedings.³⁸ By making documents readily available to the public, NHTSA will reduce costs and resource burdens by eliminating the necessity for the public to needlessly file FOIA requests to obtain basic information. These two bills address many of the problems and failures identified in the GM oversight hearings held by this Committee.

These bills include provisions which:

- **Require NHTSA to Post Publicly Available Documents on the Agency Website:** NHTSA information and interaction with the public over vehicle safety recalls will be vastly improved if more information about recalls and defects is available. NHTSA should be required to post on its website all agency records and documents in the agency's possession that are not confidential.
- **Revamp the NHTSA Website to Make it User-Friendly:** The NHTSA website is difficult to use and it is hard to find information on the site. Many consumers have trouble understanding whether their vehicle, or a used vehicle they wish to purchase, has been the subject of a safety recall. The search engine generally does not locate items, even if the document is identified by name.
- **Require Early Warning Reporting (EWR) to Include Fatal Incident Claims:** The intent of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act³⁹ was to ensure that the DOT Secretary receives all reports of fatal traffic incidents that are alleged or proven to have been caused by a possible motor vehicle defect. However, under current NHTSA regulation, manufacturers need only indicate that a fatal crash occurred and do not have to provide copies of the underlying claim, notice or

articles that inform the manufacturer that a defect-related fatality involving one of its vehicles had taken place. The EWR law should be amended to require that for incidents involving a fatality, the vehicle manufacturer must submit to the DOT Secretary all claims or notice documents, and any amendments and supplements to those documents, other than medical bills, medical documents and information related solely to property damage, that notified the vehicle manufacturer of the incident.

- **Require that EWR Information be Posted Online in a Searchable Format:** The EWR information and data should be provided to the public in a searchable website that allows the public to pull together data by make and model from a series of EWR reporting periods.
- **Reverse Presumption Against Release of All Early Warning Information:** NHTSA would be required to amend its regulations to establish a presumption in favor of the public disclosure of all EWR data unless otherwise exempt from disclosure under federal law. The TREAD Act requires automobile and auto equipment manufacturers to submit EWR reports on crashes, fatalities and injuries to NHTSA to allow for early identification of incident and defect patterns. The EWR data was intended to be made public but the agency decided to classify most EWR data as confidential business information. The agency classification created a presumption that provides a blanket exemption from disclosure without any requirement or need for the submitter to certify or file any justification that the EWR data actually contains confidential business information. Much of the EWR data is non-privileged factual information that has nothing to do with protected confidential business information. The agency classification mislabels EWR data as presumptively confidential in order to prevent it from being released to the public.
- **Require “Issue Evaluation” Files Be Made Public (Secret Investigations):** Formal defect investigations are required to be made public. NHTSA has created new nomenclature for its preliminary defect investigations in order to avoid having to disclose information to the public. “Issue Evaluation” and other agency investigation files should be considered part of the agency’s formal defect investigation process and should be required to be made public.

In addition to these provisions, S. 2151 also includes provisions which:

- **Require NHTSA to Utilize EWR Data in Defect Proceedings:** NHTSA does not utilize EWR information in its investigations as a matter of course. The agency should be required to use EWR data as a source of information, when relevant, on any defect investigation.
- **Require Manufacturers Make Communications about Defects Public:** The bill amends current law to require that manufacturers, not DOT, make copies of internal manufacturer and dealer communications about defects and noncompliance publicly accessible on the Internet.

In addition to these provisions, S. 2559 also includes provisions which:

- **Authorize Judicial Review of Safety Defect Proceedings:** In light of the weak response of the agency to reported defect problems with sudden unintended acceleration, essential changes should be required in the manner in which the agency decides how and when to grant defect petitions and the basis for opening and closing preliminary investigations and

engineering evaluations. These final agency decisions should be subject to judicial review as is the standard practice for any other final agency order or decision.

