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BEFORE THE
SUBCOMMITTEE ON SURFACE TRANSPORTATION
OF THE
HOUSE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

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Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before you today to discuss the National Highway Traffic Safety Administration's (NHTSA) implementation of the highway safety provisions of the "Intermodal Surface Transportation Efficiency Act of 1991" (ISTEA). With me are Adele Derby, Associate Administrator for Regional Operations, Michael Brownlee, Associate Administrator for Traffic Safety Programs, and George Parker, Associate Administrator for Research and Development.

As Secretary Peña highlighted for you on April 27, NHTSA's highway safety programs are among ISTEA's major concerns. These programs, whose funding level we propose to increase by 14 percent over 1993 levels, are designed to help the States, their political subdivisions, and local communities deal with a broad range of highway safety problems.

Before discussing our implementation of ISTEA's highway safety provisions, I would like to give you a brief status report on highway safety throughout the nation.

Assessments of highway safety programs should begin with one fact firmly in mind: the number of people killed on our highways. This year we have good reason to be encouraged. In 1992, the nation experienced its lowest motor vehicle fatality toll in 30 years--39,200. This represents a five percent drop from 1991's total of 41,462.

In 1992 the fatality rate, a key measure of highway safety, fell to 1.8 deaths per hundred million vehicle miles traveled, an all-time low. This contrasts with the rate of 2.8 in 1982. If the 1982 fatality rate had remained unchanged, an additional 22,000 people would have lost their lives in 1992.

Several factors contributed to this trend -- safer roads, safer vehicles, higher levels of safety belt use, and the growth of public sentiment against drunk driving -- and many of these factors are directly influenced by the highway safety programs authorized by ISTEA.

While we have made much progress in highway safety, motor vehicle crashes continue to be the nation's number one cause of death for persons aged 5-32 and the biggest cause of serious injuries. Much more remains to be done to reduce the magnitude of the highway safety problem.

We also must recognize the enormous economic cost to society of these crashes. In 1990, the last year for which NHTSA has complete data, fatalities and injuries from highway crashes cost the nation \$137.5 billion. As Secretary Peña has stressed, "effective highway safety programs are good economics as well as good medicine."

The Section 402 highway safety program, the core element of the Federal highway safety effort, is central to our efforts to implement ISTEA. This program, which has improved public safety through its focus on essential highway safety needs, such as drunk driving prevention and safety belt use programs, provides funds to the States and their political subdivisions for a broad array of programs that the States adapt to meet their own unique requirements.

Before the enactment of ISTEA, we determined that eight programs were most effective in reducing highway crashes and their resulting deaths and injuries: (1) alcohol/drug impaired driving; (2) police traffic services; (3) occupant protection; (4) emergency medical services; (5) traffic records; (6) pedestrian/bicycle safety; (7) motorcycle safety; and (8) roadway safety. Projects in these areas, designated as "National Priority" program areas, qualify for funding under an expedited approval process.

ISTEA requires us to consider adding two programs to this list: speed enforcement and pupil transportation. This June we will issue a notice soliciting public comment on whether to add these programs. If they do not receive this priority designation, we are directed to explain the decision in a report to Congress.

In addition, ISTEA requires that guidelines be issued for six program areas. Since we have already issued guidelines for all areas except speed enforcement and occupant protection, we will issue a second notice in June on new guidelines for those areas and update the guidelines for the current priority programs.

The Section 410 alcohol-impaired driving program, established by the "Drunk Driving Prevention Act of 1988," was largely revised by ISTEA. Among other modifications, this revision of 410 provided additional basic and supplemental grant criteria, and changed the formula used to determine the amount of grant funds for adopting and implementing drunk driving prevention laws and programs. These laws and programs include prompt license suspension, lower blood alcohol content levels, sobriety checkpoints, self-sustaining community alcohol programs, control of alcohol access by youth, and mandatory sentences for repeat offenders.

In 1992, we published an Interim Final Rule to implement these revisions. During FY 1992, 17 States received grants under the 410 program revised by ISTEA. This April, we published a Final Rule, making additional changes to the 410 program required by the FY 1993 DOT Appropriations Act. We anticipate that the States eligible for 410 grants will increase.

No highway safety program established by ISTEA has been the subject of more discussion than the Section 153 safety belt and motorcycle helmet grant program. Beginning in FY 1992, ISTEA authorized three years of incentive grants to States with both belt and helmet use laws. To qualify the first year, a State must have both laws in effect; for second and third-year grants, a State must keep those laws in effect at all times and achieve specific compliance levels.

