

STATEMENT OF GENE AMATO, DEPUTY ADMINISTRATOR, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, BEFORE THE SUBCOMMITTEE ON TRANSPORTATION, SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS, CONCERNING S. 1337, A BILL TO PROVIDE GREATER COMPLIANCE WITH THE NATIONAL MAXIMUM SPEED LIMIT, JUNE 3, 1980.

Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before your Subcommittee to discuss S. 1337, a bill to amend Title 23 of the United States Code to provide greater compliance with the national maximum speed limit. This bill reflects the view that the national 55 mph speed limit -- already in force -- should be even more heavily relied upon in our national effort to reduce gasoline consumption.

Since Mr. Hassell, the Federal Highway Administrator, has addressed many of the possible consequences of S. 1337, I will confine my prepared remarks to the National Highway Traffic Safety Administration's (NHTSA) role in the area of State enforcement of the 55 mph speed limit.

SUMMARY OF CURRENT IMPACT OF SPEED LIMIT ON SAFETY AND CONSERVATION

Congress enacted the national speed limit in 1975 as both a traffic safety and an energy conservation measure, recognizing that its success would be contingent upon "strict enforcement as well as public acceptance."

The 55 mph law does save lives. Our studies show that at least 18,000 lives were saved by the speed limit between 1974 and 1979. While the compliance with the speed limit

has eroded in recent years and most State reports show significant numbers of drivers exceeding 55 mph, the traffic speed pattern is still well below that of 1973 and the speed limit is making a substantial contribution to both safety and energy conservation. We estimate that if today's volume of highway traffic were to revert to the 1973 speed pattern, the annual cost of that increase would exceed 5,000 additional lives lost and 100,000 injuries.

In addition, the 55 mph law does save gasoline. Even with today's improved automobile fuel economy, we estimate that reversion to the pre-national speed limit speed patterns would increase petroleum consumption by at least 125,000 to 273,000 barrels a day.

STATE ENFORCEMENT OF THE SPEED LIMIT

Under the national speed limit statute, enforcement of the 55 mph speed limit, as with all other traffic law enforcement activities, has been a State responsibility. However, under the 1975 law, each State has the added duty of certifying annually to the Secretary of Transportation that it is enforcing the 55 mph speed limit. The Secretary is required to withhold approval of all Federal-aid highways projects in any State failing to make this enforcement certification.

When it became apparent that it was difficult to measure objectively whether a State was "enforcing" the law

in a satisfactory manner, the Administration, in 1978, sought an amendment to make the degree of compliance by motorists with the 55 mph speed limit the principal measure of the success of a State's program. The Congress responded with the enactment of section 205 of the Surface Transportation Assistance Act of 1978 that set a schedule of progressively higher levels of compliance, beginning with 30 percent compliance in 1979 and increasing to 70 percent in 1983. To enforce the schedule, a flexible penalty was provided: up to 5 percent of a State's apportionments for the primary, secondary, and urban systems through fiscal year 1983 and up to 10 percent thereafter. In addition, the Congress included in the 1978 amendments a provision for the award of incentive grants to States for good 55 enforcement that is contingent on attaining at least 10 percent greater compliance than required for a given year.

The 55 mph speed limit has imposed new and greater speed enforcement responsibilities on State agencies -- particularly since the passage of the 1978 amendments. The States can no longer satisfy the requirements of the 55 mph

law by showing their efforts; they must produce results or else risk losing highway funds.

The States have responded to these new demands. State law enforcement agencies increased speeding arrests from 5.7 million in 1973 to more than 8 million in 1978, although no new Federal funds were provided to assist the police in enforcing the speed limit until fiscal year 1978.

Most State police agencies are conducting greatly expanded -- and in many cases -- innovative speed enforcement programs. In May 1977, for example, five western States (Arizona, California, Oregon, Washington, and Nevada) conducted a highly successful 55 mph enforcement and public information project. In July 1977, Michigan and Indiana joined together for the Independence Day weekend in a program they called "Operation CARE" -- Combined Accident Reduction Effort. The program was so successful that it was expanded to include all 48 contiguous States for the 1978 Memorial Day Weekend and was continued for the summer holiday weekends during 1979.

Individual law enforcement agencies continue to engage in innovative and aggressive enforcement programs. Several States use aircraft effectively in speed limit enforcement.

Since fiscal year 1978, the States, responding to the new requirements of the 55 mph law, have received Federal funds for this effort and they need this money. A majority of motorists have not, and still do not, obey the 55 mph law and this means

that the speed enforcement workload has greatly increased. In almost all States, the police are faced with two or three times as many violators as they had encountered under the old pre-55 mph speed limit. The States spent \$30.0 million in Federal Highway Safety (Section 402) funds in fiscal year 1978 on 55 mph enforcement and \$42.4 million in FY 1979. In FY 1980 the States have obligated \$20 million in Section 402 safety funds and an additional \$20 million from a separate authorization for the 55 mph program.

Yet, the States have had problems enforcing the 55 mph law. Despite the 55 mph speed limit's proven fuel conservation and safety effectiveness, a majority of motorists still do not obey it. This presents a serious challenge to State police and highway officers who are attempting to enforce the 55 mph speed limit. In FY 1979 all States met the 30 percent compliance level required under the 1978 amendment to the speed limit. In FY 1980, however, based on the results of the first two quarters, eight States have not attained the 40 percent compliance level and will be in danger of not meeting the compliance level for FY 1980 if these speed patterns persist. Ten other States have between 40 and 44 percent compliance and are in risky positions. A higher compliance level in this year would possibly force more States into noncompliance with the risk of possible sanctions. Because of the need for greater enforcement and the greater cost of such effort, we have requested for FY 1981 \$50 million for the States for their 55 mph enforcement programs and \$7 million for incentive grants.