- **Limit Assertions of Confidentiality to Trade Secrets:** NHTSA approves overly broad requests for confidentiality from manufacturers regardless of whether the information is truly confidential. The agency should be required to grant confidentiality only for specific data and information that is genuinely a corporate trade secret.
- **Authorize NHTSA to Expedite Procedures when Imminent Hazard Posed:** NHTSA should be authorized to expedite procedures for requiring a recall when there is an imminent hazard.
- **Create Corporate Responsibility for NHTSA Reports:** The bill would amend current law to direct that a rule must be issued to require senior corporate safety officials to affirm that responses provided to NHTSA are true and correct. Current law leaves this decision to the discretion of the agency.
- **Require Reports to Congress:** The DOT Inspector General (IG) is required to file four biannual Congressional reports on utilization of EWR information. Additionally, the DOT Secretary must report to Congress on the operations of the Council for Vehicle Electronics, Vehicle Software and Emerging Technologies.
- **Restrict Covered Vehicle Safety Officials:** Except for providing testimony, former DOT and vehicle safety officials are prohibited, for a period of one year, from any communication regarding any matter involving vehicle safety that seeks official action by any current NHTSA officer or employee on behalf of a regulated manufacturer.
- **Create a Vehicle Safety User Fee:** Starting one year after enactment, the DOT Secretary is to assess a user fee for each vehicle certified as compliant by a manufacturer. User fees are to be set at \$3 per vehicle in the first year, \$6 in the second year, and \$9 in the third year and each subsequent year, adjusted for inflation. The implementing regulation is to be issued in nine months.
- **Create Authorization Levels:** To carry out the Motor Vehicle Safety Act of 2014, the bill authorizes \$200 million for FY 2015, \$240 million for FY 2016, and \$280 million for FY 2017. We believe that these levels should be substantially increased for effective implementation.
- **Prohibit Preemption of State Law:** The bill prohibits the DOT Secretary, when issuing safety standards, from addressing the issue of preemption of state law regarding damages for personal injury, death, or property damage unless expressly authorized by Congress. It also declares prior preemption statements issued during the years 2005 to 2008 shall not be considered in determining whether state law has been preempted.

The Automaker Accountability Act of 2014, S. 2398

Recent safety defect issues have once again raised concerns about the authority of NHTSA to deter safety defects, to insist companies disclose safety defects once they are known to the company, and to impose appropriate sanctions on persons and companies that perpetuate safety defects. NHTSA's current civil penalty authority allows imposition of a maximum civil fine of only \$35 million (adjusted for inflation). This is far too small a sum to deter major international vehicle manufacturers from violating the requirements of the Motor Vehicle Safety Act.

The cap on civil penalty authority should be removed, and the maximum civil penalty per vehicle should be raised to the average sale price of a particular vehicle model, and criteria for

imposition of at least a minimum level of civil fines should be required for violations based on annual worldwide motor vehicle sales and/or on the number of vehicles affected by a safety recall or voluntary safety campaign.

Advocates strongly supports The Automaker Accountability Act of 2014, S. 2398, introduced by Senators Richard Blumenthal (D-CT), Edward Markey (D-MA), and Bill Nelson (D-FL), which removes the cap and increases civil penalties for a series of violations of federal motor vehicle safety requirements. Additionally, it subjects individuals who fail or refuse to perform an inspection, investigation, and record-keeping requirements pertaining to defective or noncompliant motor vehicles or motor vehicle equipment to fines of up to \$25,000 per violation. It should be noted that the Motor Vehicle and Highway Safety Enhancement Act of 2014, S. 2770, also removes the cap on civil penalties and increases the per violation penalty amount.

The Pedestrian Safety Act of 2014, S.2284

On average, every two hours a pedestrian is killed and every seven minutes a pedestrian is injured.⁴⁰ The Pedestrian Safety Act takes a comprehensive approach to implementing safety improvements to prevent needless deaths and injuries to pedestrians and bicyclists. A broad coalition representing consumer, health and safety groups, children and older adults, pediatricians, emergency nurses and walking and biking advocates (list of coalition is attached) supports the solutions proposed in S. 2284, sponsored by Senator Kirsten Gillibrand (D-NY) and cosponsored by Subcommittee Members Senators Richard Blumenthal (D-CT), Brian Schatz (D-HI) and Cory Booker (D-NJ), to improve safety for those who are walking or biking.

