



U.S. Department of
Transportation

Office of the Secretary
of Transportation

Chief of Staff

400 Seventh St., S.W.
Washington, D.C. 20590

FAX TRANSMISSION COVER SHEET

DATE: 3/25/97

TO: ELIZABETH DRYE

FAX NO: 456-5587

FROM: Jackie Lowey
Deputy Chief of Staff
Office: (202) 366-6800
Fax: (202) 366-3956

Number of pages transmitted, including cover sheet: _____

Message:

456-5581

Elizabeth --

As discussed, we are working on a longer options memorandum for you which I thought was complete. Until it is, following is a description of what we are thinking. I am also sending you a copy of our announcement memorandum that has been sent over there a couple of times. I want to make sure you are in the loop, since some of this is mentioned in there.

In short, we can pull together an aggressive driving event around a number of different themes. As mentioned, the week of April 20-26 is National Drive Safely Week. The Network of Employees for Traffic Safety (NETS) is comprised of over 200 public and private organizations and would like to do an event on the 17th (which we could control) in anticipation of the Drive Safety Week. We could do a POTUS executive order to federal employees re: aggressive driving. You could bring in Justice to look at reviewing sentencing guidelines and combine that as a law enforcement event highlighting our mutual efforts. We could highlight the Secretary's Beltway Safety Taskforce (something he wants to do anyway) and use that as the backdrop w/ law enforcement to highlight these other things. We could pick a Red Light Running program and do an event amplifying that program. As demonstrated by the Sunday Post, it is possible to get press out of soft news announcements on this subject.

If you are interested we will put an event together and recommend it be centered around National Drive Safety Week.



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Transportation**

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400 Seventh St., S.W.
Washington, D.C. 20590

MEMORANDUM TO STEVE SILVERMAN CABINET AFFAIRS

FROM: Jacqueline Lowey
Deputy Chief of Staff

SUBJECT: Potential Announcements

DATE: March 19, 1997

Following are Department announcements through April 30 which could have White House involvement. Please contact me if you have any questions.

Possible Events

Safety Proposal:

Possible Dates: Beginning of April

Background: The Department is developing a second part of the "NEXTEA" roll out to be included as its own title in the NEXTEA legislation

Presidential or Vice Presidential involvement will continue the commitment to transportation as shown at the roll out on March 12 at OEOP and will also enhance the Administration's commitment on safety issues.

MOU with Mexico on Drug and Alcohol Testing

Possible Dates: April 11

Background: The Department is currently negotiating a MOU with the Mexican government regarding Drug and alcohol testing for all truck and bus drivers that cross the border to the US. This document has been in the works since last summer and has taken on new significance in the light Mexican drug certification issues.

The goal is to have the two transportation secretaries sign the agreement on April 10 at the bilateral meeting and then report to the Presidents of both countries for their meeting scheduled for April 11.

DC Primary Seat Belt Law

Possible Dates: April 30

Background: The District of Columbia passed a major seat belt law which will go into affect April 1. It will be the strongest seat belt law in the country. On April 30, a breakfast sponsored by "DC Buckle Up Coalition" to honor

those involved in passage of the D.C. primary belt law is being organized. Secretary Slater is being invited as an honoree.

The President or other appropriate White House personnel could attend this event as part of the commitment to work with DC and the commitment to increase safety.

National Drive Safely Week

Possible Dates: April 17, 20-26

Background:

The Network of Employees for Traffic Safety (NETS) is sponsoring the National Drive Safely week. NETS is comprised of over 200 public and private organizations throughout the country. They have asked for the Secretary to participate in a news conference April 17.

They have requested (and have provided a draft of) a Presidential proclamation, which focuses on promoting safety and a safer environment for all our citizens. While the news conference is scheduled for April 17, the week long events begin April 20. By promoting safe driving at work, the President can show his commitment to the need to combat aggressive driving.

The Presidential Initiative for Increasing Seat Belt Use Nationwide. **Possible Dates:**
Mid-April

Note: This is a follow up from the March 4 memo

Background: On January 23, 1997, the President directed the Department to report to him within 90 days to increase national safety belt use and to reduce the loss of life on America's roads. This report was originally scheduled to be delivered to the White House by March 10, but is still in the clearance process. It should be completed by the beginning of April.

The delivery of the report provides an opportunity to amplify the Presidents safety message.

The Presidential Initiative on Drugs, Driving and Youth. **Possible Dates:**
At WH convenience

Note: this is a follow up to our March 4 report.

Background: This initiative was instituted to reduce the incidents of drug use by teens and driving under the influence of drugs, in general. ONDCP and DOT together developed this report to reach the goals stressed by the President. This report was sent to the President on February 23.

The Department continues to be ready to develop a Presidential event for roll out of this report.

Drug Initiative Pilot Program:

Possible Dates: End of April

Background: With completion of the report to reduce drug use by teens (see above) the Department is ready to send out Requests for Proposals (RFP's) seeking states to participate in a pilot program. The program would require testing of teens prior to receiving driver's licenses.

Operation GULF SHIELD:

**Possible Dates: WH
Convenience**

Background: Operation GULF SHIELD, a coordinated counter narcotics efforts, commenced on March 16. The operation provides significant Coast Guard presence in a remote area the of S. Texas Gulf Coast. This operation will also focus on fisheries violations and illegal immigration activities.

A Presidential event would focus on the Administration's commitment to reduce drug traffic and well as the benefits of partnerships between the federal, state and local governments in combating crime.

Commissioning of Coast Guard Cutters IDA Lewis and Willis:

Date: April 12

Background: These two USCG Cutters will be brought into action in Newport, RI.

A Presidential ribbon cutting would amplify the Administration's commitment to the country's safety, defense and economic security. Coast Guard Commandant Admiral Kramek and Members of Congress are expected to attend.

US- Canada Landmark Agreement:

**Possible Dates: At White House
convenience**

Background: Secretary of Transportation Peña and Canada's Transport Minister signed a new, liberal aviation agreement in February 1995 to overcome a restrictive aviation regime that had stifled transborder services for nearly three decades. Within the first year after implementation, it was already clear that the new aviation regime with Canada was stimulating phenomenal improvements in service and increases in travel between the two countries. In early April, DOT will complete its report on the first two years' results under the landmark aviation agreement with Canada.

If the President is still scheduled to meet with the Canadian Prime Minister in April, this would be an excellent opportunity to present the report.

"Open-Skies" Initiatives--Asia and Central America:

Background: Open skies agreements permit unrestricted international air service by the parties' airlines between all the cities of one and all the cities of the other. This maximizes potential competition and facilitates new service through

cooperative arrangements among the parties' airlines. In 1995 and 1996, the U.S. open skies initiative produced new, fully liberalized agreements with eleven European countries. DOT expects to make substantial progress in its campaign to conclude bilateral "open-skies" aviation agreements with the United States' aviation partners in Asia and Central America in the first half of 1997. In Asia, Singapore, Brunei and Taiwan already have initialed agreements, and impending talks with Malaysia and Korea also are expected to succeed. The first such agreement in Central America has been negotiated with Panama; Costa Rica and Honduras will follow soon.

The White House could choose to announce the Honduras agreement and package this with the earlier Central American agreements.

Air Traffic:

Display Channel Complex Rehost
(computer equipment for air traffic control):

Possible Dates: Mid-April
At WH Convenience

Background: Testing of the equipment has begun at Leesburg, VA Center. This will modernize the air traffic control system nation wide which will improve safety for air traveler. The system is set to be operational by mid-April.

An event with the President or Vice President at Leesburg for the commissioning would highlight the President's safety in the skies commitment and would follow through on the Gore Commission recommendations for increased air passenger safety.

Terminal Doppler Weather Radar:

Covington, Ky	April 15
Minneapolis, MN	April 22
Tulsa, OK	April - date to be determined

Background: TDWR equipment provides terminal weather detection and processing for micorbursts, gust fronts, wind shift and precipitation.

And event with the President, Vice President or other White House staff will show local interest in improved air safety.

Grant Announcements

In addition to the above events, we are anticipating some grant announcement which the White House might have an interest in. While many of these would not necessitate a Presidential event, we would like to offer the White House the opportunity to make these announcements via phone calls to the delegations, and state and local officials. Some grants were listed in our previous announcement memo of March 4. Please let us know which announcements you would like to make so that we can proceed with the other grant notifications.

Transit Grants:

Tri-County Commuter Rail, Ft. Lauderdale \$11.5 million (1997 earmark)

Funds will provide for the double tracking of seven miles of the Tri-rail system; system and train control improvements and the construction of the Deerfield Beach Station.

MARTA, Atlanta, Georgia \$1.6 million Livable Communities Initiative

Funds will be used for real estate acquisition, demolition, appraisal and utility relocation in the vicinity of existing MARTA rapid rail stations. This program is part of the Presidential initiative to provide better mobility to get people to work.

Mass Transit Administration, Maryland \$10.2 million (1997 earmark)

Funds will be used for the construction of three extensions to the Baltimore Central Corridor Light Rail Line. This is the final increment under a Full Funding Grant Agreement.

Massachusetts Bay Transportation Authority, Boston \$29.8million (1997 earmark)

Funds will be used for the South Boston Transitway project which includes the construction of a new transit service from South Station to the World Trade Center. The Department has done two events on this project; one each Senators Kerry and Kennedy. Former Chief of Staff Leon Panetta participated via phone during the Kerry event. The project is located exclusively in Rep. Moakley's district and is of major importance to him.

NJ Transit Corporation \$104.8 million (1997 earmark)

Funds for this project are FY97 earmarked newstart. These funds will be used for the Seacaucus Transfer element of the New Jersey Urban Core Project.

Metropolitan Transit Authority, New York City \$35 million

This is the final increment of the FFGA. The project consists of the connection between the 63rd St tunnel and the Queens Blvd subway line.

AIP Announcements**Memphis, TN Int'l Airport \$ 9,338,302**

Construct runway and taxiways; extend taxiways; improve access road (construct tunnel) and drainage (Phase IV)

Nashville, TN Int'l Airport 1,678,805

Construct water quality and drainage treatment facilities (Phase III)

Covington, TN Municipal 954,000

Improve runway safety area; construct taxiway (Phase II)

State of Illinois Several Airports 8,188,245 (Block Grant)

Various airport development projects at non-primary airports under the State Block Grant Program

Myrtle Beach, SC Int'l Airport 1,452,506

Rehabilitate taxiways

Columbia, SC Metro Airport 1,894,251

Rehabilitate and light runway (Phase II); Construct taxiway

Greer, SC Greenville-Spartenberg 3,591,698

Extend runway (Phase IV)



ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY

Co-Chairs:

Richard D. Crabtree,
President & COO
Nationwide Mutual
Insurance Company

Andrew McGuire
Executive Director
Trauma Foundation

President:

Judith Lee Stone

**Consumer and Safety
Organizations:**

Stephen Brobeck
Consumer Federation
of America

Joan Claybrook
Public Citizen

Clarence Ditlow
Center for Auto Safety

Donald Friedman
MCR Technology Inc.

Jay R. Halfon
New York Public Interest
Research Group

Stephen W. Hargarten, M.D., MPH
American College of
Emergency Physicians

Ralf Hotchkiss
Wheeled Mobility Center
San Francisco State University

Katherine P. Prescott
Mothers Against Drunk
Driving (MADD)

Stephen Teret
American Public Health
Association

Hubert Williams
Police Foundation

**Insurance and Agents
Organizations:**

Patricia A. Borowski
National Association of
Professional Insurance Agents

Herman Brandau
State Farm
Insurance Companies

Len Brevik
Independent Insurance Agents
of America

John Conners
Liberty Mutual
Insurance Company

Steve Hasenmiller
The Hartford

Rodger S. Lawson, PhD
Alliance of American Insurers

Gerald Maatman
Kemper Insurance Companies

Robert J. McMillan
Progressive Insurance

Robert Vagley
American Insurance Association

May 22, 1997

Ms. Elizabeth Drye
Special Assistant to the President for Domestic Policy
Domestic Policy Council
Old Executive Office Building
17th Street & Pennsylvania Avenue, NW
Suite 222
Washington, DC 20504

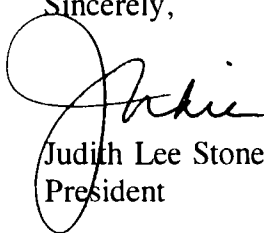
Dear Ms.  Drye:

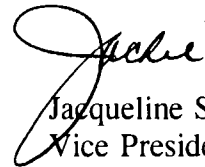
Enclosed is a newly released report by Advocates for Highway and Auto Safety, "*The Highway Safety Deficit: Who Pays and Who Delays?*". We thought you might be interested in this report as it provides an update on the status of safety laws since the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991 and offers legislative solutions for inclusion in the reauthorizing bill. We have also enclosed a copy of the testimony Advocates gave before the Senate Environment and Public Works Subcommittee on Transportation and Infrastructure on May 7th, the day after the report was released.

We look forward to continuing to work with you in the coming months to enact a reauthorization of ISTEA that will advance highway safety.

Thank you.

Sincerely,


Judith Lee Stone
President


Jacqueline S. Gillan
Vice President





ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY

**NEWS
RELEASE**

FOR IMMEDIATE RELEASE
MAY 6, 1997

CONTACT: CATHY HICKEY, 202-408-1711
800-659-2247

"THE HIGHWAY SAFETY DEFICIT: WHO PAYS AND WHO DELAYS?"

New Report Shows Need for Additional Highway Safety Laws to Curb Drunk and Aggressive Driving and Enforce Seat Belt Laws

"SAFETEA" Coalition Calls on Congress to "Put Safety in the Driver's Seat -- Not in the Trunk" as part of Multi-Billion Dollar Highway Bill

(Washington, D.C.) -- Advocates for Highway and Auto Safety and a coalition of more than 60 additional safety, health, business and law enforcement groups today released a new report titled, "The Highway Safety Deficit: Who Pays and Who Delays?" The report provides a comprehensive look at the status of highway safety in this country and provides legislative solutions as part of the reauthorization of the multi-billion dollar Intermodal Surface Transportation Efficiency Act (ISTEA, pronounced ICE TEA).

The report reveals that since the devastating assaults on highway safety in 1995 as part of the National Highway System Designation Bill, 24 states have increased their speed limits to 70 mph and higher and 21 states have made efforts to repeal their all-rider motorcycle helmet laws. Furthermore, only 12 states (and the District of Columbia) have passed standard (or primary) enforcement safety belt laws, and only 14 states have illegal blood alcohol content levels of .08 percent (for a complete list of state laws, please see attached chart).

"It's time for Congress to put safety in the driver's seat rather than the trunk," said Joan Claybrook, Advocates board member and President of Public Citizen. "Day in and day out, an average of 115 Americans don't return home because they were killed in a highway crash, and the numbers are not improving. It is imperative that Congress enact lifesaving legislation that encourages belt use, reduces the incidence of speeding, drunk and aggressive driving, and improves the safety of big trucks as part of the reauthorization of ISTEA."

