

12
U. S. DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
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STATEMENT OF SECRETARY JOHN A. VOLPE BEFORE THE HOUSE GOVERNMENT OPERATIONS COMMITTEE, SUBCOMMITTEE ON GOVERNMENT ACTIVITIES, REGARDING FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 208, TUESDAY, JULY 13, 1971.

Mr. Chairman and Members of the Committee:

In response to your request, Mr. Chairman, I will be discussing with you today, subject to certain limitations which I will explain later, the Department's Federal Motor Vehicle Safety Standard 208, specifying occupant crash protection requirements for passenger cars, multi-purpose passenger vehicles, trucks and buses.

I know that this Committee and you, Mr. Chairman, are as seriously concerned as I am over the 55,000 lives which were lost on our Nation's roads and the more than 2 million persons who were seriously injured during last year alone. These figures are appalling! Every day, 150 lives are needlessly and senselessly cut off in highway crashes.

As disheartening as these statistics are, I believe we now have an effective program underway that is beginning to pay dividends. Last year there were 1,100 fewer traffic deaths than in the preceding year. This reduction occurred in spite of an increased exposure--5 million more cars, 3 million more drivers on our highways, and 55 billion more vehicle-miles driven. The Department's announced goal is to see the actual numbers of people killed on our highways cut in half by 1980.

To help us reach this difficult (but I believe attainable objective), the Department has concentrated on the three elements that make up our driving environment--the driver, the road, and the vehicle. All of these elements must be considered in developing a total safety program.

Let me now briefly describe examples of what we are doing in each of these three areas.

First, a major program in the National Highway Traffic Safety Administration--Alcohol Countermeasures--is designed to get the drunk driver off the road. I should emphasize that over 50 percent of all highway fatalities are alcohol related. The main thrust of this effort is the Alcohol Safety Action Program (ASAP), a community level demonstration program aimed at identifying, controlling, and rehabilitating the drunk driver. We now have nine operating ASAP programs and 20 additional projects are lined up for operation this year.

In addition, some \$40 million in Federal funds have been made available to the States for implementing their driver education programs in accordance with our Highway Safety Program Standard.

Other programs including Selective Traffic Enforcement and Driver Control are also underway and will be intensified in the coming years.

Second, up to 30 percent of \$5 billion in Federal funds allocated to the highway program each year is spent for safety features on the highways. Such features include breakaway sign posts, energy absorbing railings, and improved lighting systems. The benefits of these kinds of improvements and the improved highway designs of our Federal highway system cannot be denied--the fatality rate per 100 million miles on the interstate system is one-half that on other highways.

Third, the Department has let three contracts for the development of an experimental safety vehicle. Designed to meet certain optimum performance capabilities, these cars will be engineered from a total systems approach to incorporate advanced design concepts of accident avoidance, crash injury reduction, and post crash factors in one vehicle. Prototypes will be crash tested in December of this year.

I might add that the United Kingdom, France, Germany, Italy and Japan are participating in the program to develop experimental safety vehicles and

formal agreements have been signed with most of these countries to share research results. These countries are undertaking the development of ESU's in the small car class (from 1,500 to 3,000 pounds), while the United States is developing 4,000 pound ESU's. The small car ESU program is estimated to cost \$50 million which will be borne entirely by foreign governments and auto manufacturers.

We have also concentrated our efforts on occupant protection--that is, improving the survivability of those involved in crashes. For example, it was obvious long before the initiation of the safety program brought about by Congress' enactment of the landmark Safety Acts of 1966 that belt systems save lives. Federal Motor Vehicle Safety Standards for lap belts were among the first standards issued on January 1, 1967 and the standard requiring upper torso restraints was issued soon thereafter, on March 1, 1967.

But it became obvious almost immediately that the life saving potential of these systems was being critically degraded by lack of use. Despite the availability of these systems, people were not using them for a variety of reasons, including a hard-to-change attitude that "it can't happen to me."

Despite the expenditure of millions of dollars for public relations, usage of lap belts has never been higher than 40 percent in certain limited parts of the country, more likely in the range of 25 percent on a nation-wide basis, and not more than 4 percent for upper torso harnesses.

We felt new answers had to be found. The Department therefore early in 1968 turned its attention to devising systems that would operate in the event of a crash without any action by vehicle occupants--a passive restraint system.

In fact, on July 2, 1969, the National Highway Traffic Safety Administration (at that time called the National Highway Safety Bureau) published an advance notice of proposed rule-making in which it stated that it was considering issuance of a safety standard requiring the installation of passive restraints in motor vehicles for 1972 model cars.