As noted above, more pedestrians were killed in motor vehicle crashes in 2012 than in any of the previous four years. In 2012, 4,743 pedestrian were killed and 76,000 injured. Similarly, there was a six percent increase in the number of fatalities of bicyclists and other cyclists from 2011 to 2012. In 2012, there were 726 bicyclists and other cyclists killed and an additional 49,000 injured. Vulnerable populations make up a significant share of pedestrian fatalities. In 2010, pedestrian / cyclist crashes resulted in an economic cost of \$19 billion. The comprehensive cost for these crashes was \$90 billion.⁴¹

To address this significant public health concern, improvements to both the vehicle and the roadway are needed to promote safety for pedestrians, bicyclists and motorists. It takes the comprehensive approach proposed in S. 2284 to effectively reduce preventable deaths and injuries. The MAP-21 Reauthorization Act, S. 2322, reported out by the Committee on Environment and Public Works, includes a provision in S. 2284 to add pedestrian safety roadway improvements to the list of safety projects that are eligible for 100 percent federal funding.⁴²

Being hit by a car does not have to be a death sentence. Advocates and supporters of the bill urge the Committee on Commerce, Science and Transportation, which has jurisdiction over requirements in the bill addressing motor vehicle safety improvements, to support enactment of provisions in S.2284 directing the DOT to issue a final rule establishing standards for the hood and bumper areas of motor vehicles in order to reduce the severity of injuries suffered by pedestrians and bicyclists that frequently result in death and lifelong disabilities. Just as added padding and restraint systems provide occupant protection inside the vehicle in the event of a crash, design improvements to the hood and bumper, which are already available on some makes

and models sold in the U.S., can protect pedestrians and bicyclists on the outside of the vehicle in the event of a crash. As we encourage people to get out of their cars and to walk and bike, it is essential that we create a safe environment for children and adults who choose this mode of transportation.

Traffic Safety Programs

For nearly 20 years, through four separate authorization laws, the nation has spent billions of dollars on traffic safety programs and various issue-specific incentive grant programs.⁴³ The highway safety and incentive grant programs have supported many worthwhile efforts, especially state and local enforcement campaigns that have been the cornerstone of local safety initiatives. Also, several states have adopted optimal safety laws in response to the incentive grant programs. However, while there has been progress in adoption of lifesaving traffic safety laws, far too many states have failed to enact numerous safety statutes resulting in an arbitrary patchwork quilt of laws across the nation.

In 1989, when Advocates was founded, only six states had a seat belt law subject to primary enforcement and no state's law covered rear seat occupants. In addition, not one state had enacted a statute requiring IIDs for drunk drivers or booster seats for children. Today, 33 states and the District of Columbia (D.C) have a seat belt law subject to primary enforcement and 17 of those states and D.C. extend the law to cover all occupants. Thirty-one states and D.C. have booster seat laws that cover children through age seven. IIDs for all drunk drivers are required in 24 states.⁴⁴

In 1989, 22 states and D.C. had laws requiring all motorcycle riders to wear helmets; however, that number has unfortunately decreased over the years to 19 states in 2014 leading to a tremendous rise in motorcycle rider deaths. The number of motorcycle crash fatalities has more than doubled since a low of 2,116 in 1997.⁴⁵ The use of electronic devices in motor vehicles was not yet common in 1989 but today 39 states and D.C. have recognized the significant public safety threat posed by distracted driving and have enacted all-driver texting bans subject to primary enforcement. Yet, despite some progress, far too many states still lack basic highway safety laws that have been proven to reduce occupant and motorcyclist fatalities, protect novice teen drivers, prevent drunk drivers from getting behind the wheel, and curb crashes due to distracted driving.

Today, the majority of states (33) do not have a seat belt law that is subject to primary enforcement for all occupants of a motor vehicle. States that have passed a primary enforcement seat belt law have seen dramatic increases in belt use rates. In 2013, states with primary enforcement seat belt laws had a use rate of 91 percent, while states with secondary enforcement laws or without seat belt laws had a seat belt use rate of 80 percent.⁴⁶ Seat belt use, reinforced by effective safety belt laws, is a proven lifesaver. Lap-shoulder belts, when used, reduce the risk of fatal injury to front seat car occupants by 45 percent and the risk of moderate-to-critical injuries by 50 percent. For light truck occupants, seat belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.⁴⁷

Currently, 19 states do not have a booster seat law that covers children through age seven although using a booster seat with a seat belt instead of a seat belt alone reduces a child's risk of injury in a crash by 59 percent.⁴⁸ Furthermore, expanded child restraint laws covering children through ages seven and eight were associated with a five percent reduction in the rate of children with injuries of any severity, a 17 percent reduction in the rate of children with fatal and incapacitating injuries, and a six percent increase in the number of booster-age children seated in the rear of the vehicle where children are more protected.⁴⁹

