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SUBCOMMITTEE ON CONSUMER
OF THE
SENATE COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

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Mr. Chairman and Members of the Subcommittee. I am pleased to appear before you today to discuss the subject of child passenger safety. With me are Michael Brownlee, the Director of our Office of Defects Investigation, and Robert Hellmuth, the Director of our Office of Vehicle Safety Compliance.

Before I talk about child passenger safety, I want to say how pleased I am to appear before you as the new Administrator of the National Highway Traffic Safety Administration and to bring you the latest news item from the highway safety front: our preliminary fatality data from 1989 indicate that the fatality rate has fallen another tenth of a point, to an all-time low of 2.2 deaths per hundred million miles travelled. This is good news, and demonstrates that the broad-based effort to improve highway safety is working. I hope that we will be able to meet with you to discuss other topics such as light truck safety and side impact protection, where we're also making significant progress. I would like to submit a status report for the record on these activities to bring the Subcommittee up to date on what we're doing.

Today's hearing addresses a key segment of highway safety: the safety of children. We're glad to participate in the hearing, because it gives us a forum to stress, in the strongest terms, that the best way to improve safety for small children riding in motor vehicles is to secure them properly in

child safety seats. I can't repeat that message enough, and I'll return to it throughout my remarks: put your children in safety seats and make sure they're properly secured.

There was once a folk belief that children in cars didn't need special protection. After all, when toddlers fall down (as they do every day), they bounce right back and keep on going. Their bones are pliable, unlike those of adults, and we tend to think of them as resilient and resistant to injury. Kids are tough, right?

Wrong. That folk belief is a long, long way from the truth. Any pediatrician can tell you that children are easily hurt, that they are particularly prone to head injuries, and that a brain or spinal cord injury to a child can have devastating consequences that last a lifetime. The most likely source of this type of injury for a small child is the family vehicle. Traffic crashes are the single greatest source of traumatic head and spinal cord injury for young children. Each year hundreds of small children are killed in motor vehicle crashes, and thousands more receive injuries that will stay with them for the rest of their lives.

That's why NHTSA adopted a standard for child safety seats in 1970 as one of the early motor vehicle safety standards. It was clear to us then, and now, that small children riding in motor vehicles need special protection, above and beyond the protection offered by safety belts designed for larger occupants. The standard pushed the child seating manufacturers to develop seats that gave children real protection, and not just a better view of the road.

By the late 1970's, we had learned enough about crashes and child injuries to know that the seats had to be improved still further. Effective January 1, 1981, we amended the standard to require that child safety seats

pass a rigorous dynamic test to simulate a real-world crash. Seats manufactured after that date are certified to the new standard and offer a high level of protection if they are used and used properly.

We've obtained enough crash data to be reasonably confident in predicting the benefits of safety seat use. For infants riding in properly used infant seats, it appears that the seats prevent about 70 percent of the deaths and serious injuries that would otherwise occur. This makes it far and away the most effective device for passenger safety. For toddlers and children up to about the age of 4, a child safety seat is almost 50 percent effective in preventing death or serious injury -- about as effective for a child as a lap/shoulder belt combination is for an adult.

We know the seats are effective -- if they're used. For the last ten years, our goal has been to increase the percentage of children riding in safety seats. We've worked with a wide network of organizations, ranging from the State safety agencies to the American Academy of Pediatrics to grassroots organizations of parents, to inform parents about the importance of child seats. One great accomplishment has been the enactment of child passenger protection laws in all 50 States, the District of Columbia and Puerto Rico. These laws have been a key element in the campaign to raise safety seat use, and they have laid the groundwork for general safety belt use laws.

The result of all this effort is encouraging. From a level of 15 percent usage in 1979, we've seen use increase to 81 percent in 1989. What's more, the level of correct use has also increased. Our ongoing survey of safety belt use in 19 cities across the country shows that in 1989 approximately 73 percent of the children in seats or wearing belts were properly restrained, for a total correct usage rate of almost 60 percent. That's the good news.

