

WHEN CONGRESS ACTS, NHTSA REACTS. . . **...and lives are saved.**

Key Safety Advances Available Today Including Airbags, Head Injury Protection, Lap and Shoulder Belts in Rear Seats, Better Consumer Information and Anti-Lock Brakes in Large Trucks are the Result of Past Federal Legislation Directing NHTSA Action

FEDERAL LEGISLATION IS NEEDED NOW TO ADDRESS MAJOR CAUSES OF DEATH AND INJURY ON OUR NEIGHBORHOOD STREETS AND HIGHWAYS --

- In the past twelve years there has been no major progress in bringing down the overall number of highway deaths and injuries. Major causes of death and injury in crashes include vehicle rollover (in 2003 over 10,300 deaths and SUV rollover deaths increased by nearly 7%), roof crush, occupant ejection (over 9,500 deaths in 2002) and crash incompatibility between large and small vehicles.
- Serious injuries also result from partial ejection, passenger compartment intrusion (over 110,000 moderate to severe injuries annually), and safety belt systems that do not adequately restrain occupants during frontal and side-impact crashes and do not work effectively in rollover crashes.
- According to a study released by DOT Secretary Mineta in January, 2005, motor vehicle safety standards are estimated to have saved more than 328,000 lives from 1960-2002.

DECADES HAVE PASSED AND THOUSANDS OF DEATHS HAVE OCCURRED WITHOUT CHANGES IN CRITICAL SAFETY STANDARDS--

- The original roof strength standard was adopted in 1971, but was inadequate even then. Yet 34 years later NHTSA has not upgraded the standard to provide passengers with real-world safety protection and will soon issue another inadequate standard.
- It has been 30 years since a rollover stability standard was first advanced, 14 years since NHTSA was required to begin rulemaking in the 1991 ISTEA law, and 11 years since the agency withdrew its advanced notice of proposed rulemaking and promised to take other steps to protect occupants in rollover crashes, specifically to upgrade the roof crush standard.
- It has been nearly 10 years since NHTSA began considering an offset frontal crash test.

NHTSA CLAIMS TO BE ALREADY WORKING ON MANY OF THESE SAFETY ISSUES . . . BUT THAT IS NOT ENTIRELY ACCURATE --

- NHTSA has "researched and studied" some of these issues for 20 and 30 years without issuing safety standards.
- On other safety issues, such as children killed in and around parked cars, or when vehicles back over them, NHTSA has been reluctant to act and does not even collect adequate data so that it can properly address the problem.
- On problems such as the safety threat that power windows pose to children, the agency issued a final rule that only addressed part of the safety problem, leaving more children at risk.

LEGISLATION WILL RESULT IN MORE COMPREHENSIVE SAFETY RULES --

- NHTSA is poised to issue a roof strength standard that will save only about 40 lives each year, even though roof crush is involved annually in thousands of deaths. The legislation adopted last year in SAFETEA will provide a more comprehensive approach to roof strength that will save more lives.
- NHTSA's recent final rule on power window switch design did not completely eliminate the threat to children. Congress needs to direct the agency to issue a safety standard that requires power windows to reverse automatically, similar to federal government safety requirements for automatic garage doors.
- The agency's proposed rule on side impact does not protect children and older occupants and does not protect anyone sitting in rear seats. Enactment of legislation is needed to correct these life-threatening oversights in the NHTSA proposed rule.

ON-THE-SHELF TECHNOLOGY IS AVAILABLE TO MEET THE REQUIREMENTS --

- The performance standards that would be issued by NHTSA can be met by existing technologies such as side air bags and air bag curtains, advanced window glazing, seat belt pre-tensioners and load limiters, and electronic stability control (ESC). These technologies have been fully developed and are already standard or optional equipment on some expensive vehicles that are not widely available to all new car buyers.

THE CONTENT OF STANDARDS IS LEFT TO AGENCY DISCRETION AND DECISION--

- Safety provisions in last year's SAFETEA directed NHTSA to set performance standards but do not micromanage outcomes or require specific equipment or technologies.
- Safety provisions in last year's SAFETEA allow NHTSA to determine how stringent the performance standards should be.
- Auto manufacturers will continue to have flexibility to meet the performance standards set by NHTSA through any existing means or future technologies.

FLEXIBLE DEADLINES FOR RULEMAKING ARE PROVIDED IN LEGISLATION--

- Last year SAFETEA provided that if NHTSA cannot meet a rulemaking deadline the agency informs Congress of the reasons for the delay and sets a new date by which the agency expects to issue the rule -- there is no other penalty for failure to meet a deadline.
- This approach keeps the agency on a schedule for each rulemaking but allows for flexibility in cases where the schedule cannot be met.

CLAIMS THAT SAFETY REQUIREMENTS ARE NOT FEASIBLE RING HOLLOW--

- In the past, NHTSA has asserted to Congress that they "can't do it". For example, NHTSA claimed that a dynamic rollover prevention test was not feasible, but then established such a test for consumer information rollover ratings after Congress required the agency to do so in the 2000 TREAD Act.
- Also, although NHTSA asserts that there is no repeatable dynamic test for roof crush, such tests have been developed by independent researchers and other dynamic roof crush tests are used by the auto industry to design vehicles.

VOLUNTARY INDUSTRY AGREEMENTS ARE NO SUBSTITUTE FOR GOVERNMENT SAFETY STANDARDS--

- Voluntary agreements set weaker standards, are not binding, exclude the public, allow manufacturers to walk away from the agreement without ever letting the public know, and leave consumers in the dark about which makes and models meet a voluntary standard.
- Under voluntary agreements there is no assurance that all makes and models will get at least a minimum level of effective safety technology and protection. When NHTSA issues a minimum safety standard it applies to all passenger vehicles sold in the U.S.

THE PUBLIC STRONGLY SUPPORTS FEDERAL ACTION NOW--

- According to a 2004 Lou Harris public opinion poll, 91% of Americans strongly support a federal government role in setting uniform highway and auto safety standards and 72% said that safety features should be offered as standard equipment on all motor vehicles.
- A 6 to 1 majority of the public want the government to make all passenger vehicles including SUVs more stable and less prone to rollover.
- Large majorities support government action to protect occupants in rollovers, prevent occupant ejection, improve seat belts, and eliminate rear blind spots that jeopardize the safety of children and others.

**SUPPORT ENACTMENT OF LAST YEAR'S SAFETY PROVISIONS
IN THIS YEAR'S SAFETEA BILL.**