According to a 2012 Government Accountability Office (GAO) report, “laws requiring all motorcyclists to wear helmets are the only strategy proved to be effective in reducing motorcyclist fatalities.”⁵⁰ However, only 19 states and D.C. currently require all motorcycle riders to wear a helmet despite the fact that motorcyclist fatalities have more than doubled since a low of 2,116 motorcycle crash deaths in 1997.⁵¹ Moreover, according to the latest statistics from NHTSA, in 2012, there were 10 times as many unhelmeted fatalities (1,858) in states without a universal helmet law compared to states with a universal helmet law (178 deaths).⁵²

Motor vehicle crashes are the number one killer of American teens.⁵³ On average, more than seven teens were killed in the United States each day of 2012 as a result of motor vehicle crashes.⁵⁴ Teen drivers are far more likely to be involved in fatal crashes because they lack driving experience and tend to take greater risks, but there is a proven solution. States that have adopted graduated driver licensing (GDL) programs that introduce teens to the driving experience gradually by phasing in full driving privileges over time and in lower risk settings, have had overall crash reductions among teen drivers of about 10 to 30 percent.⁵⁵ However, at present, there is no state in the nation that has enacted all of the optimal GDL provisions recommended by Advocates.

Drinking and driving continues to be a national scourge on our highways. An average of one alcohol-impaired driving fatality occurred every 51 minutes in 2012.⁵⁶ Yet, the majority of states (26) do not require all drunk driving offenders to install an IID even though 82 percent of offenders themselves believe the IID was effective in preventing them from driving after drinking.⁵⁷ In addition, when IIDs are installed, they are associated with an approximately 70 percent reduction in arrest rates for impaired driving.⁵⁸

Finally, it is clear from a growing body of safety research, studies and data that the use of electronic devices for telecommunications (such as mobile phones and text messaging), telematics and entertainment can readily distract drivers from the driving task. In fact, sending or receiving a text message causes the driver's eyes to be off the road for an average of 4.6 seconds. When driving 55 miles per hour, this is the equivalent of driving the entire length of a football field blind.⁵⁹ Yet, 11 states still do not have a ban on texting while driving that is subject to primary enforcement and covers all drivers.

Advocates supports the National Priority Safety Programs, contained in Section 31105 of MAP-21,⁶⁰ that provide incentive grants to the states to pass these lifesaving safety laws. These grants are helpful to encourage action in state legislatures to pass measures that will reduce fatalities on our nation's roads. However, Advocates believes that the current requirements must be modified so that these grants serve as a true incentive to the states to strengthen their statutes. For both the

2013 and 2014 fiscal years, not one state qualified for a GDL grant and only eight states received federal funding to combat distracted driving including just one state in 2014. While Advocates urges Congress to amend these grant requirements so that they encourage states to enact these highway safety laws, modifications must not dilute requirements that have been proven to be effective in reducing deaths and injuries on our nation's roads. We would like to work with this Subcommittee to implement changes to achieve that balance.

While Advocates applauds NHTSA for reorganizing the oversight of its grant programs to the states including monies disbursed under the National Priority Safety Programs, the recent report by the DOT IG shows that there is still much work to be done. The IG report found that from FY 2006 to FY 2012 there was \$539 million in unexpended grant funds including \$331 million in 2012 alone.⁶¹ As the DOT IG report notes, funds left unused represent opportunities missed to support programs that reduce deaths and injuries. In addition, the DOT IG report also determined that NHTSA lacks a strategy to address delays in states using the funds that have already been distributed. Thus, for the National Priority Safety Programs to achieve beneficial results and exert positive impacts on safety, the grant requirements must be modified and NHTSA must do a better job in administering this critical initiative.

Additional Needed Motor Vehicle Safety Standards

The safety title of the MAP-21 reauthorization bill will influence our nation's safety agenda for years to come as well as the death and injury toll on our highways. There are several issues Advocates would like to bring to your attention for consideration and work with the Committee in advancing several key safety provisions. Every one of these issues represents an opportunity to address a serious and deadly problem.