The bad news, and the reason we're so anxious to publicize the benefits of safety seats, is that the other 40 percent of children who could be protected by seats or belts are still not being protected, either because they're not restrained at all, or because they're not properly restrained. We're concerned that even this estimate of unprotected children may be low, since studies of fatal crashes indicate that fewer children in the crash-involved vehicles are protected than in the vehicles observed in the 19-city survey.

For 1988, the last year for which we have complete data, we estimate that the lives of about 250 children under the age of 5 were saved by child safety seats or safety belts. If all such children were properly restrained by seats or belts, we estimate that another 200 to 300 could be saved each year. Our constant goal must be to reduce the numbers of deaths and injuries, and the pain and grief they represent for the children and their parents. We must increase the correct use of seats and belts. We believe that your hearing will help spread the word.

Our efforts on child passenger safety go beyond the issuance of standards and the promotion of safety seat use. Under the Vehicle Safety Act, we have the authority to test the seats for compliance with the standard and to require the manufacturers to remedy seats that do not comply with the standard. In addition to enforcing the standard, we have the authority to investigate seats for defects that relate to motor vehicle safety. If we determine that such a defect exists, or if the manufacturer makes such a determination on its own, the Act requires the manufacturer to remedy the defect.

We've made the child seating standard a priority in our compliance testing program. In fact, the compliance program for seats is second in size

only to our crash testing of automatic protection systems in passenger cars. We test all new safety seat models as they are introduced and conduct periodic retests as well. Since 1981, we've tested more than 600 seats, representing some 200 seat models. Some of these tests have resulted in test failures which, upon further examination, do not prove to have safety significance. Other failures have led us to begin investigations, in which we request the manufacturers to show us their test data and any other information relevant to the compliance of the seats. Of the 36 investigations which we have begun, 12 have resulted in recall campaigns affecting two million seats. The manufacturers have initiated three additional compliance recall campaigns, affecting an additional 1.5 million seats.

In our investigation of potential defects in child seats we have opened 19 investigations since 1981, seven of which led to recalls affecting 1.3 million seats. Four additional defect recall campaigns by manufacturers resulted in the recall of one million seats.

In all, almost six million child safety seats have been the subject of safety recalls since 1981. I am providing the Subcommittee with a complete list of the seats recalled. In each case, we believe that the safety performance of the seat was sufficiently impaired that the defect or noncompliance should be remedied. However -- and this is a point that needs to be stressed -- we believe that each of the seats tested is still capable of giving a child significant protection in a crash. Of all the recalls, only three (about one percent of the total seats recalled) involved a test failure in which the restraint itself failed during the dynamic test. Even these restraints would have provided sufficient protection that it would have been better to use them than to let a child ride unrestrained. We therefore have a double message for parents who own a recalled seat: get the seat remedied, but

keep your child in it until you do. The largest safety risk by far is for your child to ride unrestrained.

The principal question about these recalls is how effective they've been in securing the remedy of the seats. Of the six million seats subject to recall, only a small percentage have been remedied. Although low rates are typical of all vehicle equipment recalls, we would like to think that child safety seats would be a special case. Apparently not. Except in one case in which a vehicle manufacturer had sold the seats with the vehicle, and therefore had a list of all owners, and two cases in which a significant percentage of the seats produced were still in warehouses, the rate of remedy reported to NHTSA has been no more than five percent. In some cases, parents learning of a recall may be able to make the appropriate corrections on their own. In most cases, however, the reasons for the low rates are only speculative. It may be that parents never learn of the recall, or that they don't understand the reasons for the recall, or that they do understand the reasons for the recall but disregard them, or that they don't know how to contact the manufacturer. In some cases, the recall may occur after a child has outgrown the seat. It is likely, too, that some parents are not completely convinced of the value of safety seats and are not motivated to take corrective action. Whatever the reason, thus far the manufacturers' recalls have not led to a high percentage of remedies.