The SAFETEA Coalition, named to reflect the need for strong safety measures in the ISTEA bill, called on Congress to require all 50 states to enact lifesaving laws to combat drunk driving by adopting .08 percent blood-alcohol laws or face the loss of highway construction funds. Senator Frank Lautenberg (D-NJ), a co-sponsor along with Senator Mike DeWine (R-OH), of a bill to sanction states that fail to adopt a .08 Blood Alcohol Content level as tantamount to a DWI charge, joined the coalition members in calling for stronger action.

- more -



The Highway Safety Deficit: Who Pays and Who Delays -- Page 2 of 3

"Highway fatalities and injuries are climbing and we are working to make sure SAFETEA is a priority when Congress considers ISTEA," said Senator Lautenberg. "Every 30 minutes someone in America is killed by a drunk driver. If we are serious about saving lives, we must be serious about passing strong laws."

"The legislation we are proposing will not reel innocent motorists into the snares of the police," said Senator DeWine. "What it will do is serve as a powerful deterrent to drinking and driving -- sending a message that America is getting tougher on drunk driving, and making people think twice about getting behind the wheel when they're impaired."

Joining Advocates and the members of the SAFETEA Coalition was Theresa Rankin of McLean, VA, who suffered traumatic brain injury in a high speed car crash on May 6, 1977, and has since been making a rare and lifelong recovery. According to Theresa, "Each year 500,000 new survivors of traumatic brain injury are admitted to ER or trauma centers. Our lives are often lost in a split second when our safety is forfeited to the choice made by a drunk or aggressive driver. I am afraid of the dangerous gaps in our nation's road safety laws ... gaps which are putting families in many states at risk of the costly trauma that I have survived."

The Coalition also called on Congress to enact legislation that encourages states to sharply increase seat belt use by passing standard enforcement belt laws through the use of incentives and sanctions. The national seat belt use rate in the U.S. lingers at a daytime estimate of 68 percent -- the lowest rate of any industrialized nation. Two-thirds of the more than 41,000 people killed every year were not wearing safety belts. According to the National Highway Traffic Safety Administration, 45 percent of those that died without belts -- 12,000 people -- could have been saved if they used safety belts.

"The truth is, seat belts are one of the most effective ways to prevent deaths and injuries in a crash," said Larry Bedard, M.D., President of the American College of Emergency Physicians. "The hardest part of any emergency room doctor's job is telling family members about the loss of a loved one. Often these people would have survived if only they had been wearing their safety belt."

To reach the final one-third of the nation's population who have yet to make it a habit to buckle up, much more aggressive measures must be taken. One highly effective way to assure increases in belt use is to enforce strong safety belt laws. Standard (or primary) enforcement laws, which allow police to issue a citation solely for not wearing a safety belt, realize higher rates of use than laws that are "secondary" enforcement, which require that the vehicle be stopped for some other infraction like speeding. States with standard laws average 14 percentage points higher belt use than those with secondary laws.

The Highway Safety Deficit: Who Pays and Who Delays -- Page 3 of 3

In addition to calling for passage of safety belt and drunk driving laws, the "SAFETEA" Coalition also called for Congress to seek 1/2 cent of the proceeds from each gallon of gasoline for a \$600 million annual nationwide campaign to combat drunk and aggressive driving and to enforce seat belt laws. Today, the U.S. authorizes only about \$160 million annually to highway safety grant programs. Highway deaths represent 94 percent of transportation deaths and 99 percent of transportation injuries, but funding for federal highway safety has only been 1 percent of the Transportation Department's budget.

"One of the most critical weapons in the battle to reduce deaths and injuries is adequate resources for enforcement of traffic safety laws," said Dave McCluskey of the Connecticut State Police Union. "We need more troopers on our highways to adequately enforce the laws on the books and to protect our citizens."

The Coalition also issued a call for greater truck safety by freezing the size and weight of trucks on the 155,000-mile National Highway System, stopping the spread of dangerous longer combination vehicles (such as triple trailer trucks), and blocking efforts to increase the number of hours truck drivers are permitted behind the wheel of big rigs. A recent public opinion poll conducted by Louis Harris shows that the American public is fearful of sharing the road with bigger trucks. According to the poll, 88 percent don't want bigger trucks on the roads and 83 percent oppose longer driving times for truckers.

From a business perspective, motor vehicle crashes on and off-the-job cost employers almost \$55 billion in 1994, in health fringe benefits and medical spending, along with sick leave, life and disability insurance. According to Michael Dineen, Vice President, Kemper Insurance Companies, "To produce profits equal to employer costs of motor vehicle-related injury, employers in this country would need \$547 billion in sales -- over four times the annual growth in our nation's economy. Employers are always looking for ways to reduce their health care spending and prevention is the only real solution to controlling health care costs that result from injuries."

The news announcement comes on the eve of a Senate Environment and Public Works Committee hearing Wednesday at 9:30 am in Room 406 Dirksen Senate Office Building on ISTEA II, and just weeks before the House Transportation and Infrastructure Committee may vote on highway funding legislation. To date, little in the multi-year, multi-billion dollar highway bill addresses safety.

Advocates for Highway and Auto Safety is a broad-based alliance of consumer, safety and law enforcement groups and insurance organizations working to promote effective highway safety legislation and policies at state and federal levels. For more information, please contact Advocates for Highway and Auto Safety at (202) 408-1711 or (800) 659-2247, or visit our world wide web site at www.saferoads.org.

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THE HIGHWAY SAFETY DEFICIT: *Who Pays and Who Delays?*



A Report on the Status of the Nation's Highway Safety Laws and Legislative Solutions for Reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA)

May 6, 1997



ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY

*** * * ADDENDUM * * ***

(5/19/97)

Impaired Driving

Lowering the Illegal BAC Limit to .08%

Legislation to lower the illegal BAC to .08% passed the Illinois House of Representatives on May 7 after passing the Senate earlier in the session. It now awaits the Governor's signature.

Buckling Up

Kids, Cars and Crashes

Florida's legislature passed legislation which would close the gaps in the state's child restraint law. The measure awaits the Governor's signature. Though it requires that all children under the age of 16 be restrained, it only allows for secondary enforcement of the law.

Missouri's legislature has also passed legislation which would require all children under the age of 16 to be restrained. The measure awaits the Governor's signature. This law allows for standard (primary) enforcement.

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INTRODUCTION

Every day millions of American families leave their homes to travel by car to work, school, medical appointments, soccer practice, grocery stores, shopping malls and libraries. Although our nation's highway system has created mobility opportunities that are the envy of the world, it has also resulted in a morbidity and mortality toll that is not.

What if a commercial airplane crashed, not once a month, but every day, seven days a week, year in and year out? What if a terrorist organization threatened to kill 5 Americans every hour until their demands were met? What if the outbreak of a new flu virus resulted in the death of more than 9,000 of our children under the age of 21? In fact, the number and frequency of deaths cited in these hypotheticals illustrate the current statistics on death and injury as a result of motor vehicle crashes every year. Day in and day out, year in and year out, since the late 1970s, approximately 115 Americans will not return home at the end of the day and nearly 10,000 Americans will be taken to hospitals for serious injuries because of motor vehicle crashes. According to annual crash data collected by the National Highway Traffic Safety Administration (NHTSA), an agency of the U.S. Department of Transportation, nearly 42,000 people die and another 3.4 million Americans suffer injuries every year on our highways because of motor vehicle crashes at a cost to society of \$150 billion or \$580 per man, woman and child. The death toll on our highways makes driving the number one cause of death and serious injury for young people ages 5 to 27. Highway crashes cause 94 percent of all transportation fatalities and 99 percent of all transportation injuries. In the medical community, the annual staggering loss of lives and the incidence of life-threatening injuries is best described as a public health crisis.

THE CHALLENGE

The causes of motor vehicle deaths and injuries are reported every day in newspapers and on television in communities across the country - drunk driving, speed, aggressive driving, inexperience, and indifference to traffic safety laws. Although some progress had been made in the mid-1970s and 1980s, the last five years have not resulted in any major decrease in motor vehicle deaths and injuries. While Americans may be putting more miles on their cars and spending more time on the road, improvements in fatality rates, based on vehicle miles traveled (VMT), disguise the sobering fact that the number of Americans killed in car crashes per 100,000 population has remained nearly constant in the past five years.

YEAR	FATALITIES	FATALITIES (Per 100,000 Population)	FATALITY RATES (Per 100 Million Vehicle Miles Traveled)
1990	44,599	17.88	2.1
1991	41,508	16.46	1.9
1992	39,250	15.39	1.7
1993	40,150	15.57	1.7
1994	40,716	15.64	1.7
1995	41,798	15.91	1.7
1996	41,500 est	not available	not available

Source: Safety Services, Inc. from NHTSA data

The challenge of reducing motor vehicle deaths and injuries will not be easy in light of driver demographics leading into the 21st century. Some of the obstacles in the road:

- Aging baby boomers and a growing population of teenage drivers present unique problems in the traffic mix. The US Census Bureau estimates that in the year 2000, the youth population (ages 15 to 20) of this country will be 23.9 million, an increase of 10 percent from 1995. In the next decade, this age group is expected to increase by almost 17 percent. According to NHTSA, teenage drivers are over-represented in fatal crashes compared to other age groups.

- In 1995, drunk driving fatalities were up for the first time in a decade indicating that drunk driving laws are being met with some complacency by the public, and law enforcement lacks the necessary resources to crack down on impaired drivers.
- Aggressive driving has become a common occurrence on our roads and highways, aided by speed limits in 24 states at 70 mph or above and insufficient resources to enforce speed limit laws.

The good news is that effective and successful solutions and strategies are on the shelf and ready to be used. In fact, many are already underway. Many states and communities are employing these ideas and programs resulting in important reductions in highway deaths and injuries. Stricter drunk driving laws, stronger safety belt laws, increased financial resources to fund traffic safety programs, committed and sustained enforcement of traffic safety laws such as speed limits and red light running, graduated licensing programs for inexperienced teenage drivers, improved motor vehicle and truck design requirements, and limits on the size and weight of big trucks are all part of the safety solution.

NATIONAL AND STATE LEADERSHIP

In any national crisis that claims so many young lives, inflicts so many debilitating and costly injuries and extracts such a substantial personal and financial toll, the country looks to its elected leaders to take action and advance effective solutions. Congress has an opportunity this year to enact a road map for improving highway safety that will reduce deaths and injuries and save federal taxpayer dollars as well as personal grief. One of the most significant bills that Congress will take up in the 105th session is the reauthorization of federal funding programs to support highway maintenance and construction, transit capital and operating programs and traffic and motor vehicle safety programs. In 1991, Congress passed and President Bush signed into law the Intermodal Surface Transportation Efficiency Act, or ISTEA. In addition to setting highway and transit program priorities for states, urban, suburban and rural communities, this legislation included an extensive highway safety agenda to address preventable deaths and injuries on our highways. For the first time in the history of the federal highway and transit programs, House and Senate leaders enacted legislative provisions which in total comprised a safety agenda resulting in the state adoption of safety belt and all-rider motorcycle helmet laws, safer cars and trucks, and reasonable limits on the spread of double and triple-trailer trucks.

Since January, when the first session of the 105th Congress began, the political debate on highway funding conducted by Members of Congress, Administration officials, governors, state department of transportation directors, highway construction lobbies and other interest groups, has centered almost exclusively on the division of federal gas tax revenues between donor and donee states, the highway and transit funding needs of urban vs. rural communities, the determination of what are legitimate vs. illegitimate uses of trust fund dollars, and the on-budget vs. off-budget congressional battles. Little, if any, of the political discourse has addressed the "public health vs. public harm" effects of this legislation. Because of the money at stake, the political terms of the debate focus on state winners and losers in terms of dollars and cents. But what about the winners and losers among the highway users? Which American families traveling by car will be protected on our highways from drunk drivers, excessive speeding, big trucks and aggressive driving? Over the six year life of the reauthorization bill submitted by the Clinton Administration, the National Economic Crossroads Transportation Efficiency Act (NEXTEA), **more than \$170 billion in surface transportation spending is being proposed.** However, during that same six year period of highway funding, unless the tide of fatalities and injuries on our highways is stemmed, **over 250,000 people will die**, roughly the equivalent of the city of Erie, Pennsylvania or Boulder, Colorado. **Eighteen million more will be seriously injured**, equal to the population of the state of New York or Texas, **at a cost of over \$900 billion**, enough to cover the full four year costs (including tuition, room and board) for twice the number of students currently attending a four-year public university. **The entire cost of the Administration's NEXTEA authorization could be covered if we realize just a 20 percent reduction in highway deaths and injuries.**

WHAT THE TAXPAYERS SAY

Last year, in anticipation of congressional consideration of the reauthorization of ISTEA, Advocates sought to determine how Americans feel about specific highway and auto safety issues, policies, and programs. To do so, Advocates commissioned a well-known, national pollster, Louis Harris, to survey a cross-section of 1,000 adults. The results were compelling. The public is seriously concerned about the dangers of highway travel and decisive majorities support a strong federal response to address highway safety. "In an era marked sharply by a rush to turn over many substantive areas of government and regulation to the states and localities in many areas, highway and auto safety stands out as a significant exception to the rule," said Harris in announcing the poll results in September, 1996.

Despite conventional wisdom that the public wants less government involvement in regulatory matters, decisive majorities of Americans feel it is important for the federal government to play a strong role in highway and auto safety regulations.

Key findings of the poll are:

- 94 percent say it is important to have federal regulations of car safety standards, with 77 percent stating such a presence is very important.
- 91 percent believe federal involvement in assuring safe highways is important, with 78 percent saying such a role is very important.
- 87 percent say it is important to have the federal government setting strict rules about food and product safety, highways and airline safety, and safety on the job, with 62 percent citing such regulation as very important.
- 80 percent feel a federal presence is important in passing laws which mandate safety belt use, with 61 percent saying federal involvement in this area is very important.
- 91 percent feel that federal regulation of large truck safety on the highways is important, with 74 percent viewing federal involvement as very important.
- 77 percent believe it is important for the federal government to pass laws to get people to wear motorcycle helmets, with 61 percent stating such laws are very important.
- 73 percent say a federal presence in controlling excessive speed on highways is important, with 47 percent stating this presence is very important.
- 64 percent feel higher speed limits will contribute to even more aggressive driving.

WHAT CONGRESS GIVETH, CONGRESS MAY TAKETH AWAY

One measure of how seriously Congress is addressing highway deaths and injuries will be found in the safety agenda advanced in the reauthorization of ISTEA. How much political will there is for enacting highway safety initiatives and how much money will be authorized are two critical issues. But first, it is necessary to review past congressional actions and a state-by-state analysis of key traffic safety laws to better understand the unfinished safety agenda. Over the past twenty years, Congress has used each successive highway bill to both advance certain highway safety initiatives and, at times, retreat on others. Speed limits and motorcycle helmets are two examples of retreat.

Is The American Public Dying To Go Faster?