Seatbelt Protection in Rollover Crashes

In 2012 alone, occupant protection measures including child restraints, seatbelts, frontal airbags and motorcycle helmets have saved at least 16,000 lives.⁶² Seatbelts have been proven to be effective at reducing the risk of injuries and fatalities in crashes in a large number of studies, in many cases cutting the risk in half.⁶³ In 2012 over 12,000 lives were saved by seatbelt use, and another 3,031 could have been saved with 100 percent seatbelt use.⁶⁴ Although seat belt use rates reached 86 percent in 2012,⁶⁵ nearly 45 percent of all car and light truck occupants killed in that year were using some form of restraint.⁶⁶ Upgrades to seat belt systems can improve seat belt performance and reduce the number of restrained occupants who are killed in motor vehicle crashes.

Rollover crashes have accounted for more than a third of all fatalities in these vehicles annually since 2005.⁶⁷ In 2012, 7,500 passenger car and light truck occupants were killed in rollover crashes, amounting to 35 percent of all fatalities in light vehicles.⁶⁸ Little has been done to improve occupant restraint system protection in rollover crashes. Improvements in vehicle design, and the adoption of regulations for ESC, roof strength, and ejection mitigation, which address some causes of rollover crashes and injuries, have not eliminated rollovers as a major source of serious head and other occupant injuries.

Current seatbelts systems are designed to provide safety in a frontal crash but do not retain the occupant in a safe position in the vehicle seat during a rollover crash. According to NHTSA data, 13 percent of fatal occupants and 27 percent of seriously injured non-fatal occupants who were partially or completely ejected through side windows in rollovers were belted.⁶⁹ These statistics reflect the inability of current seatbelts to perform effectively in rollover crashes.

Given the large number of rollover deaths and injuries that could be prevented or mitigated, NHTSA should be directed to issue a final rule to establish vehicle seatbelt rollover crash performance requirements, based on occupant excursion or other safety performance measures that require the use of existing technology, such as pre-tensioners, emergency locking retractors, and other belt-based safety devices to reduce occupant motion relative to the vehicle in the event of a rollover crash.

Electronics Safety Standard

In recent years, nearly all vital functions of motor vehicles have become reliant on electronic systems and computer controls. Critical safety systems such as the vehicle transmission, throttle control, braking and power window systems, as well as occupant restraint systems, among other functions, are dependent on electronics and are monitored and governed by electronic control units. Vehicle electronics are vital to the proper operation of all new passenger motor vehicle models. Modern motor vehicles are built using, on average, 40 electronic controllers, five miles of wiring that support numerous functions and are monitored and regulated by 10 million lines of software code.⁷⁰ MAP-21 requires the DOT Secretary to complete an examination of the need for safety standards to ensure a minimum level of performance by electronic systems in passenger vehicles. The study is required to consider electronic components and the interaction of those components, the security needs for electronic systems to prevent unauthorized access and the effect of the surrounding environment on the vehicle electronic systems.⁷¹ The NHTSA study is still in progress and will not be submitted to Congress by the September 30, 2014 deadline.

Despite the on-going study, Advocates is concerned that the failure to adopt minimum standards for complex electronic functions will lead to potentially serious safety problems. In the past six months alone, manufacturers have twice filed petitions requesting a decision of inconsequential noncompliance regarding interference with vehicle displays by non-safety systems such as accessing the radio, an mp3 player, or Bluetooth® connected phone. In each case the use of a non-safety function interfered with a vehicle safety function causing a non-compliance with Federal Motor Vehicle Safety Standards (FMVSS). While these two situations may not have seriously compromised safe operation of the vehicles involved, they are clear examples of the need for a safety standard. At a minimum, such a standard for vehicle electronics should ensure that the proper functioning of safety systems cannot be degraded, inhibited, or interfered with by non-safety features.

Seatback Strength

The safety standard for seatback performance has not been upgraded since it was first adopted in 1967. When the driver or front passenger seatback fails or collapses in a crash, it endangers both the front and rear seat occupants. Regulatory compliance rear impact crash tests for fuel system integrity (FMVSS 301), conducted by NHTSA, reveal that almost every seatback fails, allowing

a front seat occupant to be propelled into the rear seating area. Seat belt systems that are effective in frontal crashes are not designed to keep front seat occupants from slipping out of the belt system when the seatback collapses, leading to an increase in the risk of injury to the front seat occupant, often paraplegia or quadriplegia.