What can we do about this? Owner registration is one possible answer. We have granted a petition for rulemaking on this subject from the Center for Auto Safety and will begin rulemaking to explore the potential benefits of registration. We have experience with registration systems for motor vehicle tires which may prove useful in assessing the potential of safety seat registration systems.

Greater public information is another possible answer. There's no such thing as too much publicity when the issue is safety. However, we are concerned that any publicity about problems with specific seats must be limited to those seats and not create doubts about seats in general. Recent experience causes us concern. In the aftermath of the Center for Auto Safety's press conference last December, we received over 30,000 additional calls to our hotline about child seats. We found that many of the callers were asking whether it was safe to use child safety seats at all.

The press conference focused on specific seats, notably the Evenflo One-Step, but we wonder how effective the focus has been. Of the thousands of calls we received, and the thousands of owner questionnaires we mailed out, only five owner complaints have involved the problem alleged with that seat. We are examining the information the Center provided us after their press conference, but the limited response from One-Step owners leaves open the question of how effective any potential recall campaign would be.

In short, Mr. Chairman, we agree that the recall rate should be higher, and we are looking for ways to raise it. I hope that this hearing may provide some useful ideas. From discussions with the Consumer Product Safety Commission, we know that their experience with safety recalls of juvenile products also shows a low rate of remedy. This may be a problem that should be addressed in a broader context. We intend to raise the possibility of broader actions as part of our response to the Center's petition.

Since the scope of the hearing goes beyond child safety seats to embrace the whole subject of child passenger safety, there is another issue that I want to mention. The issue is what to do about children who have outgrown their safety seats, but who are still too small to be secured optimally by the vehicle's safety belts. These children are in a transitional stage, and

questions have been raised about the best way to protect them. Let me make one thing clear: we do not regard non-restraint as an option. A child who is too large for a safety seat should be restrained by a properly secured safety belt. If the belt is used, the child should wear it snugly across the lap, not across the abdomen. If the belt is a lap/shoulder belt combination, the shoulder belt can be worn unless it cuts across the child's face or neck, in which case it should be placed behind the back. There are questions about the relative effectiveness of lap-only belts compared to lap/shoulder belt combinations, but the debate on that question should not obscure the fundamental point that restraining a child with either type of safety belt is far better than allowing the child to be unrestrained.

In closing, I want to return to the theme I announced at the beginning: the key to improving motor vehicle safety for children is to increase the percentage of children who ride restrained -- if they are infants, in infant safety seats; if they are small enough for child safety seats, in the seats; and if they are too large for the seats, in a properly secured safety belt. To make this happen, and to protect the estimated 40 percent of children who are not being properly protected, will require efforts from many people -- parents, doctors, teachers, police officers, legislators, manufacturers, media representatives, safety advocates, and government officials at all levels.

In the fall of 1988 we held public hearings here and in Chicago to get ideas and advice from the medical and safety groups concerned with child safety. The result of those hearings is a "Child Passenger Safety Plan," copies of which I am submitting for the Subcommittee's information. The plan points to ways to improve public information, to provide better technical assistance to safety advocates, and to improve the enforcement of child passenger protection laws. It also proposes research aimed at improving the

performance of child safety seats. We hope that the plan will serve as a blueprint to help us reduce the toll of children injured and killed in motor vehicle crashes. It will come as no surprise to you that the cornerstone of the plan is the effort to increase the number of children who are properly secured in child safety seats or safety belts.

Mr. Chairman, we've got to reach the point where allowing our children to ride unrestrained in motor vehicles is as unthinkable as inviting them to play with matches. Children in cars must ride buckled. That's the message we will be sending during Child Passenger Safety Week, which takes place next week. That's the message that I hope your hearing will send as well.

This concludes my prepared remarks. I will be glad to answer any questions the Subcommittee may have.