THE HONORABLE JEFFREY W. RUNGE, M.D.
ADMINISTRATOR
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
SUBCOMMITTEE ON COMMERCE, TRADE, AND CONSUMER PROTECTION
U. S. HOUSE OF REPRESENTATIVES

March 18, 2004

Chairman Stearns, Congresswoman Schakowsky, and Members of the Subcommittee, thank you for the opportunity to appear before you today to discuss various motor vehicle safety issues.

I want to express my appreciation for this Subcommittee's long-standing support of motor vehicle programs. Transportation safety is a top priority for Secretary Mineta and President Bush. Your work has allowed the National Highway Traffic Safety Administration (NHTSA) to advance motor vehicle safety. We are grateful to this Subcommittee for its continuing leadership and for scheduling this hearing.

NHTSA's mission is to save lives and prevent injuries. Motor vehicle crashes are responsible for 95 percent of all transportation-related deaths and 99 percent of all transportation-related injuries. They are the leading cause of death for Americans in the age group 2 through 34. In 2002, the last year for which we have data, 42,815 people were killed in motor vehicle crashes, up slightly from 42,196 in 2001. The economic costs associated with these crashes also seriously impact the Nation's fiscal health. The annual cost to our economy of all motor vehicle crashes is $230.6 billion in Year 2000 dollars, or 2.3 percent of the U.S. gross domestic product.

We focus our vehicle safety efforts on actions offering the greatest potential for saving lives and preventing injury. The motor vehicle safety law vests NHTSA with the authority and responsibility to issue motor vehicle safety standards for new motor vehicles and equipment that are performance-based, objective, practicable, and repeatable, and that advance real world safety. These standards reduce the number of motor vehicle crashes and minimize the consequences of crashes that do occur. NHTSA's professional staff includes engineers, statisticians, economists, lawyers and managers considered to be among the world's experts in applying their individual disciplines to the advancement of motor vehicle safety. All are dedicated to our singular mission of reducing death and injury on our nation's streets and highways.

We have demonstrated tremendous progress with our rulemaking procedures over the last 4 years. When I became Administrator, I set a goal of a two-year duration from the start of the rulemaking process to the Final Rule. A recent audit by DOT's Inspector General found that, based on a sample of significant rules for 2003, we have met our goal of two years or less. This has been accomplished with careful attention to timelines, milestones, and internal deadlines that we impose upon ourselves.

Last year we published the first NHTSA multi-year vehicle safety rulemaking priority plan. It sets forth the agency's rulemaking goals for 2003 to 2006. The rulemaking and

supporting research priorities were defined through extensive discussions within the agency, taking into account the views we have heard over several recent years at public meetings and in response to rulemaking notices and requests for comment. We prioritized potential new rules and upgrades of existing rules according to the size and severity of the problems they address, and the best educated estimates of the cost and effectiveness. The agency works closely with the Congress and the public to define our priorities openly and with ample public comment.

We intend for our rulemaking priority plan to be a living document, and will update it annually. In addition, we are committed to reviewing all Federal Motor Vehicle Safety Standards systematically over a 7-year cycle. We decided that such a review is needed in light of changing technology, vehicle fleet composition, safety concerns and other issues that may require changes to a standard. Our regulatory reviews are in keeping with the goals of the Government Performance and Results Act, to ensure that our rulemaking actions produce measurable safety outcomes.

Because of this process, and the need to make these decisions based on current data, the Administration is opposed to legislatively mandated rulemaking actions that displace deliberative research and regulatory actions. The process that we have developed will produce the best and most cost effective solutions to our most critical safety needs. The deadlines imposed with mandated requirements can preclude the completion of necessary research and force premature judgments or the adoption of incomplete or only partially developed solutions.

Furthermore, we have seen proposed mandates that include technical elements that have not been proven viable. Several decades of vehicle safety rulemaking have demonstrated that quality data and research produce regulations that are technically sound, practicable, objective, and repeatable. Our rulemaking priority plan was carefully considered, in the context of concomitant research needs, and I ask for your support in our pursuit of its objectives.

The overall safety priorities set by our agency at the outset of this Administration are increasing safety belt use, reducing impaired driving, addressing vehicle crash incompatibility, reducing rollovers, and enhancing our data systems. Last year, we carefully studied these objectives and developed and published a roadmap for achieving them. This Subcommittee has jurisdiction over the motor vehicle safety law, which is central to our objective of reducing deaths and injuries associated with crash incompatibility and rollover.

NHTSA's priority rulemakings for the immediate future reflect our priorities. These include enhanced side crash protection, preventing occupant ejection in rollovers, and upgrading our standards relating to roof crush, head restraints, seat back strength and door locks. Our longer-term research priorities include a number of potential advances in crash avoidance, including electronic stability control systems and driver-assist technologies. We have integrated our rulemaking priority plan and our research plan to ensure that, as rulemaking becomes necessary to advance safety in the future, we have the research to support it.

In all of our efforts, we recognize the vital role that complete and precise data play in identifying safety problems. With that in mind, we are evaluating the important advances that

electronic data recorders can add to our crash data and our ability to assess safety needs and benefits.