Parents have long been advised to secure young children in the rear seat. Also, as the U.S. passenger vehicle fleet gradually downsizes in response to more costly fuels as well as environmental concerns, the distance between front seats and rear seated occupants will be reduced. Children's Hospital of Philadelphia (CHOP) has determined that collapsing seatbacks are a serious threat to children seated behind adult occupants in the front seats. Many children were found to have been injured in crashes in which seatbacks collapse or there is excessive seat deformation. The failure of a seatback directly in front of a child places the child at risk, and when there is an occupant in the seat that fails there is double risk of injury to the child.⁷² NHTSA noted in a 1997 study that an examination of the interaction between front seatback failures and injuries to rear seat occupants may be important to assess the entirety of the occupant protection implications of seatback failure.⁷³ NHTSA has stated that the weight of a passenger when added to the weight of the seatback itself will, even in a low severity crash, produce loads exceeding the level required by FMVSS 207.⁷⁴

In light of this information and the lack of action by the agency, we strongly urge this Committee to direct the DOT to upgrade the performance of vehicle seatbacks, including head restraints, to increase the protection of children and adults in passenger motor vehicle crashes. The seat back standard is more than 45 years old and needs to be upgraded.

Consumers Must Be Able to Purchase Safety Equipment as Stand-Alone Options

Safety systems that are not required as standard equipment by federal regulation are promoted by vehicle manufacturers as optional equipment, but are often sold bundled together with non-safety features and only in certain vehicle model trim levels. For example, in 2012, consumers could not purchase a rearview or back-up camera system on the basic model of the highest selling passenger car.^{75,76} Back-up camera systems, which are not yet required in all vehicle models until the new standard takes effect in 2018,⁷⁷ were available only in a pricier version of many vehicle model lines, and then only as part of an expensive options package including many non-safety upgrades such as a power moon-roof, push button engine start, auto dimming mirrors, and leather trimmed seats that cost as much as \$5,175.⁷⁸

In this example, a safety conscious consumer looking to buy what at that time was the country's most popular passenger car would have to pay a 28 percent premium over the base price for improved rear visibility that could save the life of a child or pedestrian. This additional cost for consumers is even more shocking considering that NHTSA has already concluded that installation of rearview cameras would cost no more than \$203.⁷⁹ The current practice of bundling identified safety technologies into convenience packages that include non-safety features benefits the manufacturer's bottom line, but not the wallet of consumers. It forces consumers either to risk their safety and the safety of others to avoid paying extremely high prices for critical safety features not yet required by federal safety rules or to purchase non-safety features and equipment they do not want in order to get a desired safety protection feature.

Safety conscious consumers should not be limited to the marketing campaigns of vehicle manufacturers when it comes to safety equipment. We urge the Committee to support amending federal law to authorize and direct the DOT to issue a final rule requiring that manufacturers must offer for sale as a stand-alone option (separately from any other technology or options package) any safety device, feature or technology that is listed by NHTSA as a recommended safety feature by the New Car Assessment Program (NCAP). Any such safety device, feature or technology that is offered on any trim level of a vehicle model must be offered on all trim levels of that vehicle model.

Crash Avoidance Technology Can Reduce Large Truck Crash Involvement

In 2012, there were over 5.6 million crashes on U.S. roads which injured over 2.3 million people and claimed the lives of over 33,500 people.⁸⁰ Despite representing only 4 percent of registered vehicles, collisions involving large trucks accounted for 12 percent of all fatalities in 2012.⁸¹ Nearly 60 percent of all large trucks involved in fatal collisions in 2012 were in frontal impacts. Frontal impacts also accounted for 45 percent of all large trucks in injury crashes, and 36 percent of all large trucks in property damage only crashes.⁸² In fatal two-vehicle crashes involving a large truck, the front of the vehicle was the impact point on the large truck in 62 percent of the cases.⁸³

Crash imminent braking (CIB), also called an autonomous emergency braking system (AEBS), is a crash avoidance system that can detect objects or obstacles in the vehicle path and apply the brakes automatically to prevent or mitigate frontal collisions. It is important to note that these systems do not take control of braking away from the driver unless a collision is imminent and almost unavoidable. This type of automatic braking system would both alert the driver and automatically begin braking in cases where the driver is not alert to the emergency nature of the situation.