NHTSA'S 55 MPH ACTIVITIES

The national speed limit program is one of our responsibilities and our aim is to provide the State governments with the information they need to make sound decisions about their own 55 mph activities. We are funding research efforts designed to develop new equipment, new enforcement tactics and improved training courses for police and highway patrolmen. Some of our current activities in this area include:

1. Cost Effective Ways of Enforcing the 55 mph law. The law enforcement community wants to know the most cost effective means of enforcing the 55 MPH National Maximum Speed Limit. The precise relationship between various levels of enforcement and varying degrees of compliance has yet to be established. To remedy this situation, NHTSA is funding projects with the Connecticut State Police and the Utah Highway Patrol in a study of traffic speed patterns on selected sections of 55 mph highways under varying degrees of patrol enforcement.
2. Increasing the Public's Expectation of Detection and Apprehension. The objective of this project is to identify new or modified police enforcement procedures and related public information programs which can increase the public's expectation of detection and apprehension for 55 mph violations (an approach typically referred to as "general deterrence").
3. Evaluating Countermeasures for Effectiveness During Trial-Runs in a Few States.
4. Disseminating Results of Successful Projects. The results of successful projects, research, new information and new technology will be published for use by all the States. NHTSA will also respond to individual requests for technical assistance in appropriate areas to aid in implementing and evaluating programs.

5. Exploring the Feasibility of Automatic Speed Enforcement Systems. Enforcement of the 55 mph speed limit places a heavy burden on scarce manpower resources in the law enforcement community. One promising means of increasing speed compliance without increasing enforcement manpower is the use of Automated Speed Enforcement (ASE) devices. These devices have the capability to record a vehicle's speed and simultaneously take a picture of the rear of the vehicle in both day and night setting. These devices and the associated legal and public acceptance issues, including privacy issues, are currently under examination.
6. Developing Performance Standards for Radar Devices. Complaints have been made about the accuracy of some commercially available radar units. Moreover, police purchasing agents acquiring new radar with Federal funds are confronted with conflicting vendor claims regarding accuracy and reliability. More effective devices would reduce court challenges and assist enforcement. The objective of this project is to develop performance standards for devices that are used to measure vehicle speeds for law enforcement purposes with the ultimate purpose of ensuring that the speed measuring devices in use are accurate and reliable.
7. Developing a Model Training Course for Police Operators of Radar Devices.
8. Identifying the Costs Solely Attributable to 55 MPH Enforcement. This would be a study to evaluate the magnitude of the cost burden that the 55 mph program has placed on the States. NHTSA is working with the International Association of Chief of Police (IACP) to determine whether it is feasible to develop a reasonably accurate methodology for estimating costs.
9. Arranging Workshops and Seminars for Traffic Enforcement Agencies. NHTSA has recently funded or will fund part of the costs of regional or national meetings of police officials that address NHTSA programs and the 55 mph program in particular. NHTSA has funded seminars arranged by the National Sheriff's Association in October 1979 and January 1980, four regional seminars arranged each year by the International Association of Chiefs of Police (IACP) for State Police and Highway Patrol Administration, and a national workshop sponsored by IACP for State Police and Highway Patrol Planning Officers set for July 1980.

PUBLIC SUPPORT OF THE 55 MPH AND NHTSA PUBLIC INFORMATION ACTIVITIES

Opinion polls have continually shown the public's support for the 55 mph maximum speed limit, despite the fact that statistics show speeds are increasing. It is difficult, however, to pinpoint the reasons why motorists who support the 55 mph speed limit fail to abide by it.

We have learned from a 1978 survey on "Public Perceptions on Highway Safety," conducted for us under contract, that 70 percent of the drivers who report their usual driving speed on 55 mph roads as between 56 and 60 mph also support the law.

In regard to enforcement, the driving population appears to be willing to accept a somewhat stricter enforcement than is currently in practice: 65.2 percent feel the speed limit is enforced at 60 mph, but 77.7 percent think that the speed limit should be enforced at 60 mph. Only 19 percent feel that the speed limit should be strictly enforced at 55 mph. So, while the driving public may appear to be willing to accept a more strict enforcement effort, there appears to be a "tolerance factor" to be considered in the public acceptance of the law. The "tolerance factor" for all speed limits has historically ranged between 5 and 7 mph regardless of the speed limit, be it 70, 60, or 55 mph.

NHTSA has been running an active public information and education program to convince the public that the 55 mph law is necessary and desirable, and that enforcement of the speed limit is getting tougher. NHTSA is using two approaches to

promote compliance with 55 through public information.

First, at a national level, NHTSA is conducting campaigns with State police agencies, private CB organizations, a private industry group comprised of companies in the recreation equipment business and major corporations in an effort to enlist the the support of their marketing and advertising resources on behalf of the 55 mph law. To support these activities, the agency has developed a number of materials which are available for distribution. These include: brochures, bumper stickers, posters, print ads, mail stuffers and the like.

Second, at a State and local level, NHTSA is endeavoring to improve State and local public communications programs on the 55 mph law. For example, NHTSA has published the "55 MPH Model Communications Plan. " This plan lists all the possible target populations for a 55 mph campaign, lists appropriate messages for reaching those audiences and suggests possible ways for delivering those messages. NHTSA also offers a course for State and local communication people on managing public information campaigns on highway safety. Finally, the agency offers technical assistance to any State which asks for help in designing its 55 mph public communications programs.

This completes my prepared statement. I would be pleased to answer any questions you may have.