Although intended as a temporary measure to conserve oil, enactment of the national speed limit in 1974 had a dramatic safety benefit that was recognized almost immediately. That year witnessed the largest one-year decrease in highway fatalities ever recorded, down 9,000 people than the previous year. Studies confirmed that lowering the speed limit was the significant factor resulting in the decrease in fatalities.

In 1987, Congress amended the National Maximum Speed Limit law to permit states to increase the maximum speed limit on rural Interstate highways to 65 miles per hour. Thirty-eight states raised speed limits on rural Interstates in 1987 and two additional states followed suit in 1988. The 1987 amendment had a profound effect, resulting in a 30% increase in fatalities on rural Interstate highways posted at the new limit. According to the U.S. Department of Transportation, the rise to the 65 mph speed limit resulted in an annual increase of 500 deaths and \$900 million in speed-related economic costs nationwide.

In 1995, Congress enacted, and the President signed, the National Highway System (NHS) bill, repealing the National Maximum Speed Limit completely and threatening to undo many of the advances made in highway safety over the past 20 years.

The 1995 repeal of the national 55 mph maximum speed limit permitted states to determine the speed limits on Interstate and other highways within their borders. As expected, and reported by Advocates in "States At Risk," a number of states automatically increased their maximum speed limits with the repeal of the federal law, and even more increased top speed limits in the past year. The accompanying map indicates the states that have increased speed limits on rural Interstate highways. A total of 34 states have raised speed limits on rural Interstate highways, ten have increased legal speeds to 75 mph, thirteen to 70 mph, and Montana has no posted daytime speed limit for passenger cars (see chart). Of these states, 24 also increased speed limits on their generally more congested urban Interstate highways. Just as important, however, is the fact that many of these same states increased speed limits on lowerclass, non-Interstate highways, including non-limited access state roads to 60, 65, and in some cases 70 mph.

States have thus far provided only limited and preliminary data on highway speeds, crashes, fatalities, and injuries on highways posted at higher speed limits. State data, which is just now becoming available, is still not definitive. However, in a number of states, higher prevailing travel speeds and higher than expected fatality and severe injury totals have been reported. Some states are reporting trends which suggest that more fatalities and traveling at excessive rates of speed have accompanied increased speed limits. The travel speeds are generally reported and analyzed based on 85th percentile speed, which is the speed at which 85% of vehicles are traveling at or below. There are indications that the 85th percentile speed is going up on highways with higher speed limits.

Ten of the 34 states that increased speed limits on portions of their highway systems suffered an increase in fatalities of 5% or more in 1996, 5 states had an increase of between 14% and 18%. While preliminary national data reflects that fatalities may have dropped slightly nationwide in 1996, disaggregated data for highways posted with higher speed limits may tell a different story. Among states that increased speeds on Interstate highways, 12 had increases in travel speeds (85th percentile) on either the urban or rural Interstates, or both, posted at higher speed limits. Five states experienced increases in fatal crashes, six states suffered increases in fatal and injury crashes, and seven had an overall increase in total crashes.

New Mexico, the first state to raise speed limits the morning after the NHS bill became law, provides an example of the safety problems experienced with higher speed limits. Preliminary data on New Mexico Interstate highways indicate that on large portions of the Interstates posted with higher speed limits the average vehicle speed and the 85th percentile speed of vehicles increased significantly. Moreover, the percentage of vehicles speeding at over 80 mph on those roads doubled since the speed limit was raised. On the Interstates where higher speeds prevailed there was a significant increase in both fatalities and incapacitating injuries. Since the overall number of fatal and injury crashes remained the same on these roads, when compared to prior years, this indicates that the increase in crash severity resulted from higher vehicle speeds.

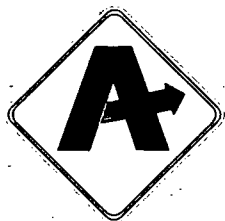
In California, preliminary data indicates that fatal crashes on Interstates and other freeways posted at 65 mph and 70 mph have increased dramatically. For the first ten months of 1996, compared to the same time period in 1995, fatal crashes are 12% higher on Interstates that were increased from 65 mph to 70 mph, but 22% higher on other freeways where speed limits were increased from 55 mph to 65 mph. The combined increase in fatal crashes on higher speed freeways was 18%. By comparison, California freeways that remained at 55 mph experienced over an 8% reduction in fatal crashes. Preliminary data also reflect that California had a 4% statewide decrease in motor vehicle fatalities in 1996. While motor vehicle deaths may be down in California, and deaths are likely down on roads that did not raise posted speed limits, the trend is the opposite on roads where speeds were increased.

Coupled with the preliminary data on fatal crashes and crash severity is the pronounced increase in vehicles speeds, and the percentage of vehicles traveling at high speeds. The Insurance Institute for Highway Safety (IIHS) studied vehicle speeds before and after the change in posted speed limits on highways in California, Texas, and New Mexico. In California, on highways where posted speed limits had increased to 65 mph, 29% of vehicles were traveling at speeds

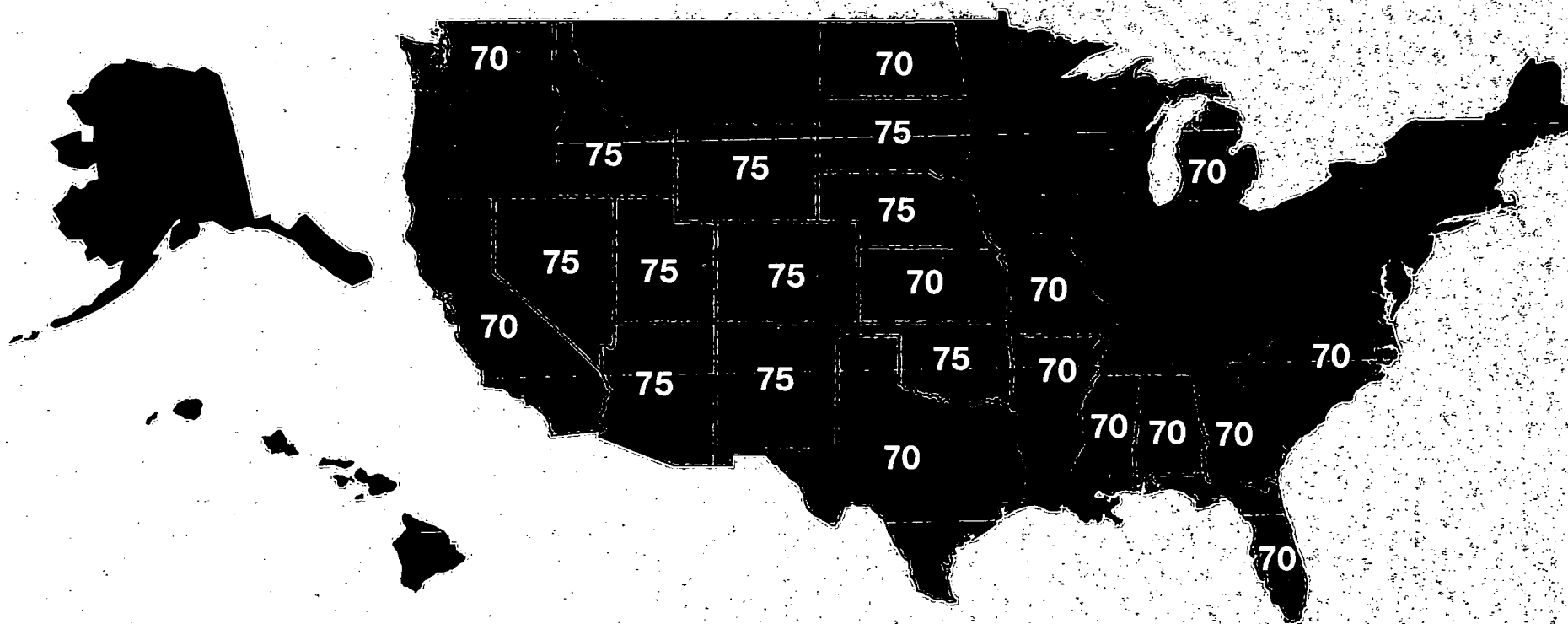
above 70 mph before the speed limit increase. One year later, 41% of the vehicles on those highways were traveling at 70 mph or above. In Texas, on highways where posted speed limits were raised to 70 mph, only 15% of vehicles were exceeding 70 mph prior to the speed limit increase. After one year at the higher speed limit, however, over 50% of all vehicles were traveling at 70 mph or over. In the same time period, the percentage of vehicles traveling at 75 mph or faster quadrupled from only 4% prior to the speed limit increase, to 17% exceeding 75 mph one year after the speed limit was raised. In New Mexico, where Interstate speed limits were raised to 75 mph, the percentage of vehicles exceeding the new speed limit increased from 14% for cars and 2% for trucks before the speed limit was raised to 26% for cars and 8% for trucks after the posted speed limit was raised. Similarly significant increases in the percentages of vehicles traveling at high speeds have been reported in other states including Montana and Nevada.

The preliminary data from at least the few states that have reported suggests that highways on which speed limits have been raised are experiencing higher numbers of fatalities, serious injuries, and fatal crashes. While this may vary from state to state, this data is consistent with the conclusions of dozens of studies and reports that have linked higher speed limits to increases in deaths and injuries. Most prominently, the 1984 National Academy of Sciences report, "55 A Decade of Experience," found the lower, uniform national speed limit saved between 2,000 and 4,000 lives annually. The data are also consistent with the findings of a series of reports to Congress by the NHTSA which found that speed limit increases to 65 mph on rural Interstate highways resulted in nearly 500 additional deaths annually.

While complete and comprehensive data and analysis will not be available until a much later date, the preliminary data from a few states indicate an emerging and unsafe trend -- that higher speed limits are eroding safety on America's highways.



STATE SPEED LIMITS (on rural Interstates)



Blue = rural Interstate speed limits of 55 or 65 mph
Red = rural Interstate speed limits of 70 or 75 mph
Black = no daytime rural Interstate speed limit

note: Several states have also raised speed limits on urban Interstates and other roads.

Current as of May 5, 1997

**STATES RAISING THEIR SPEED LIMITS
SINCE REPEAL OF THE NATIONAL SPEED LIMIT**
(as of 5/5/97)

	<u>Rural Interstates</u>	<u>Urban Interstates</u>	<u>Other Limited Access Roads</u>	<u>Other Roads</u>	<u>Effective Date (Rural)</u>
Alabama	70 mph	70 mph	65 mph	65 mph	5/9/96
Arizona	75 mph	55 mph	55 mph	55 mph	12/8/95
Arkansas	70 mph (trucks 65)	55 mph	60 mph	55 mph	8/19/96
California	70 mph (trucks 55)	65 mph	70 mph	55 mph	1/7/96
Colorado	75 mph	65 mph	65 mph	55 mph	6/24/96
Delaware	65 mph	55 mph	65 mph	55 mph	1/17/96
Florida	70 mph	65 mph	70 mph	65 mph	4/8/96
Georgia	70 mph	65 mph	65 mph	65 mph	7/1/96
Idaho	75 mph	65 mph	65 mph	65 mph	5/1/96
Illinois	65 mph	55 mph	65 mph	55 mph	4/27/87
Iowa	65 mph	55 mph	65 mph	55 mph	5/12/87
Kansas	70 mph	70 mph	70 mph	65 mph	3/7/96
Maryland	65 mph	60 mph	65 mph	55 mph	7/1/95
Massachusetts	65 mph	65 mph	65 mph	55 mph	1/5/92
Michigan	70 mph (trucks 55)	65 mph	70 mph	55 mph	8/1/96
Mississippi	70 mph	70 mph	70 mph	65 mph	2/29/96
Missouri	70 mph	60 mph	70 mph	65 mph	3/13/96
Montana	none (trucks 65)	none	none	none	12/8/95
Nebraska	75 mph	65 mph	65 mph	60 mph	6/1/96
Nevada	75 mph	65 mph	70 mph	70 mph	12/8/95
New Mexico	75 mph	55 mph	65 mph	55 mph	5/15/96
New York	65 mph	65 mph	65 mph	55 mph	8/1/95
North Carolina	70 mph	65 mph	65 mph	55 mph	8/5/96
North Dakota	70 mph	55 mph	65 mph	65 mph (day) 55 mph (night)	6/10/96
Oklahoma	75 mph	70 mph	70 mph	70 mph	8/29/96
Pennsylvania	65 mph	55 mph	65 mph	55 mph	7/13/95
Rhode Island	65 mph	55 mph	55 mph	55 mph	5/12/96
South Dakota	75 mph	65 mph	65 mph	65 mph	4/1/96
Texas	70 mph (trucks 60)	70 mph	70 mph	70 mph	12/8/95
Utah	75 mph	65 mph	55 mph	55 mph	5/1/96
Virginia	65 mph	55 mph	65 mph	55 mph	7/1/88
Washington	70 mph (trucks 60)	60 mph	55 mph	55 mph	3/15/96
Wisconsin	65 mph	65 mph	65 mph	55 mph	6/17/87
Wyoming	75 mph	60 mph	65 mph	65 mph	12/8/95

SUMMARY:

Montana no longer has a daytime speed limit. Ten states have raised their speed limit to 75 mph and thirteen states have raised their speed limit to 70 mph. Ten additional states have acted to raise their maximum speed limit to 65 mph or to increase the number of roads with speed limits of 65 mph.

(Sources: Advocates for Highway and Auto Safety and Insurance Institute for Highway Safety)

Motorcycle Helmets Are A "No Brainer"

The Highway Safety Act of 1966 (P.L. 89-564) strongly encouraged States to enact mandatory motorcycle helmet use laws, withholding 10% of federal highway construction funds (and all Federal highway safety funds) from States that did not adopt the law. By 1975, 47 states as well as the District of Columbia, required all motorcyclists to wear helmets and the federal government began deliberations about whether to withhold funds from the non-compliant states. In 1976, the Highway Safety Act was amended to remove sanctions against states without motorcycle helmet laws. Between 1976 and 1983, helmet laws were weakened or repealed in 28 states; during this period, motorcycle fatalities increased 61% while registrations increased by only 15%.

In 1991, Senator John Chafee (R-RI) and Representative James Cooper (D-TN) introduced legislation that was folded into the Intermodal Surface Transportation Efficiency Act (ISTEA). Under a two-tier approach, Section 153 allowed motorcycle helmet and seatbelt laws to be eligible for incentive grants during the first three years after the bill's enactment. After that time, in the second phase of the program, states that did not comply with both helmet and belt law provisions saw a small portion of their federal transportation dollars redirected from highway construction and repair to their highway safety programs. No state was compelled to adopt the laws, and no state lost federal funds as a result of not doing so. The objective of the provisions was to encourage states rather than to punish them, and to focus funding in areas where it was most needed -- the traffic safety program.

All-rider motorcycle helmet laws save lives. For example, in Maryland, motorcycle deaths, as well as related health care costs, dropped dramatically (52%) after passage in 1992 of an all-rider helmet use law, even though the number of registered motorcycles increased.