The Insurance Institute for Highway Safety (IIHS) found one vehicle manufacturer's CIB system reduced bodily injury claims by 18 to 33 percent, property damage liability claims by 15 to 16 percent, and collision claims by nine to 20 percent.⁸⁴ Research by the European New Car Assessment Program (EuroNCAP) suggests that CIB systems can reduce crashes by up to 27 percent.⁸⁵ A 2009 report on Forward Collision Warning Systems for trucks (which are basic CIB systems that only warn but do not autonomously brake the vehicle) found that these systems could prevent as many as 18,000 rear-end crashes of trucks into other vehicle.⁸⁶ The NTSB previously included a mandate for CIB systems as part of its 2013 Most Wanted List,⁸⁷ and the European Union requires these systems on new heavy trucks and buses which were phased in beginning in 2013 and will apply to all trucks and buses by the end of 2015.⁸⁸ Even where CIB systems cannot completely prevent a collision, the technology provides a significant benefit by reducing the impact speed at which a collision would otherwise have occurred, resulting in less severe injuries.

Advocates urges Congress to expedite the installation of this safety technology by directing DOT to establish a safety standard that sets performance requirements for CIB systems and requires the installation of CIB systems that meet the performance requirements in trucks and buses.

Reminders to Prevent Unattended Child Deaths

All too often, adults inadvertently leave infants and young children in child restraint systems in the rear seats of passenger vehicles and many of these incidents tragically lead to death. Among parents with only a child or children age three and under, 23 percent said that they had mistakenly left a child in a locked and parked vehicle.⁸⁹ Exposure of young children, particularly in hot and cold weather, leads to hyperthermia and hypothermia that can result in death or severe injuries. In 2013 alone, 44 children in the U.S. died of heatstroke.⁹⁰ Over the period 1998 to 2013, 606 children were killed from heatstroke.⁹¹ This is the leading cause of non-crash-related deaths among children 14 and younger.⁹² Of these needless deaths, 52 percent occurred when children were forgotten in the vehicle.⁹³ This risk of heatstroke is higher among children than adults because a child's temperature heats up three to five times faster and risk is exacerbated if the child is too young to communicate.⁹⁴

Just as with the issue of rear visibility and the inability of drivers to see in blind zones behind a motor vehicle, educational campaigns alone are not enough to stop these preventable deaths. Such inadvertent deaths can be avoided by equipping vehicles with sensors to detect the presence of the child and sound a warning at the time the driver locks the vehicle with a child inside. This is not rocket science. Similar warning features currently remind drivers when they have left the key in the ignition, left the headlamps on, and when a door or trunk is open while the vehicle is in motion. We urge the Committee to support a technological solution to this deadly problem including requiring the agency to issue a final rule by a deadline date within the next few years.

NHTSA Crash Data Collection Improvements – Need for Use of Cameras

Crash data collection is among the many critical areas under NHTSA's jurisdiction that urgently need to be modernized. Presently the agency oversees the collection of crash data for three related databases; the General Estimates System (GES) and the Crashworthiness Data System (CDS) which together are known as the National Automotive Sampling System, or NASS, and the Fatality Analysis Reporting System (FARS). The data collected for these systems form the bedrock of almost every safety analysis conducted by NHTSA and other federal agencies, and form the foundation for safety initiatives and rulemaking. Despite the fact that these databases are critical to identifying safety problems and developing safety countermeasures, the crash data systems have been woefully underfunded.⁹⁵ This has limited the collection and availability of data and the strength of research needed to improve vehicle safety to address the injuries sustained by more than 2 million people and the more than 33,000 deaths that occur each year in traffic-related collisions.

The underlying original source for the data used in the NHTSA crash data systems are police accident reports (PARs) generated by law enforcement officers responding to motor vehicle crashes. NHTSA collects information from police reports in every fatal crash in the FARS database, providing a census of all fatal crashes each year. The agency also collects information from police reports on a statistically based sample of approximately 50,000 non-fatal crashes, out of the more than 5 million crashes reported annually, in the GES database in order to develop an overview of motor vehicle crashes. The agency then investigates a selected sample of these cases to obtain in-depth data beyond the information contained in the police reports, as part of the NASS-CDS database for the analysis and development of safety countermeasures.