I would like to turn, now, to a discussion of some of the specific actions we are taking in accord with our rulemaking priority plan, against the backdrop of the safety problems we must address.

Of the 32,598 passenger vehicle occupants killed in 2002, 9,197 were killed in side impacts. In side impacts involving two passenger vehicles, an occupant of the struck vehicle was about 7 times more likely to have been killed than an occupant of the striking vehicle. It's not hard to see why preventing deaths and injuries in side-impact crashes is one of our highest priorities.

We have developed a notice of proposed rulemaking upgrading our side-impact standard. That proposal is currently under review at OMB. We estimate that this upgrade would prevent many hundreds of deaths annually in these types of crashes. We hope to publish that proposal later this spring.

Rollover crashes account for a substantial percentage of the fatal crashes in the country. Even though only 2.5 percent of crashes are rollover, over 10,000 people die each year in rollovers. This is almost a third of all passenger vehicle occupant fatalities and more than 60 percent of SUV occupant fatalities. The data show that nearly two-thirds of all rollover deaths are the result of full or partial ejections from a vehicle, and nearly all of these are unbelted.

We recently started dynamic testing of vehicles as part of our new rollover resistance rating system in accordance with the TREAD Act. Testing and reporting of those results began this year, as part of our New Car Assessment Program (NCAP).

We have already noticed improvements in vehicle designs and in safety ratings. Manufacturers strive to obtain high safety ratings under NCAP, because so many consumers rely on this information in making their vehicle purchasing decisions. We have seen an increase in vehicle manufacturers using NHTSA's star-rating information in their product advertising. An informed public will be an effective catalyst for improved rollover resistance. We recently introduced a new web site, www.safercar.gov, to enhance consumers' ease of use and accessibility of the information.

To improve the crashworthiness of vehicles that roll over, we are working on improved ejection mitigation and roof crush protection. Even as NHTSA is upgrading our side impact standard, all of the major automobile manufacturers have committed over time to ensure that their vehicles meet certain testing criteria in side impact. Those testing criteria are intended to encourage the installation of side airbag curtains that protect against brain injury in side impact crashes. An additional benefit of many side airbag curtains is that they prevent ejections, which are very lethal.

In order to realize maximum benefits from side curtain airbags, they must deploy in a rollover. The agency will develop a plan to evaluate rollover sensors in full-system tests later this year. We anticipate issuing proposals for new rulemakings as our research matures.

In addition to the attention we are giving our rollover and compatibility priorities, we also intend to bring to the Congress some additional important safety initiatives that I would highlight. We believe the Secretary of Transportation should be authorized to participate and cooperate in international activities to enhance motor vehicle and traffic safety. This would provide for NHTSA's participation and cooperation in international activities aimed at developing the best possible global safety research and technical regulations. Through participation in these international efforts, the United States will combine its motor vehicle safety initiatives with those of other countries, to ensure a comprehensive approach to motor vehicle safety and to promote cost-effective deployment of safety technologies.

A second area is our need to expand activities in crash avoidance. The most significant vehicle safety initiatives in the future will be based on technology that will avoid crashes, rather than our traditional emphasis on crashworthiness. This would include evaluations of crash avoidance technologies such as electronic stability control, telematics, alternative braking, vision enhancement systems, collision avoidance systems and lane departure warnings.

We anticipate that our research into these and other driver assistance technologies will reach significantly beyond the scope of current agency research and development activities. The rapid advance of these technologies will radically change the design and performance of automobiles over the next 10 years and, coupled with the aging driver population, present unique research challenges in human factors engineering. Our goal is to hasten the introduction of vehicle-based driver assistance technologies into the marketplace while ensuring their safe performance across all demographics, through the development of standards, voluntary guidelines, or consumer information. In doing so, we will have to be mindful that with the proliferation of new technologies comes the potential for increased driver distraction.

A third new area is our need to engage in research and development in fuel integrity of hydrogen powered vehicles. This includes risk assessment studies, the development of test and evaluation procedures and performance criteria and the development of suitable countermeasures.

This safety initiative would support the President's Hydrogen Fuel Initiative and the FreedomCAR Program. In particular, the research program would investigate the safety of the power train, the vehicle fuel container and delivery system, the onboard refueling system, and the full vehicle system performance. This research would evaluate leak detection systems, determine the effectiveness of safety systems, assess fire potential and flammability, and evaluate external hazards to these systems. The onboard refueling system-related research and performance tests would evaluate fuel leakage, examine sparking and grounding conditions of the refueling system, and examine conditions under which fire could occur. The full vehicle systems research and performance testing would include crash tests to identify safety issues associated with the existing Federal Motor Vehicle Safety Standards and new safety standards,

evaluate performance of leakage detection systems under crash and normal operating conditions, and identify post-crash and special requirements for emergency medical services.

I urge this Subcommittee to support these important safety initiatives and our rulemaking goals as outlined in our priority plan, which I'm submitting for the record. I will be glad to answer any questions you may have.