In January, 1992, California's all-rider motorcycle helmet law went into effect, saving lives and taxpayer dollars. Motorcycle fatalities in the state declined by 37% in 1992. Medi-Cal charges, as well as total hospital charges for treatment of motorcycle riders both dropped by 40% during the two-year period after passage of the law.

In Louisiana, the first state to repeal and then re-adopt an all-rider helmet law, there were 31% fewer motorcycle deaths during the first year the law was reinstated. In Oregon, there was a 33% reduction in motorcycle fatalities the year after its helmet law was re-enacted, and data from Nebraska show a 32% reduction in fatalities after re-enactment of its law.

In states with all-rider laws, helmet use is 95% or more, while helmet use in states without these laws averages 50% or less. Some states require helmets only for minors, yet since 1981, more than 90% of those killed in motorcycle crashes across the country were older than 18. Data on crashes in states where only minors are required to wear helmets show that fewer than 40% of the fatally injured minors are wearing helmets even though the law requires them to do so. Helmet laws that govern only minors are extremely difficult to enforce.

Society pays a high price to care for those injured in motorcycle crashes. One study found the average cost to the taxpayers for people suffering from the most severe brain injuries was \$324,000 per person. The burdens of providing such long-term care are often assumed by families who provide care for injured cyclists at home. Many other survivors needing long-term care are in state facilities funded by the public. The research on helmet use demonstrates helmets are highly effective in preventing or reducing the severity of head injuries. In addition, the research shows helmet use laws result in high levels of use, while voluntary programs result in much lower use rates. It is clear that society bears a heavy financial burden because of the increased number of head injuries resulting from low levels of helmet use. Where implemented, helmet use laws have improved protection for the motorcycle rider, and saved the taxpayers scarce health care dollars.

In 1993, when the federal incentive program was in force, helmet use in the states with all-rider helmet laws resulted in 515 lives saved, 2,035 moderate to serious injuries prevented and more than \$513 million saved. It is estimated another 225 lives could have been saved that year if all fifty states had all-rider helmet laws on the books.

When ranking the states by motorcycle fatalities per million population, the top nine states with the lowest fatality rates all have all-rider laws; none of the 14 worst states, with the highest fatality rates, have all-rider helmet use laws.

By July, 1994, 25 states and the District of Columbia had laws requiring all motorcyclists to wear helmets, while 22 states had partial age use laws and three states had no law.

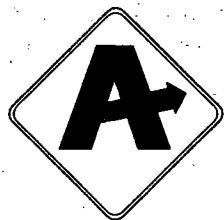
In passing the 1995 NHS bill, Congress deleted motorcycle helmet incentives from the federal program. Without those incentives, many state legislatures are beginning to succumb to the tremendous pressure of motorcycle groups to repeal or weaken the laws.

On March 13, 1997, Arkansas became the first state in the nation to repeal its all-rider motorcycle helmet law since passage of the NHS bill in 1995. Data from the University of Arkansas for Medical Sciences indicate unhelmeted riders experience an intensive care stay and injury severity score (internationally recognized scale used by hospitals) three times greater than that of helmeted riders.

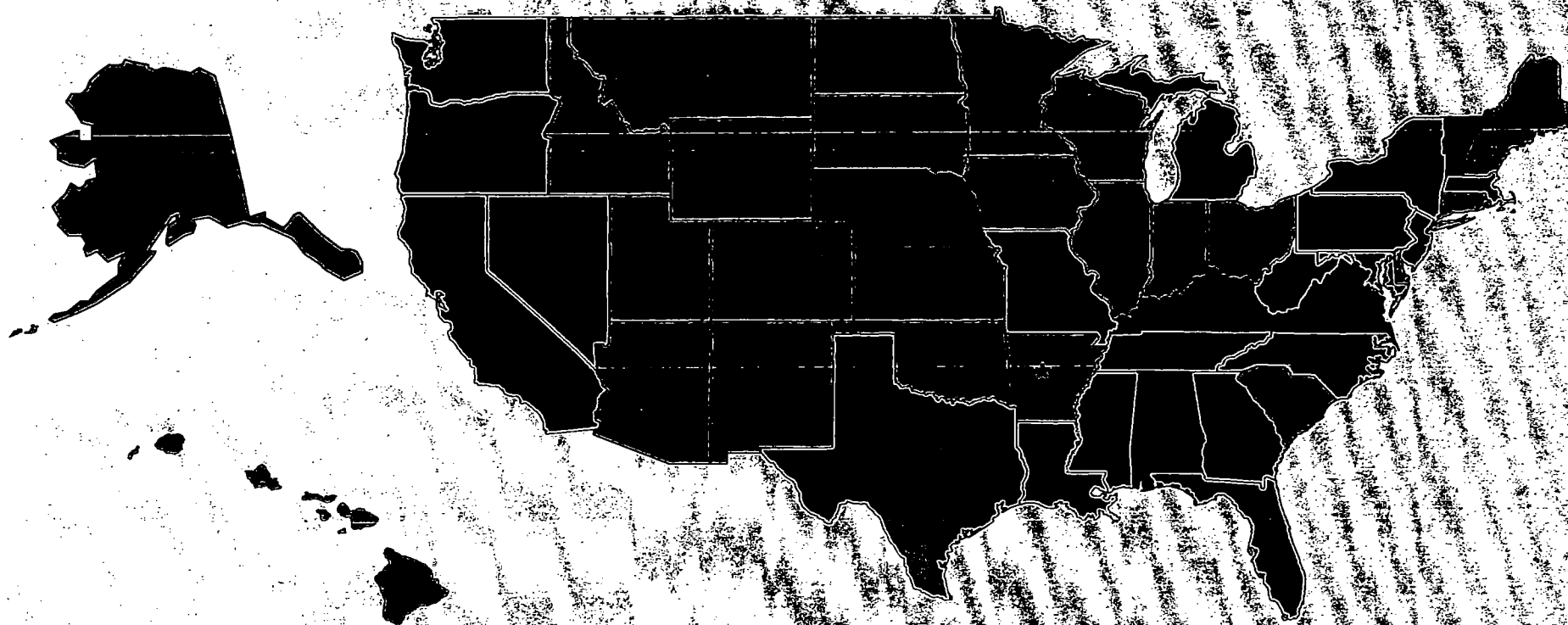
In April this year, both houses of the Texas legislature passed helmet repeal measures, and at press time, a conference committee was being appointed to resolve differences. If the bill is sent to the governor before the legislature adjourns, and if the governor signs it, it will not be the first time Texas has repealed its all-rider helmet law. Motorcycle fatalities increased 53% after the law was repealed in 1977. Texas reinstated the law in 1989, resulting in a 23% decrease in motorcycle fatalities the first year after reenactment.

Because Congress in 1995 reversed course again, and removed the federal role encouraging state adoption of all rider motorcycle helmet laws, repeal efforts are vigorously moving in state capitals across the country. Besides Arkansas and Texas, an additional 19 states have examined

the issue of motorcycle helmet repeal during the current legislative session. The attached map and chart show the states where legislatures are actively considering repeal bills this year.



STATE MOTORCYCLE HELMET LAWS



* Arkansas — A repeal bill was signed by the Governor in April, 1997.

Green = all rider motorcycle helmet law

Light Green = serious attempt/s to repeal law since NHS

Red = no all-rider motorcycle helmet law

Current as of May 5, 1997

MOTORCYCLE HELMET REPEAL LEGISLATION 1997 STATE LEGISLATIVE ACTIVITY

STATE	STATUS OF LEGISLATION (as of 5/1/97)	ESTIMATED SAVINGS (Annual)	COMMENTS
Arkansas	Repealed on 3/12/97; effective date, 7/15/97	\$2.5 million	Since '91, AR has experienced an overall decline (down 25%) in motorcycle fatalities, despite strong increase in registrations
California	Major repeal effort defeated in '96; in '97 session, Assembly Bill 1412 passed Transportation Committee and referred to Appropriations Committee	\$101 million	In '92 (first year of California's helmet law), there was a 36% reduction in motorcycle fatalities and a 40% reduction in Medi-Cal health care costs
District of Columbia	Repeal potential explored; however, no legislation was introduced	\$2.3 million	
Florida	Senate Bill 984 reported out of Transportation Committee on 3/11/97, now in Ways & Means Committee; House Bill 641 passed the House on 4/17/97, and referred to Senate Transportation and Ways & Means Committees. Session concludes 5/2/97.	\$70.2 million	
Georgia	Defeated	\$17.1 million	
Louisiana	House Bill 673 referred to Transportation Committee, not scheduled as of 5/1/97	\$10.8 million	Louisiana, the first state to repeal and then readopt a helmet law, saw a 30% decrease in motorcycle fatalities in '82 (first year of LA's helmet law)

STATE	STATUS OF LEGISLATION (as of 5/1/97)	ESTIMATED SAVINGS (Annual)	COMMENTS
Maryland	Defeated	\$10.1 million	In '93 & '94 (first two years of Maryland's helmet law), there was a 45% decrease in motorcycle fatalities; study in Maryland found unhelmeted riders twice as likely to have head injury with three times health care cost of those who are helmeted
Massachusetts	Four repeal bills introduced in '97 session (SB 1103 & 1144 and HB 749 & 2759); all bills died in committee, except for 1144, which received unfavorable report	\$10.8 million	Massachusetts General Hospital study found 46% of injured motorcyclists were uninsured
Michigan	HB 4284 before Transportation Committee (no action as of 5/1/97)	\$32.2 million	
Mississippi	Defeated	\$5.8 million	
Missouri	Defeated	\$15.5 million	
Nevada	Assembly Bill 320 before Transportation Committee (no action as of 5/1/97)	\$8.9 million	
New Jersey	SB 440 passed last year and was carried over to '97 session; currently before Assembly Policy & Regulatory Committee, with no hearing date scheduled as yet	\$13.2 million	
New York	Assembly Bill 1956 referred to Transportation Committee on 1/21/97, with no hearing date scheduled as yet	\$35.7 million	
North Carolina	Defeated	\$29.5 million	

STATE	STATUS OF LEGISLATION (as of 5/1/97)	ESTIMATED SAVINGS (Annual)	COMMENTS
Oregon	HB 2454 passed House on 4/9/97; scheduled for hearing before Transportation Committee on 5/2/97	8.5 million	In '89 (first year of Oregon's helmet law), there was a 33% reduction in motorcycle fatalities; hospital study in Oregon found unhelmeted riders nearly twice as likely to sustain brain injury
Pennsylvania	SB 516/HB 43 assigned to Transportation Committee, with no hearing date scheduled as yet	\$32.6 million	
Tennessee	HB 481 died in Transportation Committee; SB 251 assigned to a Transportation subcommittee	\$18.6 million	
Texas*	SB 99 passed Senate on 3/20/97; amended version passed House on 4/15/97; joint conference committee to be appointed (note: session concludes 6/2/97)	\$49.6 million	In '89 (first year of Texas' helmet law), there was a 23% reduction in motorcycle fatalities; Texas had repealed and then readopted its helmet law; Texas Department of Health study found over 80% of fatalities were unhelmeted
Washington	HB 1242 and SB 5256 both died in committee	\$14.4 million	In '90 (first year of Washington's helmet law), there was a 15% reduction in motorcycle fatalities
West Virginia	Defeated	\$10.1 million	

1) Based on NHTSA estimates of \$822,328 per fatality and \$76,287 per moderate to severe injury over lifetime of individual; includes medical costs, lost productivity and other injury-related expenses.

* Indicates possible strong repeal effort

IMPAIRED DRIVING

Federal retreat on highway safety, as exemplified by the repeal of the National Maximum Speed Limit and motorcycle helmet laws can have devastating, costly, and immediate effects. Federal leadership in other critical areas, such as impaired driving, has resulted in rapid adoption of life-saving laws in states across the country. Two examples are the national minimum drinking age and zero tolerance Blood Alcohol Content (BAC) laws for youth. There is now a critical need in the fight against drunk driving for uniform adoption of .08% BAC laws to build upon the 14 states that already have this law. The attached map of states that have passed zero tolerance laws since enactment of the NHS bill shows the tremendous progress this country is making toward uniform adoption of the law. Without similar federal leadership in encouraging states to enact .08% BAC laws, the organized and well-funded opposition of the alcohol industry will slow progress.

National Minimum Drinking Age and Zero Tolerance Laws

The recommendation for a national 21 year-old drinking age came out of President Ronald Reagan's Presidential Commission Against Drunk Driving. It found bi-partisan support from both Republican and Democratic governors of states that had already enacted 21 drinking age laws, but shared "blood borders" with other states where the drinking age was lower. Young people would travel to those states to purchase and consume alcohol, and then drive back, resulting in a high injury and death toll due to impaired driving.

In the Summer of 1984, Senator Frank Lautenberg (D-NJ) and Rep. James Howard (D-NJ) shepherded legislation through Congress requiring states to enact laws establishing 21 as the minimum drinking age or face the loss of up to 10 percent of their federal-aid highway funds. Prior to the 1984 bill's enactment, only sixteen states had established 21 as their legal drinking age. By 1987, when the sanctions took effect, all 50 states had adopted the law. Today, the law enjoys strong public acceptance, even among those under 21, and is credited with having saved over 10,000 lives since its enactment. It is certain that without the federal leadership in pushing for uniform adoption of a 21 year old minimum drinking age, blood borders would be in existence today.

During the legislative debate on the NHS bill, Congress closed a deadly loophole in the minimum drinking age law. States are now required to enact "zero tolerance laws", making it illegal for those under the legal drinking age of 21 to have any alcohol in their system while operating a motor vehicle. Under a provision to the NHS bill sponsored by Senator Robert Byrd (D-WV) and Representative Nita Lowey (D-NY), states that do not pass such a law by FY 1998 will have 5% of their federal highway construction funds withheld the first year and 10% in FY 1999 and beyond. While 26 states, as well as the District of Columbia, had already enacted zero tolerance statutes prior to passage of the federal law, eleven additional states enacted bills last year and

legislation is pending in six other states this year. It is expected that once again all states will come into compliance before the sanctions actually take effect. This pace of state legislative activity to enact zero tolerance laws is clearly the result of the federal provision.

NHTSA credits increases in the legal drinking age with preventing close to 1,000 traffic deaths annually. A study by Boston University estimates adoption of zero tolerance by all states would result in the prevention of at least 375 additional single vehicle nighttime fatal crashes annually. An analysis of the first four states to reduce legal blood alcohol limits for young drivers to .02% BAC or less revealed a 34% decline in nighttime fatal crashes among adolescents targeted by lower BAC levels, a one-third greater decline than was observed in four nearby comparison states without the law.

Lowering the Illegal BAC Limit to .08%

With the exception of two states in the nation (Massachusetts and South Carolina), it is illegal to drive a motor vehicle with a blood alcohol concentration (BAC) at or above a specified level. The customary level, currently the law in 35 states, is .10% for all drivers aged 21 and above; however, 14 states have lowered their level to .08%, as recommended by NHTSA and other organizations. The American Medical Association (AMA) adopted a position supporting .05% BAC as per se illegal for driving, and urged incorporation of that position in all state drunk driving laws. Sweden's national BAC limit is .02%; Australia (in the more populous states), Finland, France, the Netherlands, and Norway have .05% BAC limits; and Australia (in the remaining less populous states), Austria, Canada, Great Britain and Switzerland have set .08 BAC limits.

