



## NHTSA: Wasting Time and Money on an Ineffective Approach to Roof Crush Rulemaking

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The National Highway Traffic Safety Administration (NHTSA) has spent 7 years working on upgrading its 1971 roof crush resistance standard. In that time, the agency has failed to conduct enough research to meaningfully improve occupant protection in these rollover crashes.

- June 1994** Transportation Secretary Frederico Peña introduces a plan to upgrade rollover occupant protection, including an examination of upgrading the roof crush rule.
- Oct. 2001** Following the huge public reaction to the Ford/Firestone debacle, NHTSA initiated discussion on upgrading the roof crush resistance standard, FMVSS 216, with a request for comments. This notice concluded that it was not feasible to use dynamic testing, particularly the FMVSS 208 dolly rollover procedure, the only dynamic test procedure it had considered.
- June 2003** NHTSA published *Initiatives to Address the Mitigation of Vehicle Rollover* which showed that rollovers were responsible for one-third of vehicle occupant fatalities and that SUVs were disproportionately likely to roll over. This publication restated the agency's 1971 conclusion that the two major issues in rollover occupant protection are roof crush and occupant ejection, and committed it to take action on these issues.
- Aug. 2005** Congress passed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). It mandated that NHTSA address rollover through: (1) crash avoidance (electronic stability control), (2) ejection prevention, (3) door locks and door retention and (4) roof crush resistance. NHTSA has taken a piecemeal approach to these questions: minimizing the benefits of occupant protection and relying too much on electronic stability control to reduce rollovers.
- Aug. 23, 2005** Just a week after SAFETEA-LU was signed into law, NHTSA published its Notice of Proposed Rulemaking (NPRM) proposing a minimal upgrade of the roof crush standard. It would have raised roof crush resistance (on only one side of the roof) from 1.5 to 2.5 times the vehicle's weight and required that the force be reached before an occupant's head is contacted.
- Nov. 2005 - 2007** NHTSA has consistently declined to use the Jordan Rollover System (JRS) or any other system for dynamic rollover research and testing. The Center for Injury Research (CfIR), other organizations and individuals have provided extensive analysis and test results supporting dynamic testing; including tests to show that the JRS is repeatable (one of NHTSA's major questions). In spite of all of this, NHTSA continues to argue that there is no adequate dynamic test for rollover.
- 2007** NHTSA conducted 26 two-sided tests and updated its statistical analysis to prove the connection between roof strength and rollover casualties. The cost of the 26 tests was well in excess of \$1 million. The cost of a similar number of JRS dynamic tests would have been little more. NHTSA's January 2008 proposal discussed the results of its sequential two-sided tests and suggested that it might require such a test in the final rule, but it did not draw any significant scientific conclusions from the results of two-sided testing. In the years since the 2001 proposal, it has done little to understand or advance the science of rollover occupant protection.