The CDS system, as originally conceived, was intended to conduct extensive investigations of a sample of 19,000 of the cases selected from the GES. As of 2012, the number of cases investigated has fallen below 4,000 and the agency has predicted that just over 3,000 cases were investigated in 2013. Budget limitations have severely reduced the capability of the program to less than a quarter of the original design size that was considered necessary as a minimum requirement to provide a robust sample of crashes involving recent vehicle models. This lack of funding seriously compromises the usefulness of the data that is critical to issuance of federal motor vehicle safety standards.

The modernization and improvement of the PARs which form the basis of the entire data collection system is a critical and necessary step. Considering the significantly limited number of cases which the agency is currently able to investigate, it is imperative that the agency be able to identify the most important cases which will provide meaningful data from a safety research standpoint. This modernization should include universal and improved electronic recording of PARs using laptops or handheld computing platforms already available to most law enforcement agencies. Such a change could improve the accuracy of PARs and provide a platform for increased transfer of information to state and federal crash databases.

The addition of digital photographs of vehicles involved in each police-reported collision, appended to the electronic police report, is another essential and inexpensive improvement that would provide a substantial benefit for crash data collection. Such a system would assist NHTSA investigators in selecting significant cases and would also benefit law enforcement at the local level by providing officers with visual documentation of conditions during an investigation. Although Advocates has strong reservations about relying solely on the PARs to make administrative *ad hoc* determinations of culpability for a crash, these modernizations would be focused on improving the amount and accuracy of information provided in PARs which will result in direct improvements in national safety data.

Advocates calls on Congress to provide the funding to modernize national motor vehicle crash data collection and to direct the DOT to initiate a pilot program to examine the cost effectiveness of modernizing PARS and improving the design and statistical basis of the NASS databases.

Conclusion

The quality of life for all Americans depends on a safe, reliable, and economical surface transportation system. Transportation solutions to promote mobility and the economy must involve not only financial investments, but also investments in safety as well. Highway crashes cost our nation more than \$870 billion in comprehensive costs annually. This is money that could be better spent on addressing surface transportation needs.

The decrease in highway fatalities that has occurred over the last six years affords an opportunity to continue the downward trend and make substantial and lasting reductions in annual fatalities. The tragedies caused by GM's inadequate recall process sounded the alarm on lapses in procedures to identify and disclose safety defects and laws to deter corporate actions that result in needless deaths and injuries. Now is the time to take direct and swift action by advancing The Motor Vehicle and Highway Safety Enhancement Act of 2014, S. 2760, The Early Warning Reporting System Improvement Act, S. 2151, The Motor Vehicle Safety Act of 2014, S. 2559,

and The Automaker Accountability Act of 2014, S. 2398. Additionally, the recent and dramatic increase in pedestrian fatalities calls for the advancement of The Pedestrian Safety Act of 2013, S. 2284. There are no acceptable excuses for delaying any longer the adoption of lifesaving laws, consumer protections, increased penalties for corporate misbehavior, strengthening NHTSA's authority and resources, and improved vehicle safety standards that can save lives and reduce injuries, especially when the solutions are at hand as we have highlighted today.

Thank you for the opportunity to testify before you today and I am pleased to answer your questions.

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- ⁸⁷ Mandate Motor Vehicle Collision Avoidance Technologies, NTSB, available at http://www.nts.gov/safety/mw110_2012.html.
- ⁸⁸ Regulation (EC) No. 661/2009 and Commission Regulation (EU) No. 347/2012.
- ⁸⁹ “New Study: 14% of Parents Say They Have Left A Child Alone Inside Parked Vehicle Despite the Risks of Heatstroke,” Safe Kids Worldwide, April 2014, available at <http://www.safekids.org/press-release/new-study-14-parents-say-they-have-left-child-alone-inside-parked-vehicle-despite>
- ⁹⁰ Kids in Hot Cars: Heat Stroke Fact Sheet, NHTSA, accessed at <http://www.safercar.gov/parents/heat-involved.html> on 9/11/2014.
- ⁹¹ *Id.*
- ⁹² *Id.*
- ⁹³ *Id.*
- ⁹⁴ *Id.*
- ⁹⁵ The NHTSA fiscal year 2015 budget overview indicates that the total budget for the National Center for Statistics and Analysis (NCSA), which operates the FARS, GES and CDS databases, is \$28.5 million with less than that apportioned for crash data collection, available at http://www.nhtsa.gov/staticfiles/administration/pdf/Budgets/NHTSA_Budget_Highlights_FY2015.pdf.