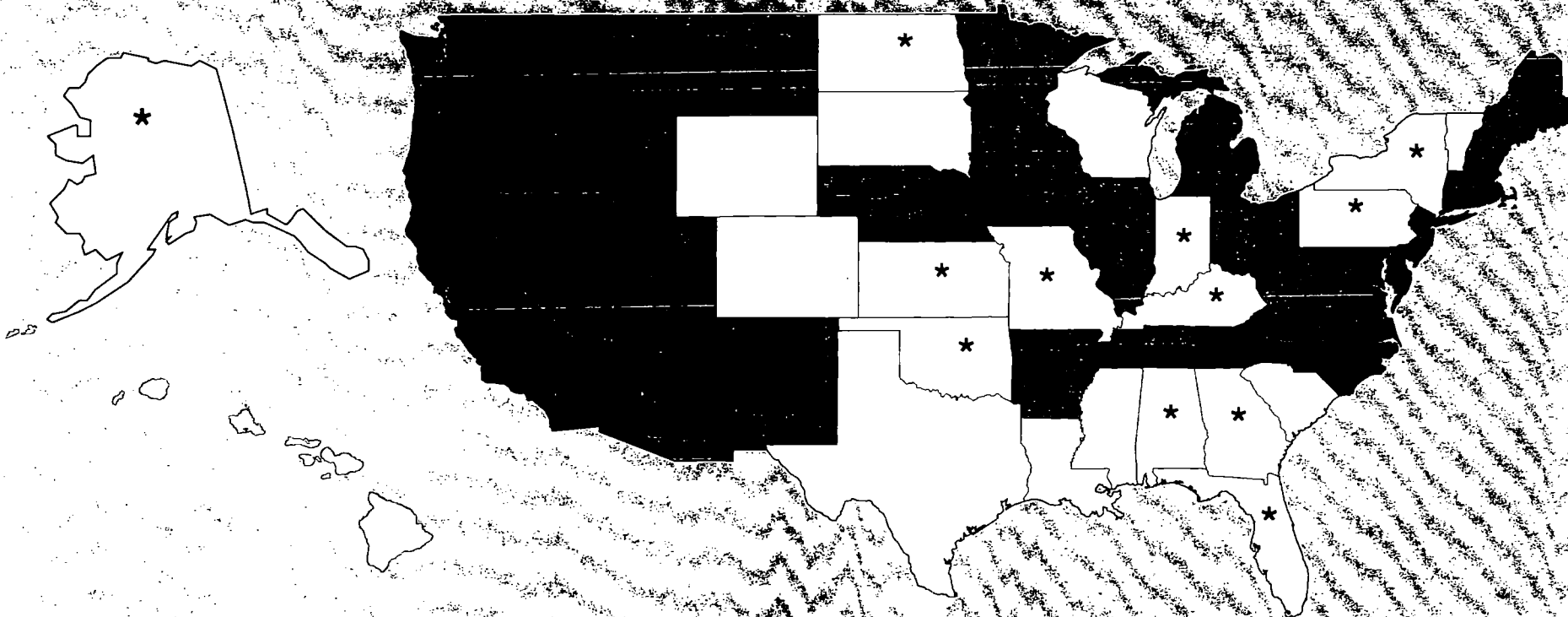
According to the study "Lowering State Legal Blood Alcohol Limits to .08%: The Effect on Fatal Motor Vehicle Crashes" (Hingson, 1996), states adopting an illegal BAC of .08% saw a 16% decline in the proportion of fatal crashes where the driver's BAC was .08% or higher. The researchers concluded 500 to 600 fewer fatalities would occur annually, if every state adopted .08% BAC.

Earlier this year, U.S. Senator Frank Lautenberg (D-NJ) and Representative Nita Lowey (D-NY) introduced federal legislation, S. 412/H.R. 981, to require every state to lower the illegal blood alcohol content limit to .08% for drivers 21 and over. Under the law, states that fail to enact the measures would have a percentage of their federal highway construction funds withheld. Adoption of this legislation in ISTEA reauthorization will move the nation toward a more sensible threshold to measure legal impairment and will save lives.



STATE ZERO TOLERANCE BAC LAWS FOR YOUTH

As part of the National Highway System Bill, adopted in 1995, a provision was included requiring each state to have a zero alcohol tolerance law for youth by 1998, or face the forfeiture of certain highway construction funds. This chart shows the effectiveness of the federal sanctions.



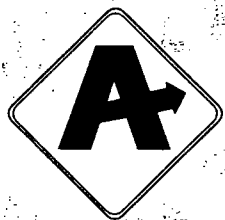
* These states have adopted a zero tolerance law since passage of the NHS bill.

Green = had zero tolerance law for youth previous to NHS

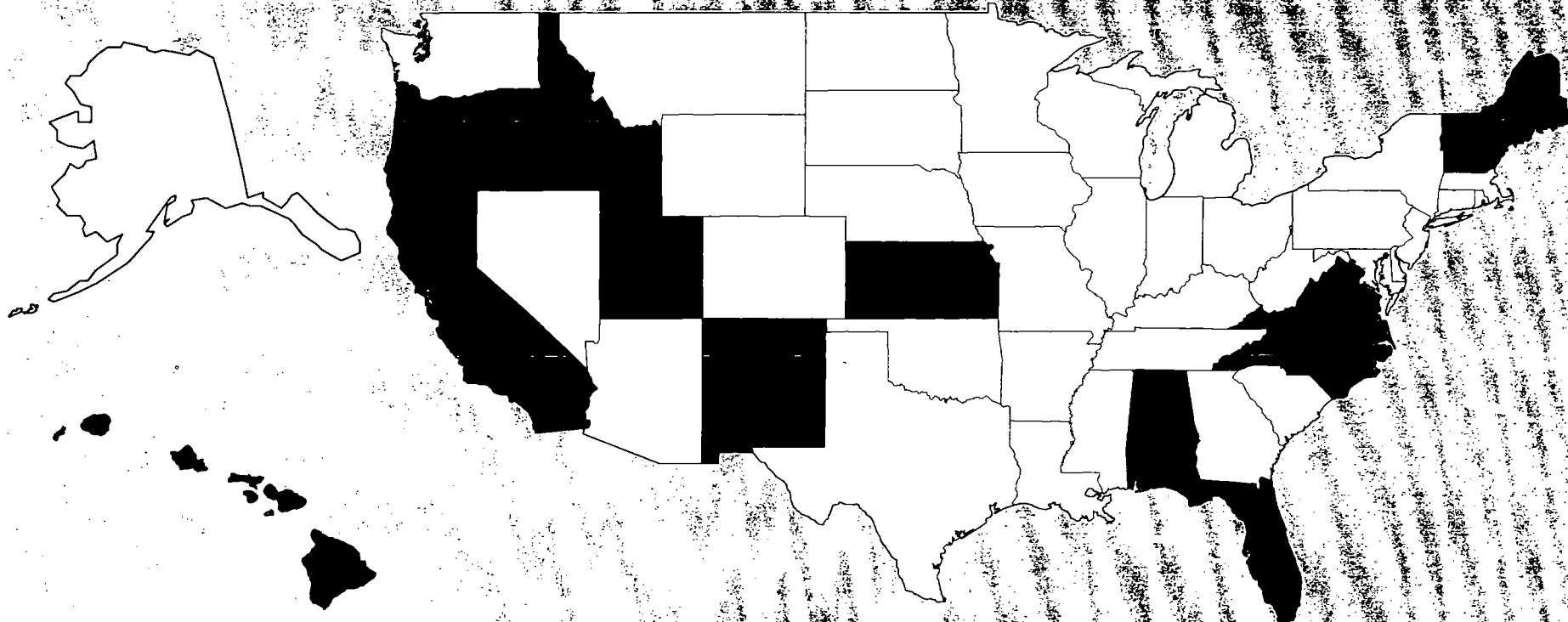
Yellow = have passed or have introduced zero tolerance since NHS

Red = have not enacted or introduced zero tolerance since NHS

Current as of May 5, 1997



STATE .08% BAC LAWS



Blue = illegal "per se" BAC limit of .08%

Yellow = no illegal "per se" BAC limit of .08%

Current as of May 5, 1997

BUCKLING UP

Safety Belt Laws and Enforcement

Safety belt use in this nation has increased considerably in the last 15 years -- from 11% in the early 1980s, to 68% in 1997 -- but still two-thirds of the more than 41,000 people killed every year were not wearing safety belts. NHTSA estimates that 45% of those who died without belts -- 12,000 -- could have been saved if they had used safety belts.

To reach the final one-third of the nation's population who have yet to make it a habit to buckle up -- often the high risk drivers more likely to be involved in crashes -- much more aggressive measures must be taken. If American motorists buckled up at a rate of 85%, we would prevent almost 4,200 additional deaths and 102,000 injuries every year, and save the taxpayers \$6.7 billion. If the nation is to reach 85% or 90% belt use, such as enjoyed in most industrialized countries, we have to make mandatory use of safety belts truly the "law of the land".

One highly effective way to assure increases in belt use is to pass and enforce strong safety belt laws. Primary (or standard) enforcement safety belt laws, which allow police to issue a citation solely for not wearing a safety belt, realize higher rates of use than laws that are "secondary" enforcement, which require that the vehicle be stopped for some other infraction. States with standard laws average 14 percentage points higher belt use than those with secondary laws.

During the first full year after enforcement of their belt laws began in five primary and 11 secondary law states, fatality rates for those over the age of 21 dropped 20 percent in the primary states, versus eight percent in the secondary states. Similar reductions in fatality rates occurred for those under 21 as well. A 1996 report to Congress on the effectiveness of safety belts found the average hospital cost for unbelted drivers injured in a crash was 55% greater (\$13,937 vs. \$9,004) than that for an unbelted driver.

Today, only 11 states and the District of Columbia have primary enforcement laws (Maryland's governor will sign a bill into law soon, making that state #12), and 37 states have secondary enforcement. New Hampshire is the only state without a safety belt law for adults. (See attached map). While 99% of the nation's population lives in states with belt use laws, only about 32% of the population lives in states that have primary enforcement laws. In the last five years, four states have upgraded their laws from secondary to primary enforcement. California, the first state to do so, saw a 13% increase in safety belt use following their upgrade in 1991. If every state in the nation were to adopt primary enforcement, over 2,200 additional lives would be saved annually, and over \$90 million in economic savings would result, according to NHTSA.

Understanding that primary enforcement laws work, President Clinton has proposed in the ISTEA reauthorization that states receive incentive grant funds for adopting primary enforcement laws, and eventually have a small percentage of construction funds redirected to the traffic safety

program if they do not have the law. This "soft sanction" approach, although not as effective as withholding funds from the state, will encourage states to pursue the legislation.

Equally important for successful implementation of a program to increase use will be additional resources from the federal government -- from the Highway Trust Fund -- for heightened enforcement of the laws. Traffic law enforcement does not receive adequate emphasis in most communities, largely due to insufficient resources, and many police jurisdictions rely heavily on federal funds available through the Section 402 State and Community Highway Safety Grant Program for core support.

If, as a nation, we are to break through the plateau of 68% safety belt use, it will be necessary to make uniform the type of safety belt laws in every state by upgrading all states to primary enforcement, and to provide police departments with additional funds for more visible and effective enforcement. The American public needs to know that safety belt laws will be enforced as vigorously as speeding violations and running red lights, indeed as any other highway safety law on the state books.

Kids, Cars and Crashes

Motor vehicle crashes are the number one killer and disabler of children and young adults. In 1995, 2,142 children under age 16 died as passengers in motor vehicle crashes and 327,000 were injured. Child safety seats and safety belts save lives. However, in 1995, 53% of children ages 4 and under killed in motor vehicle crashes were not protected by safety seats. 59% of motor vehicle occupants ages 5 to 9, and 68% of those ages 10 to 15 who were killed were not restrained by safety belts.

Every state has a child safety seat law, and 49 states have safety belt laws. Ideally, all infants and children in all vehicles should be covered by safety belt or child restraint laws, or both. But differences in the way the laws in various states are worded result in many occupants, especially children, being covered by neither law or by safety belt laws that do not make an adult responsible for compliance. The states with no gaps are: **Alaska, California, Colorado, Connecticut, Delaware, Florida (the measure has passed the legislature and awaits the signature of the Governor), Georgia, Kentucky, Maine, Maryland, Massachusetts, Michigan, Nevada, Oregon, Rhode Island, Vermont, Virginia, Washington and West Virginia.**

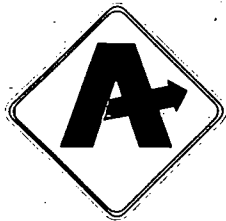
Following is a summary of the latest information regarding children not covered by safety belt or child restraint laws:

- 5 states do not require children to be restrained if they are riding in an out-of-state vehicle -- **Alabama, Arkansas, Indiana, Mississippi and South Carolina.**