The Department issued its current standard FMVSS No. 208 on occupant crash protection on March 3, 1971. The standard requires that occupants in motor vehicles must be protected in crashes by means that require no action on their part. In this connection, we consider a "no action", or truly passive system to be one that requires no significant action by the occupant beyond what he would do if the system were not there. This interpretation does not include "forced action" systems, such as belts with ignition interlocks, that require him to do something to activate the system. This standard further provides that the vehicle's protection system must function automatically and protect occupants from serious injury whenever the vehicle is involved in a crash up to 30 mph into what we call a "fixed collision barrier." This barrier is, by definition, absolutely unyielding so that it absorbs none of the vehicle's impact energy. Thus, a 30 mph barrier crash is the equivalent of striking an identical parked vehicle at 60 mph, or hitting another identical vehicle head-on with both going 30 mph.

I do want to emphasize that this present standard is a performance standard and in no way determines or restricts design criteria.

The choice of devices or systems is up to the individual manufacturers. Any passive restraint system that meets the performance requirements set forth in the standard will be acceptable. I might add that the availability of different passive systems meeting our requirements would be most desirable from the consumer point of view since he would then be able to choose the type of system he prefers.

Let me describe more fully to you the specific requirements of this standard. It will be implemented in three stages.

In phase one all passenger cars manufactured on and after January 1, 1972 will be required to have one of three options for occupant protection:

- (1) A complete passive protection system for all occupants at speeds up to 30 mph in frontal and angular crashes, 20 mph side impacts and in 30 mph rollover crashes, or
- (2) A protection system that includes lap belts offering front seat occupants protection in 30 mph barrier crashes, or
- (3) A combination lap-and-shoulder belt system in the front outside seating positions, with lap belts in the other positions. In both options (2) and (3) a belt warning system is required that activates an audible and visible warning when one or both of the outside front seat positions are occupied and the belts are not used.

In phase two, effective for model year 1974, passenger cars will be required to meet one of two options:

- (1) Complete passive protection for all occupants as described above or,
- (2) Passive protection for front seat occupants in a head-on collision. This system must protect unbelted occupants in frontal crashes at speeds up to 30 mph. However, lap belts are required at all seating positions with a warning system as in the earlier phase to offer additional protection in non-frontal crashes and rollovers. The injury criteria must be met in a head-on crash test with and without the lap belts fastened.

In the third and final phase, the standard calls for complete passive protection at all seating positions effective for model year 1976 passenger cars. Occupants must be protected in 30 mph frontal and angular crashes, 20 mph lateral crashes, and 30 mph rollovers.

I wish to emphasize again that the standard does not mandate specific hardware or designs. We specify performance only and allow manufacturers flexibility to develop their own designs. For example, the manufacturers are experimenting with several systems, including the air bag, large cushions covering the fronts and sides of passengers, automatically deployed nets which catch and hold the occupants during a collision, and improved seat belts and shoulder harnesses which retract into the doors and instrument panel when doors are opened and then tighten to automatically cover the occupants when they are seated with the doors closed.

Multipurpose passenger vehicles and trucks weighing 10,000 lbs. or less must provide 30 mph head-on passive protection by August 15, 1975 and full passive protection on August 15, 1977. Multipurpose passenger vehicles and trucks with a Gross Vehicle Weight Rating of more than 10,000 pounds manufactured on or after January 1, 1972, will have the option of providing passive protection that meets all the crash protection requirements, or of installing seat belt assemblies at all seating positions. Buses manufactured after January 1, 1972, will be required to provide one of these options for the driver's seating position.

At the present time, we are considering petitions for reconsideration of the rule issued March 3, 1971 which have been filed with the Department by several automobile manufacturers. In addition, a petition for judicial

review of the March 3 rule has been filed with the Court of Appeals for the Sixth Circuit by Ford, Chrysler and American Motors and a petition for review filed in the Court of Appeals for the District of Columbia by the foreign manufacturers has been consolidated with the petition in the Sixth Circuit. As I have already advised the Chairman, because of these pending actions the Justice Department has requested that I avoid discussing the considerations which entered into the Department's decision to issue the March 3 rule, or expressing any views which could relate to the merits of the pending petitions for reconsideration.

In concluding, Mr. Chairman, I wish to state that I appreciate the interest you and this Subcommittee are taking in this serious challenge to reduce the lives lost and maimed in automobile accidents on our highways. Our goal must be to provide the best possible safety features for automobile drivers and occupants. I can assure you that the Department will proceed in a manner that best accomplishes the setting of standards that are feasible and practicable and consistent with the manufacturers' technical knowhow. I am confident that, with the continued assistance and interest of the Congress, we will achieve the kind of dramatic successes that this serious problem demands.

Subject to the restriction I mentioned above, Mr. Chairman, I would be happy to answer any questions which the Committee may have.