The statute provides that a State without both laws before October 1, 1993, must transfer 1.5 percent of its fiscal year 1995 Federal highway funds in certain programs (3 percent each succeeding year) to its Section 402 highway safety program.

In FY 1992, NHTSA awarded \$12 million in Section 153 grants to 17 States, the District of Columbia and Puerto Rico. Another \$12 million will be available in FY 1993. Currently, 21 States, the District of Columbia and Puerto Rico will be eligible to receive these grants in FY 1993.

In 1992, NHTSA issued a notice on survey guidelines the States must follow to measure compliance with belt and helmet use laws required for second and third-year grants. Last January, NHTSA and FHWA jointly issued a NPRM to define the terms of Section 153's transfer penalty. We anticipate issuing a Final Rule this June.

Also in 1992, we made grants to seven States to collect data for the \$5-million study mandated by ISTEA, to determine the benefits of safety belt and motorcycle helmet use. Through these grants, police-reported crash data will be linked with injury data collected by emergency medical services, hospital emergency departments, and rehabilitation and long-term care centers to provide the injury and cost data needed for analysis. Our report to Congress on this study is due in April 1995.

Several bills have been introduced to amend Section 153's penalty-transfer provision. In the House, H.R. 799, introduced by Congresswoman Snowe, would repeal the penalty-transfer provision. The Department opposes this bill. We believe the existing statute is a very constructive way to encourage the States to enact both safety belt and helmet use laws--two laws that contribute significantly to the reduction of motor vehicle fatalities and injuries and the related suffering and costs.

Many of the costs of motor vehicle crashes noted earlier are ultimately paid by Federal and State welfare and public assistance programs. In an era of tight budgets, these costs have a significant effect that transcends State boundaries.

Safety belts and motorcycle helmets are high on the list of measures that reduce these costs. NHTSA estimates that helmets are 29 percent effective in preventing motorcyclist fatalities, and that lap and shoulder belts reduce the risk of fatal injury by 40-50 percent.

Head injury is the leading cause of death in motorcycle crashes, and the best proven means of reducing motorcyclist fatalities is the enactment of helmet use laws. Although these laws have been a subject of continuing debate, with opponents arguing that they are an unwarranted infringement on personal liberty, the effectiveness of these laws in raising helmet use, reducing fatalities, and reducing the costs society incurs when unhelmeted motorcyclists are involved in crashes is beyond question.

ISTEA also made substantial revisions in the Section 154 national maximum speed limit program. It made permanent the limited demonstration program Congress had passed in 1987, allowing States to post 65 mph maximum speed limits on certain rural non-Interstate highways, and allowed other rural non-

Interstate highways not part of the demonstration program to be posted at the 65 mph limit, if they meet certain criteria. It also directed DOT to publish a rule setting speed limit compliance requirements on 65 mph roads, in addition to 55 mph roads, and a formula for determining State compliance. Finally, it mandated a new monitoring system for collecting speed data on affected highways.

NHTSA and FHWA issued a joint NPRM last December, proposing a speed limit compliance formula and a monitoring plan for these highways. A Final Rule will be issued this summer.

The Drug Recognition Expert Training Program (DRE), established by ISTEA to help law enforcement officers identify motorists impaired by alcohol or other drugs, is moving rapidly forward. States that have initiated this program are now assuming management control of program activities. Our program plans include accelerating research to improve DRE evaluations and to shorten training to qualify a DRE officer.

The emphasis ISTEA places on highway safety research is strongly supported by the new Administration. While ISTEA retained the basic provisions of NHTSA's Section 403 highway safety research program, it also established a major departmental R&D initiative, the Intelligent Vehicle Highway Systems (IVHS) program.

Last year, NHTSA played a key role in developing DOT's IVHS Strategic Plan, submitted to Congress in December, as ISTEA required. The plan sets forth in considerable detail the objectives and milestones of DOT's IVHS program, including NHTSA's critical responsibilities for collision avoidance and system safety. In a request from our Appropriations Committee, we also prepared a separate NHTSA IVHS Strategic Plan, submitted in 1992.

NHTSA's continuing responsibility is to provide the critical safety focus for DOT's IVHS program. We have developed a research program, in cooperation with the Federal Highway Administration, to address the opportunities IVHS offers for improvements in safety, which includes the safety evaluation of operational tests. Through this program we are developing performance specifications for systems that can help drivers avoid crashes. This effort will support the Department's implementation of ISTEA's requirements for demonstrating an automated highway and vehicle prototype by 1997. NHTSA's involvement will help ensure that the prototype is designed to provide a collision-free environment under normal operation and to minimize the safety consequences of any malfunction.

This concludes my prepared remarks. My colleagues and I will be glad to answer any questions you may have.