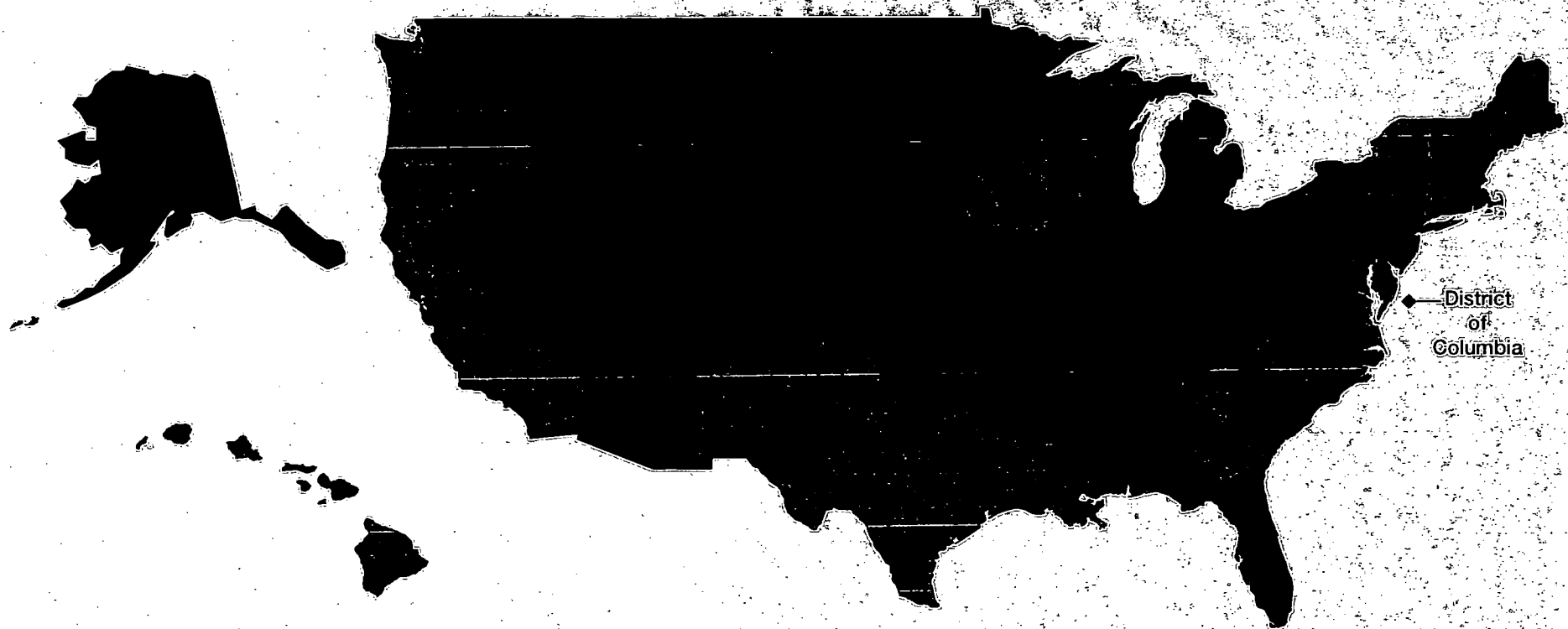
- 3 states do not require children to be restrained if the driver of the vehicle is not a resident of the state -- **Louisiana, Nebraska and Oklahoma.**
- 3 states do not require children to be restrained if the driver of the vehicle is not the parent or guardian of the child -- **Minnesota, Montana and Wyoming.**
- 18 states do not require all children under 16 in the rear seat to be restrained -- **Arizona, Hawaii, Illinois, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming.**
- 4 states do not require all children in the front seat to be restrained -- **Hawaii, Minnesota, Texas and Wisconsin.**
- 11 states do not require all children under the age of 16 to be restrained in every seating position -- **Alabama, Arkansas, Idaho, Indiana, Iowa, Kansas, Louisiana, Mississippi, New Hampshire, New Mexico and Oklahoma.**

Although many gaps remain, states have taken action in recent years to close various gaps in both their child safety seat and safety belt laws to further protect children. In 1996, Maryland and Georgia passed laws eliminating all gaps in their child restraint laws, and Virginia joined them in 1997. In the process of adopting the new laws, and in the enforcement phase following adoption, state and other highway safety advocates are able to educate the populace about the importance of buckling children on every ride, in every position, and to emphasize the importance of ensuring that children under 12 ride properly restrained in the rear seat, the safest place in any motor vehicle, for any occupant. Recent tragic deaths of children due to air bags have also heightened the urgency for states to amend their laws to require children of all ages be properly restrained in the rear seat.

Again, law enforcement plays a pivotal role in making sure parents and others are abiding by the rule of law when they aggressively enforce child safety seat and safety belt laws for children. Every child safety seat law in the nation is a primary enforcement law, so it is possible in every state for police to stop vehicles where small children are not riding in a child safety seat, and under some other circumstances. But many have either been reluctant or unable to do so without money for special enforcement efforts, and without vocal community support for such activities. If we are to do a better job of protecting our most vulnerable citizens, children riding in motor vehicles, there will need to be additional resources for the police enforcement community to do their job. ISTEA reauthorization is the perfect opportunity to provide the financial boost needed to do just that.



STATE SAFETY BELT LAWS



* Maryland — A bill has passed the legislature and is awaiting signature by the Governor.

Green = primary (standard) enforcement safety belt laws

Blue = secondary enforcement safety belt laws

Black = no safety belt law for adults

Current as of May 5, 1997

TRUCKS: BIGGER IS NOT BETTER

About 5,000 people die every year in crashes involving big trucks, even though medium and heavy trucks are a very small part of the total vehicle population, only accounting for 3% of registered vehicles in the U.S.

Unfortunately, the overwhelming majority of the people who die in these often catastrophic crashes are occupants of small passenger vehicles. In fact, according to the Insurance Institute for Highway Safety (IIHS), 98 percent of the people killed in two-vehicle crashes involving passenger vehicles and big trucks were occupants of the passenger vehicles. Big trucks are involved in more than one-fifth of passenger vehicle deaths in these multiple vehicle crashes.

Also, specific segments of the motor carrier industry have experienced substantial increases in deaths and injuries in recent years. For example, single-unit (straight) truck crash fatalities, an area long overlooked as a major source of truck crash casualties, rose 50% through the early 1990s. By 1995, single-unit trucks were annually involved in nearly 1,400 deaths. Yet Congress provided this trucking industry segment with a series of exemptions from motor carrier safety standards in the 1995 NHS legislation.

Truck safety needs to be improved with more vigorous regulation, both on the assembly lines and, later, on the roads. After a lengthy battle a few years ago over the design and performance of truck rear impact guards (used to protect cars from slicing under the back of trucks), NHTSA ignored the massive evidence supplied by the safety community of the need for a state-of-the-art, energy-absorbing guard mounted low enough to engage even the smallest cars. These guards were already used in other countries. Instead, NHTSA adopted a high-mounted, inexpensive welded guard advocated by the motor carrier industry.

Truck inspections are also a critical component in guaranteeing motor carrier safety. Very few motor carriers are inspected each year, only a minority have been given safety ratings, and the Federal Highway Administration (FHWA) has recently considered proposing legislation to excuse trucking companies from any penalties for failure to maintain adequate records, such as driver logbooks.

These logbooks, routinely falsified by professional drivers, are the only demonstration of compliance with federal hours of service limits. Although these limits, even when adhered to, cause chronic driver sleep deprivation and fatigue, FHWA currently is seeking to use a trucking industry study to justify expanding driving hours and reduce off-duty rest time. This study, paid for with federal funds, concluded that it is just as safe to drive a continuous 13 hours as to drive 10 hours straight. Trucking industry representatives are currently calling for 13 or 14 hours of continuous driving and only a single 24-hour layover at the end of a week before restarting the same driving cycle for the ensuing week.

These increased demands on truck drivers to perform at and even beyond the limits of human endurance, are matched by industry initiatives to increase both the weights and the sizes of the

largest combination tractor-trailers. Although the current weight limit on the Interstate system is pegged at 80,000 pounds maximum gross vehicle weight, with 20,000 pound single axle and 34,000 pound tandem (dual) axle weight ceilings, trucking officials are seeking weights up to 129,000 pounds with heavier axles. Research has shown these trucks to be more dangerous and to inflict much greater pavement and bridge damage.

In the 1991 ISTEA, Congress enacted a freeze on the location and operations of longer combination vehicles (LCVs). These are double- and triple-trailer rigs sometimes averaging more than 95 feet long. Congress put a halt to the expansion of these truck trains and the public strongly supports this federal leadership. Similarly, trucking industry initiatives in state after state have boosted trailer lengths to 53 feet, 57 feet, 60 feet, and beyond. According to a survey conducted by the American Association of State Highway and Transportation Officials (AASHTO), only half of all Interstate interchanges can accommodate a tractor-trailer 48 feet long.

In states across the country, there are efforts by motor carrier interests to increase the length and weights of trucks. U.S. highways, bridges, pavement structure, and public safety demand that limits be set. States should not be pressured to keep increasing size and weights so that they are not presumably at competitive disadvantages with adjacent states. Trailer lengths need to be capped at 53 feet and axle and gross weights should remain at current levels in federal law.

These actions must be matched by aggressive safety oversight and enforcement at both the federal and state levels. At the present time, as shown in recent reports by the U.S. General Accounting Office and the U.S. Department of Transportation Office of Inspector General, the leadership and resources to ensure that both domestic and foreign trucks within our borders are properly inspected and operate in compliance with federal safety regulations are seriously lacking.

It is clear that there needs to be a stronger federal role in guaranteeing the safety of motor carrier operations. Of the 350,000 registered carriers comprising tens of millions of trucks, only 2.5% are rated each year, more than two-thirds have never been safety rated, most ratings that were assigned are out of date, and, despite a doubling of federal inspection personnel in the last few years, the agency now performs fewer safety compliance ratings than ever. Similarly, the states with the most southern border crossings have no permanent inspection stations. Even with the current inadequate inspection effort, almost 50% of trucks from Mexico crossing into the U.S. are placed out of service for major violations of driver, vehicle, cargo, and hazardous materials requirements.

A recent national poll conducted by Louis Harris confirms the American public's concern over the state of big truck safety in the U.S. Overwhelming majorities do not want trucks to be bigger and heavier and are convinced that truck drivers already drive too many hours for their own and others' safety. Studies confirm that longer and heavier trucks are more dangerous, have longer stopping distances, have a propensity to rollover and inflict excessive damage to highway pavement.

"SHOW US THE MONEY"

One of the most critical weapons in the battle to reduce deaths and injuries is adequate resources to support programs and initiatives to advance safety. In 1997, the entire budget for NHTSA, for both motor vehicle safety research and regulatory activities, as well as the highway traffic safety grant programs for states, was just over \$313 million. This represents only 1% of the budget of the entire U.S. Department of Transportation, including the Federal Aviation Administration, and yet, highway deaths represent 94% of all transportation fatalities and 99% of transportation injuries.

The highway safety grant programs are a major tool in the effort to reduce deaths and injuries on the nation's highways and subsequently reduce federal, state and local costs. According to NHTSA studies, the economic benefits (not including consideration of factors for pain and suffering or loss of life) of traffic safety programs exceed their costs by a 9 to 1 ratio. Additional dollars in these programs will be multiplied many times in terms of benefits realized. For this reason, Advocates supports increasing the expenditure of federal resources in a number of specific areas that will reap tremendous benefit in terms of saving lives, reducing serious injuries and saving taxpayer dollars.

Since the 1980s, the funding of traffic safety programs has been hit twice. First, the program has sustained severe cutbacks and has suffered from the effect of inflation. For example, in 1980, the Section 402 traffic safety grant program, a state formula grant-in-aid program, was funded at \$196.5 million. For Fiscal Year 1997 it was funded at \$128 million. Not only has the program witnessed a significant drop in funding but the effects of inflation have also dramatically cut the purchasing power of this program. The 1980 funding level of \$196.5 million is equal to about \$377 million in 1997 dollars, which means a 66% reduction in purchasing power.

In addition to supporting the funding increases recommended by the U.S. Department of Transportation in its NEXTEA proposal, Advocates supports a sustained and stable funding program for targeted traffic enforcement initiatives. Advocates urges Congress to provide a half cent per gallon in federal gas tax revenues for highway safety programs. This would result in approximately \$600 million spent annually for a variety of highway safety efforts. The \$600 million is a small price tag for the \$150 billion Americans pay every year because of the nearly 42,000 deaths and more than 3 million serious injuries on our highways.

If a half cent is dedicated to traffic safety programs by this Congress it will significantly help address the problem of aggressive driving, drunk driving, safety belt use, excessive speeding and red light running, and the result will be a safer driving environment for our families.

These proposals include:

- **\$150 million for a national safety belt enforcement program modeled after the "Click It or Ticket" effort in North Carolina.** Every state would benefit from the success of this program in increasing safety belt use.
- **\$150 million for states to use in the enforcement of all traffic safety laws which would begin to address the issue of aggressive driving.** Law enforcement resources are severely strained and traffic safety enforcement is oftentimes a low priority. Every state has many of the traffic safety laws we know will reduce deaths and injuries but most do not have the resources to adequately enforce these laws. The benefits of tough traffic enforcement go beyond safer streets and highways.
- **\$200 million for the Section 402 State and Community Highway Safety Grant Programs.** This amounts to a \$33 million increase over the Administration's recommended funding level and would be a step toward bringing the program closer to the funding level it would be if cuts and inflation had not diminished its purchasing power.
- **\$100 million for impaired driving programs.** This represents about a \$60 million increase in funding from the Administration's recommendation. With drunk driving deaths up and a still unacceptable percentage of fatalities involving alcohol, it is time to provide the necessary financial resources to address this highway crime.

The American public is gravely concerned about the dangers on our highways and the authorization of these increases would be a conservative, yet constructive step in achieving a higher level of safety on our highways.

SAFETEA COALITION

One measure of how seriously Congress is addressing highway deaths and injuries will be found in the safety agenda advanced in the reauthorization of ISTEA. The following is a comprehensive safety agenda that should be the cornerstone of the reauthorizing bill. A coalition of over 60 organizations (to date) have endorsed this legislative agenda. These groups include representatives from the medical, business, law enforcement and public interest communities, and they stand united and committed to reducing deaths and injuries on our nation's highways.

In keeping with the conviction of safety being the number one priority in ISTEA II, this coalition is called the "SAFETEA Coalition." This coalition stands apart from the other special interests that have been forming to enlarge their piece of the pie in ISTEA II, as its sole purpose is to put the public health of our nation at the forefront. The SAFETEA Coalition represents the hundreds of thousands of Americans who pay the tax at the pump and their voice is loud and clear -- safety must be the number one priority in ISTEA II.

LEGISLATIVE AGENDA

Motor Vehicle and Traffic Safety Programs

Each year 42,000 Americans die on our highways and another 3 million more are injured at a cost to society of more than \$150 billion. Highway deaths represent 94% of all transportation fatalities and 99% of all injuries, but funding for the National Highway Traffic Safety Administration (NHTSA) is only 1% of the U.S. DOT budget.

- **Enact a NHTSA reauthorization bill that advances motor vehicle and truck safety and provides a stable and growing funding base for traffic safety programs. (Either dedicate ½¢ for safety or have traffic safety programs as a percentage of highway construction.)**

Each year about 41% of all motor vehicle fatalities involve alcohol. Although progress has been made in reducing alcohol-related crashes, drunk driving fatalities increased in 1995 for the first time in a decade. Legislation needs to be enacted which will ensure that the nation reaches the goal of reducing alcohol-related traffic deaths by 11,000 or fewer by the year 2005.

- **Encourage states to adopt .08% blood alcohol content (BAC) laws through incentives.**
- **Support inclusion of S. 412/ H.R. 981, "The Safe and Sober Streets Act of 1997" sponsored by Sen. Frank Lautenberg (D-NJ) and Rep. Nita Lowey (D-NY) and H.R. 982, "The Deadly Driver Reduction Act" sponsored by Rep. Lowey.**

The rate of safety belt use in the U.S. is the lowest of any industrialized nation. States with primary, or standard enforcement laws averaged 14 percentage points higher belt use than those with secondary laws. If every state had a primary enforcement law, nearly 7,000 lives would be saved every year.

- **Achieve passage of primary enforcement safety belt laws in every state by withholding or redirecting federal highway funds of states without primary laws.**
- **Initiate a \$150 million national safety belt enforcement program similar to the "Click It or Ticket" effort in North Carolina.**
- **Provide funds to states for the enforcement of all traffic safety laws including safety belts and impaired driving laws to combat aggressive driving.**

Truck Safety

Each year nearly 5,000 Americans die in truck crashes and 100,000 are injured. Ninety-eight percent of people killed in two-vehicle crashes involving a car and a large truck were occupants of the car.

- **Include H.R. 551, Rep. Oberstar's (D-MN) truck size and weight freeze on the National Highway System.**
- **No thaw of the 1991 ISTEA freeze on longer combination vehicles (LCVs).**

Truck driver fatigue is a factor in 40% of all truck crashes according to the National Transportation Safety Board.

- **Oppose any changes or exemptions in federal truck hours-of-service rules that allow more continuous, daily, weekly driving hours.**
- **Require "black boxes" that monitor hours-of-service compliance for truck drivers.**

Transportation Research and Technology

In 1991, Congress authorized \$659 million for the Intelligent Transportation System (ITS). A major portion of these funds is to be spent on advanced technology to improve highway safety.

- **\$25 million annually in funds should be reallocated to accelerate research for advanced air bag technology.**
- **Allocate \$56 million over 5 years to support, develop, and test automatic crash notification devices and systems.**
- **ITS funds should be used to develop technology to prevent impaired drivers from operating motor vehicles.**

MEMBERS OF THE SAFETEA COALITION AS OF MAY 8, 1997

Advocates for Highway and Auto Safety	Kemper Insurance Companies
Alaska Department of Health and Human Services,	Kentucky Office of Rural Health
Anchorage, Alaska	Lake County DUI Task Force, Montana
Alaska SAFE KIDS	Madison Township Police Department, Ohio
Alliance of American Insurers	MADD Florida
American College of Emergency Physicians	MCR/LRI, Inc.
American College of Emergency Physicians,	Missouri Association of Insurance Agents
Ohio Chapter	Missouri Department of Insurance
American Public Health Association	Missouri Planning Council for Developmental Disabilities
American Trauma Society	National Association of Children's Hospitals
American Trauma Society - Washington Division	National Association of Professional Insurance Agents
Arizona Consumers Council	National Consumers League
Ben Taub Hospital Patient Advocates Offices,	National Fire Protection Association
Houston, Texas	National SAFE KIDS Campaign
Brain Injury Association	Nationwide Insurance Enterprise
Brain Injury Association of Illinois	New York Coalition for Transportation Safety
Brain Injury Association of Michigan	North Carolina Pediatric Society
Brain Injury Association of Texas	Parents Against Tired Truckers
Brain Injury Research Center of Texas	Police Foundation
Brain Injury Services	Providence Alaska Medical Center - Emergency Department
Center for Auto Safety	Public Citizen
Center for Science in the Public Interest	Remove Intoxicated Drivers - RID USA
Citizens for Reliable and Safe Highways	Rural Health Projects, Inc.
Coalition for American Trauma Care	Safety Services, Inc.
Connecticut EMS Coalition	State Farm Insurance
Connecticut SAFE KIDS	Students Against Driving Drunk - SADD, Inc.
Connecticut State Police Union	The Hartford
Consumer Federation of America	Think First/ Heads Up
Consumers for Auto Reliability & Safety	Traffic Safety Programs, Texas A&M University,
Emergency Medical Services for Children	Health & Kinesiology Department
Emergency Nurses Association	Trauma Foundation
Epilepsy Association of Central Florida, Inc.	Wadley Regional Medical Center, Texarkana, Texas
Epilepsy Foundation	West Virginia Bureau for Public Health, Office of EMS
General Federation of Women's Clubs	
Illinois Chapter of National Spinal Cord Injury Association	
Illinois SAFE KIDS Coalition	
Independent Insurance Agents of America	



MEMBERS OF THE SAFETEA COALITION

Advocates for Highway and Auto Safety	Illinois SAFE KIDS Coalition
Alaska Department of Health and Human Services, Anchorage, Alaska	Independent Insurance Agents of America
Alaska SAFE KIDS	Kemper Insurance Companies
Alliance of American Insurers	Kentucky Office of Rural Health
American College of Emergency Physicians	Lake County DUI Task Force, Montana
American College of Emergency Physicians, Ohio Chapter	Madison Township Police Department, Ohio
American Public Health Association	MADD Florida
American Trauma Society	MCR/LRI, Inc.
American Trauma Society - Washington Division	Missouri Association of Insurance Agents
Arizona Consumers Council	Missouri Department of Insurance
Ben Taub Hospital Patient Advocates Offices, Houston, Texas	Missouri Planning Council for Developmental Disabilities
Brain Injury Association	National Association of Professional Insurance Agents
Brain Injury Association of Illinois	National Consumers League
Brain Injury Association of Michigan	National Fire Protection Association
Brain Injury Association of Texas	National SAFE KIDS Campaign
Brain Injury Research Center of Texas	Nationwide Insurance Enterprise
Brain Injury Services	New York Coalition for Transportation Safety
Center for Auto Safety	North Carolina Pediatric Society
Center for Science in the Public Interest	Parents Against Tired Truckers
Citizens for Reliable and Safe Highways	Police Foundation
Coalition for American Trauma Care	Providence Alaska Medical Center - Emergency Department
Connecticut EMS Coalition	Public Citizen
Connecticut SAFE KIDS	Remove Intoxicated Drivers - RID USA
Connecticut State Police Union	Rural Health Projects, Inc.
Consumer Federation of America	Safety Services, Inc.
Consumers for Auto Reliability & Safety	State Farm Insurance
Emergency Medical Services for Children	Students Against Driving Drunk - SADD, Inc.
Emergency Nurses Association	The Hartford
Epilepsy Association of Central Florida, Inc.	Think First/ Heads Up
Epilepsy Foundation	Traffic Safety Programs, Texas A&M University, Health & Kinesiology Department
General Federation of Women's Clubs	Trauma Foundation
Illinois Chapter of National Spinal Cord Injury Association	Wadley Regional Medical Center, Texarkana, Texas
	West Virginia Bureau for Public Health, Office of EMS



**ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY**

**STATEMENT OF RICHARD D. CRABTREE
PRESIDENT AND CHIEF OPERATING OFFICER
NATIONWIDE MUTUAL INSURANCE COMPANY
AND
JOAN CLAYBROOK
PRESIDENT
PUBLIC CITIZEN
REPRESENTING
ADVOCATES FOR HIGHWAY AND AUTO SAFETY
BEFORE THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
TRANSPORTATION AND INFRASTRUCTURE SUBCOMMITTEE
MAY 7, 1997**

Good morning, my name is Richard Crabtree. I am President and Chief Operating Officer of the Nationwide Mutual Insurance Company. Nationwide is headquartered in Columbus, Ohio and is the fourth largest writer of automobile insurance in the country. I am here this morning in my capacity as co-chair of Advocates for Highway and Auto Safety (Advocates) Board of Directors. This morning I will share my time as a witness with a former co-chair of Advocates and current co-chair of Advocates' program committee, Joan Claybrook. Ms. Claybrook is the President of Public Citizen which is a nonprofit citizen research, lobbying and litigation organization based in Washington, D.C. with 125,000 members nationwide.

Advocates is a coalition of consumer, health, safety, law enforcement and insurance companies, organizations, and agents working together to support the adoption of laws and programs to reduce deaths and injuries on our highways. As a highway safety organization, Advocates is unique. We focus our efforts on all areas affecting highway and auto safety -- the roadway, the vehicle, and the driver. Founded in 1989, Advocates has a long history of working closely with the Committee on Environment and Public Works in the development of federal legislative policies to advance highway safety. I would also add that Advocates has probably worked in the state of nearly every Senator represented on this Committee to strengthen drunk driving laws, to enact occupant restraint laws, to close dangerous gaps in child restraint laws, and to advance other laws that make our streets and highways safer.

This morning I will discuss the need for this Congress, in this particular legislation, the reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA II), to seriously address the unnecessary and preventable carnage on our highways. Ms. Claybrook will then discuss a safety agenda that we urge this Congress to include in ISTEA II. Before we complete our brief remarks before you this morning, hundreds of motor vehicle crashes will have occurred, several individuals who left for work or school this morning will have died, and hundreds of life-threatening injuries will have required emergency medical care.

I. INTRODUCTION

Every day millions of American families leave their homes to travel by car to medical appointments, soccer practices, grocery stores, shopping malls, and libraries. Although our nation's highway system has created mobility opportunities that are the envy of the world, it has also resulted in a morbidity and mortality toll that is not.

What if a commercial airplane crashed, not once a month, but every day, seven days a week, year in and year out? What if the outbreak of a new flu virus resulted in the death of more than 9,000 of our children under the age of 21? The public outcry would be deafening and the response of Congress would be swift, certain, and decisive.

In fact, the number and frequency of deaths cited in these hypotheticals illustrate the current statistics on death and injury due to motor vehicle crashes every year. Day in and day out, year in and year out, since the late 1970s, approximately 115 Americans will not return home at the end of the day. Every hour more than 400 Americans are taken to hospitals for serious injuries because of motor vehicle crashes. According to annual crash data collected by the National Highway Traffic Safety Administration (NHTSA), an agency of the U.S. Department of Transportation (U.S. DOT), nearly 42,000 people die and another 3.4 million Americans suffer serious injuries every year on our highways because of motor vehicle crashes, costing society \$150 billion, or \$580 per man, woman and child.

The death toll on our highways makes driving the number one cause of death and injury for young people ages 5 to 27. Highway crashes cause 94 percent of all transportation fatalities and 99 percent of all transportation injuries, yet traffic safety programs receive only one percent of the funding of the U.S. DOT budget. The staggering loss of lives and the incidence of life-threatening injuries occurring each year is best described as a public health crisis.

II. THE CHALLENGE

The cause of these deaths and injuries are reported every day in newspapers and on television in communities across the country - drunk driving, speed, aggressive driving, inexperience, and indifference to traffic safety laws. Although some progress had been made in the mid-1970s and 1980s, there has been no appreciable decline in motor vehicle deaths and injuries in the last five years. By measuring fatality rates based on either vehicle miles traveled (VMT) or deaths per 100,000 population, the number of Americans killed in car crashes has remained basically constant the past five years.

YEAR	FATALITIES	FATALITIES (Per 100,000 Population)	FATALITY RATES (Per 100 Million Vehicle Miles Traveled)
1990	44,599	17.88	2.1
1991	41,508	16.46	1.9
1992	39,250	15.39	1.7
1993	40,150	15.57	1.7
1994	40,716	15.64	1.7
1995	41,798	15.91	1.7
1996	41,500 est	not available	not available

Source: Safety Services, Inc. from NHTSA data

Reducing motor vehicles deaths and injuries will become more challenging and critical as we enter the 21st century. Yesterday, in this hearing room Advocates, joined by Members of Congress, insurance representatives, medical professionals, law enforcement and victims held a press conference to release a new report, "The Highway Safety Deficit: Who Pays and Who Delays." This report outlines the status of the nation's highway safety laws across the country as a backdrop to the current congressional debate about reauthorization of ISTEA. Let me briefly summarize some key findings of the report and the safety obstacles in the road ahead:

- Since Congress repealed the National Maximum Speed Limit 24 states have speeds higher than 70 miles per hour (MPH) on rural interstates, with 10 states at 75 mph, and Montana having no daytime speed limits for cars. A troubling trend of increased deaths and injuries as a result of higher speed limits is emerging. New Mexico and California experienced fatalities and injuries on highways where speeds had been increased. In California, roads that retained the 55 mph speed limit showed a 8 percent reduction in fatal crashes. Furthermore, despite the higher posted speed limits, cars are traveling faster. For example, the Insurance Institute for Highway Safety (IIHS) studied vehicle speeds before and after the change in posted speed limits on highways in California, Texas and New Mexico. In California, on highways that had posted speed limits increased to 65 mph, 29 percent of vehicles were travelling at speeds above 70 mph. One year later, 41 percent of the vehicles are those highways were traveling at 70 mph or above.

- In the National Highway System (NHS) designation legislation, a federal program encouraging states to enact all rider motorcycle helmet laws was repealed. Since January, 21 states that currently have all rider motorcycle helmet laws are considering bills to repeal this lifesaving law. In fact, Arkansas has the distinction of being the first state to repeal its law since the NHS bill was enacted. Texas may be the second.
- The United States has the lowest safety belt usage compared to Western European countries, Canada, Australia and New Zealand. To date, only 12 states and the District of Columbia have primary, or standard, enforcement safety belt laws. States that have standard enforcement laws experience, on average, a 14 percent increase in safety belt use rates. The NHTSA estimates that 45 percent of those who died without belts -- 12,000 people -- could have been saved if they had used safety belts.
- In 1995, drunk driving deaths rose for the first time in a decade. Yet, only 14 states have .08 percent blood alcohol content (BAC) laws despite a recent study by Boston University School of Public Health that 500 to 600 lives would be saved annually if every state adopted .08 BAC.
- Enactment of a provision in NHS which requires states to enact "zero tolerance laws," making it illegal for those under the legal drinking age of 21 to have any alcohol in their systems while operating a motor vehicle, has energized state action. While 26 states, as well as the District of Columbia, had already enacted zero tolerance statutes prior to passage of the federal law, eleven additional states enacted bills last year and legislation is pending in six other states this year.
- Each year nearly 5,000 Americans die in truck crashes. According to the IIHS, in 1995, 98 percent of the people killed in two vehicle crashes involving passenger cars and big trucks were occupants of the passenger vehicles. There is nearly unanimous public support for a vigorous federal leadership role in enhancing truck safety and limiting the size and weights of trucks.
- Budget cuts in previous years coupled with inflation have severely weakened the funding of traffic safety grants to states and restrained the resources of law enforcement to enforce traffic safety laws. In 1980, the major traffic safety grant program for states was funded at \$196.5 million. In FY 1997 it was funded at \$128 million. This reduction in funding means about a 66 percent reduction in the purchasing power of the funding despite the program's enormous benefits.
- According to NHTSA, teenage drivers are significantly over-represented in fatal crashes compared to other age groups. The U.S. Census Bureau estimates that in the year 2000, the youth population (ages 15 to 20) of this country will be 23.9 million, an increase of 10 percent from 1995. In the next decade, this age group is expected to increase by almost 17 percent.

The good news is that effective and successful remedies are on the shelf already or are underway in many states and communities and are responsible for saving lives and preventing injuries. Stricter drunk driving laws, stronger safety belt laws, increased financial resources to fund traffic safety programs, committed and sustained enforcement of traffic safety laws like speed limits and red light running, comprehensive graduated licensing programs for inexperienced teenage drivers, improved motor vehicle and truck safety requirements, and limits on the size and weight of big trucks are all part of the solution.

III. NATIONAL AND STATE LEADERSHIP

In any national crisis claiming so many young lives, inflicting so many debilitating and costly injuries and extracting such a substantial personal and financial toll, the country looks to its elected leaders for help to advance solutions and advocate effective strategies. Congress has an opportunity this year to enact a road map for improving highway safety that will reduce deaths and injuries and save federal taxpayer dollars. One of the most significant bills that Congress will take up in the 105th session is the reauthorization of federal funding programs to support highway maintenance and construction, transit capital and operating programs, and traffic and motor vehicle safety programs.

In 1991, Congress passed and President Bush signed into law the Intermodal Surface Transportation Efficiency Act, or ISTEA. In addition to setting highway and transit program priorities for states, urban, suburban and rural communities, ISTEA included an extensive highway safety agenda to address preventable deaths and injuries on our highways. For the first time in the history of the federal highway and transit programs, House and Senate leaders enacted legislative provisions which, in total, comprised a safety agenda that resulted in state adoption of safety belt and all rider motorcycle helmet laws, safer cars and trucks, and reasonable limits on the spread of double and triple-trailer trucks.

Since January, when the first session of the 105th Congress began, the political debate on highway funding conducted by Members of Congress, Administration officials, governors, state Department of Transportation directors, highway construction lobbies and other interest groups, has centered almost exclusively on the division of federal gas tax revenues between donor and donee states, the highway and transit funding needs of urban v. rural communities, the determination of what are legitimate v. illegitimate uses of trust fund dollars, and the on-budget v. off-budget congressional battles. Little, if any, of the political discourse has addressed the "public health v. public harm" effects of this legislation. Because of the large sums of money at stake, the political terms of the debate focus on state winners and losers in dollars and cents. But what about the winners and losers among the highway users? Which American families traveling by car will be protected on our highways from drunk drivers, excessive speeding, weak occupant restraint laws, big trucks and aggressive driving?

Over the six year life of the reauthorization bill submitted by the Clinton Administration, the National Economic Crossroads Transportation Efficiency Act (NEXTEA), more than \$170 billion in surface transportation spending is being proposed. However, during that same six year period of highway funding, unless the tide of fatalities and injuries on our highways is stemmed, almost 250,000 people will die. This number of deaths is roughly the equivalent of the

population of the city of Erie, Pennsylvania or Boulder, Colorado. Eighteen million more will be seriously injured, equal to the population of the state of New York or Texas, at a cost of over \$900 billion, enough money to cover the full four year costs (including tuition, room and board) for twice the number of students currently attending a four-year public university. The entire cost of the ISTEA II authorization could be covered if we realize just a 20 percent reduction in highway deaths and injuries.

IV. WHAT THE TAXPAYERS SAY

Last year, in anticipation of congressional consideration of the reauthorization of ISTEA, Advocates sought to determine what Americans think about specific highway and auto safety issues, policies, and programs. Advocates commissioned a well-known national pollster, Louis Harris, to survey a cross-section of the public. The results are compelling. The public is seriously concerned about the dangers of highway travel and decisive majorities support a strong federal response to address highway safety. When releasing the poll results in September of last year, Louis Harris said, "[i]n an era marked sharply by a rush to turn over many substantive areas of government and regulation to the states and localities in many areas, highway and auto safety stands out as a significant exception to the rule."

Despite conventional wisdom that the public wants less government involvement in regulatory matters, decisive majorities of Americans believe it is important for the government to play a strong role in highway and auto safety regulations.

Key findings of the poll are:

- 94 percent say it is important to have federal regulations of car safety standards, with 77 percent stating such a presence is very important.
- 91 percent assert that federal regulation of large truck safety on the highways is important, with 74 percent viewing federal involvement as very important.
- 91 percent believe federal involvement in assuring safe highways is important, with 78 percent saying such a role is very important.
- 87 percent say it is important to have the federal government setting strict rules about food and product safety, highways and airline safety, and safety on the job, with 62 percent citing such regulation as very important.
- 80 percent say a federal presence is important in passing laws which mandate safety belt use, with 61 percent saying federal involvement in this area is very important.
- 77 percent believe it is important for the federal government to pass laws to get people to wear motorcycle helmets, with 61 percent stating such laws are very important.
- 73 percent say a federal presence in controlling excessive speed on highways is important, with 47 percent stating this presence is very important.

- 72 percent believe it is important to have the federal government setting safe speed limits, with 48 percent stating that this role is very important.

V. THE SAFETEA COALITION

One measure of how seriously Congress is addressing highway deaths and injuries will be found in the safety agenda advanced in ISTEA II. From STEP 21 to STARS 2000, from HOTTEA to NEXTEA, highway construction interests, elected officials and state transportation officials have been rallying in support and in opposition to issues such as new funding formulae, the need for special projects, and program structure. However, the true measure of this legislative initiative will be whether the transportation bill that leads us into the 21st century will advance or retreat on highway safety. Yesterday, Advocates participated with representatives of the medical, business, law enforcement and public interest communities to announce the formation of the SAFETEA Coalition. Attached is a list of the current members in this coalition. To date, more than 60 organizations from all over the country have come together and share the following common views.

It is unacceptable that nearly 42,000 Americans die on our highways and another 3 million more are injured, costing society more than \$150 billion every year. It is unacceptable that the rate of safety belt use in our nation is the lowest of any industrialized nation in the world. It is unacceptable that each year approximately 41 percent of all motor vehicle fatalities involve alcohol. It is unacceptable that each year nearly 5,000 Americans die in truck crashes and 100,000 are injured, and almost all are the occupants of cars. And it is unacceptable that truck driver fatigue is a factor in 40 percent of all truck crashes, according to the National Transportation Safety Board (NTSB), yet trucking interests want to expand the hours of driving regulations.

The members of the SAFETEA Coalition are the individuals who pay the tax at the pump and their voice is loud and clear - safety must be a priority in ISTEA II. According to the previously mentioned Louis Harris public opinion poll, nine out of ten Americans want the federal government to play a strong leadership role in highway safety, similar to aviation safety and food safety. In fact, Louis Harris, a man who has performed thousands of public opinion polls, stated, "[t]his is the first comprehensive survey I have conducted on highway safety in my 40 years as a national pollster, and I was amazed at the strong level of support for federal and state measures to make our highways and cars safer." He was particularly struck by the public's sentiments in light of the trend of returning governance to the states.

VI. THE SAFETEA PROPOSAL

Advocates and the SAFETEA Coalition support a comprehensive and feasible plan that needs to be included in ISTEA II and will reduce the human loss on our highways. This list is by no means exhaustive of the safety measures our nation needs to mitigate the public health crisis occurring on our highways. Government studies show that each year, traffic injuries are the principal cause of on-the-job fatalities and the third largest cause of all deaths in the United States. However, far more people are injured and survive motor vehicle crashes than die in

these crashes. These injured persons often require medical care and many require long-term care and rehabilitation. For children, the problem is equally dramatic as motor vehicle crashes are the leading cause of death for children ages 6 to 14. In 1995, the 0-14 age group accounted for 7 percent (2,794) of all traffic fatalities. (Source: Presidential Initiative for Increasing Seat Belt Use Nationwide). These figures are particularly disturbing when considering that traffic "accidents" are not accidental at all. They are preventable and predictable and our nation must move forward with the following legislative proposal to curb the number of people killed on our roads.

A. Traffic Safety Funding

One of the most critical weapons in the battle to reduce deaths and injuries is adequate resources to support programs and initiatives to advance safety. In 1997, the entire budget for NHTSA, for both motor vehicle safety research and regulatory activities, as well as the highway traffic safety grant program for states, was just over \$313 million. This allocation represents only 1 percent of the budget of the entire U.S. DOT, including the Federal Aviation Administration (FAA), and yet, highway deaths represent 94 percent of all transportation fatalities and 99 percent of transportation injuries.

The highway safety grant programs are a major tool in the effort to reduce deaths and injuries on the nation's highways and consequently reduce federal, state and local costs. According to NHTSA studies, the economic benefits (not including consideration of factors for pain and suffering or loss of life) of traffic safety programs exceed their costs by a 9 to 1 ratio. Additional dollars in these programs will be multiplied many times in terms of benefits realized. For this reason, Advocates and the SAFETEA Coalition support increasing the expenditure of federal resources in a number of specific areas that will reap tremendous benefits in terms of saving lives, reducing serious injuries, but also saving taxpayer dollars.

Since the 1980s, the funding of traffic safety programs has been hit twice. For example, in 1980, the Section 402 traffic safety grant program, a state formula grant-in-aid program, was funded at \$196.5 million. For FY 1997 it was funded at \$128 million. Not only has this program witnessed a significant drop in funding, but the effects of inflation have also dramatically cut the purchasing power of this program. The 1980 funding level of \$196.5 million is equal to about \$377 million in 1997 dollars. Thus traffic safety programs have endured a 66 percent reduction in purchasing power.

In addition to supporting the funding increases recommended by the U.S. DOT in its NEXTEA proposal, Advocates supports a sustained and stable funding program for targeted traffic enforcement initiatives. Advocates and the SAFETEA Coalition urge the Senate to provide a half cent from the sale of every gallon of gasoline for safety programs. This would result in approximately \$600 million for a variety of highway safety efforts. The \$600 million is a small price tag for the \$150 billion we all pay every year because of the nearly 42,000 deaths and more than 3 million serious injuries on our highways.

If a half cent is dedicated to traffic safety programs by this Congress, it will significantly help address the problems of aggressive driving, drunk driving, safety belt use, excessive speeding, and red light running. The result will be a safer driving environment for our families. These proposals include:

- **\$150 million for a national safety belt enforcement program modeled after the "Click It or Ticket" effort in North Carolina.** Every state would benefit from the success of this program in increasing safety belt use.
- **\$150 million for states to use in the enforcement of all traffic safety laws which would begin to address the issue of aggressive driving.** Law enforcement resources are severely strained and traffic safety enforcement is oftentimes a low priority. Every state has many of the traffic safety laws we know will reduce deaths and injuries, but most do not have the resources to adequately enforce these laws. The benefits of tough traffic enforcement go beyond safer streets and highways. The strict enforcement of traffic safety laws has payoffs in other areas of crime. I am reminded that Timothy McVeigh was apprehended after the Oklahoma City bombing because of a traffic infraction.
- **\$200 million for the Section 402 Traffic Safety Grant Programs.** This amount is a \$33 million increase over the Administration's recommended funding level and brings the program closer to the funding level it would be if cuts and inflation had not diminished its purchasing power.
- **\$100 million for impaired driving programs.** This \$60 million increase in funding from the Administration's recommendation would provide the necessary financial resources to address this highway crime.

The American public is gravely concerned about the dangers on our highways and the authorization of these increases would be a conservative, yet constructive, step in achieving a higher level of safety on our highways.

B. Safety Belts

According to insurance and government research, safety belts are the most effective means of reducing fatalities and serious injuries when traffic crashes occur. They are estimated to save 9,500 lives in America each year. Research has found that lap/shoulder belts, when used properly, reduce the risk of fatal injury to front seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

Not only do safety belts save lives and reduce injuries, but they also provide economic benefits. According to a NHTSA study on the benefits of safety belts, the average inpatient charge for unbelted passenger vehicle drivers admitted to a medical facility as a result of a crash injury was more than 55 percent greater than the average charge for those that were belted, \$13,937 and \$9,004 respectively. If all unbelted passenger vehicle drivers had been wearing safety belts,

inpatient charges would have been reduced by approximately \$68 million and actual inpatient costs reduced by \$47 million. In all cases of the study, the average inpatient charge was greater for drivers who were unbelted. (Source: NHTSA, "Report to Congress, Benefits of Safety Belts and Motorcycle Helmets," February 1996).

Over the past decade, much of the decline in highway fatalities and injuries has occurred because more motorists are wearing their safety belts, according to NHTSA. Every state but New Hampshire has a safety belt use law, although only twelve have primary, or standard, enforcement laws, which means that law enforcement officers may issue a citation when they observe an unbelted driver or passenger. In the other states, the laws permit only secondary enforcement, which means that, unlike every other traffic violation, an officer can cite a motorist for a safety belt use violation only if the officer has already stopped the vehicle for another infraction, such as speeding or running a red light.

Evidence in NHTSA studies proves that states with standard laws have significantly higher safety belt use rates and experience greater reductions in fatality and injury rates, compared with states that enact secondary laws. States with standard enforcement laws averaged 14 percentage points higher belt use than those with secondary laws. The NHTSA estimates that if every state had a standard enforcement law, nearly 7,000 lives would be saved every year. In fact, California and Louisiana increased their safety belt use rate by 13 and 18 percentage points, respectively, by upgrading their secondary laws to standard. (See attached chart titled "Potential Impact of Enacting Standard Enforcement Safety Belt Use Laws" which provides a state by state analysis of both lives saved and economic savings.)

It is distressing that the rate of safety belt use in the United States is the one of the lowest of industrialized nations. Use rates in Canada, Australia, and several Western European countries exceed 90 percent, while use rates in Great Britain exceed 80 percent. Safety belt use laws in these countries typically allow standard enforcement and also cover occupants of light trucks and vans, in addition to automobiles. Further, fines for noncompliance are generally higher than in the United States, and some jurisdictions assess points against driver's licenses for safety belt use law violations.

In fact, exemplary of the effectiveness of a comprehensive safety belt use plan is Canada's "comprehensive special traffic enforcement programs (STEPS)." Belt use rates in Canada and the United States did not differ markedly until the mid-1980s, when Canadian provinces began implementing STEPs, which are highly publicized enforcement efforts. When Canada decided to establish a national 95 percent safety belt use goal, provinces amended their laws to add driver license penalty points. With these penalty point provisions, belt use has risen to 92 percent for drivers and 90 percent for front seat passengers.

To achieve President Clinton's goal to increase national safety belt use to 85 percent by 2000 and 90 percent by 2005, Advocates believes Congress must enact the following three proposals. First, achieve passage of primary enforcement safety belt laws in every state by withholding or redirecting federal highway funds of states without primary laws. Experience shows us that states are much more apt to pass safety laws if funding sanctions are attached. There are two prominent examples of the success of this method. The first one is the National Minimum Drinking Age, or 21 year-old drinking age, which was a recommendation from President

Reagan's National Commission Against Drunk Driving. It was strongly supported by both Republican and Democratic governors of states which had already enacted 21 drinking age laws, but shared "blood borders" with other states where the drinking age was lower. Young people would travel to those states to purchase and consume alcohol and then drive back, resulting in a high injury and death toll due to drunk driving.

In the summer of 1984, Senator Lautenberg and Representative Howard shepherded legislation through Congress requiring states to enact laws establishing 21 as the minimum drinking age or face the loss of a percentage of their federal-aid highway funds. Prior to the law's 1984 enactment, only sixteen states had established 21 as their legal drinking age. By FY 1988, when the sanctions took effect, all 50 states had adopted the law. Today, the law enjoys strong public acceptance, even among those under 21, and is credited with having saved over 10,000 lives. It is certain that without the federal leadership in pushing for uniform adoption of a 21 year old minimum drinking age, blood borders would be in existence today.

A recent example of the effectiveness of sanctions, the NHS legislation included a requirement that states enact zero tolerance BAC laws by FY 1998 or be penalized five percent of their federal-aid highway funds and ten percent each year thereafter. While 26 states had already enacted zero tolerance statutes prior to passage of the federal law, an additional eleven states enacted such laws last year, and legislation is pending in six other states this year. It is expected that once again all states will come into compliance before the sanctions take effect.

The second proposal Advocates endorses for inclusion in ISTEA II is the initiation of a \$100 million national safety belt enforcement program, similar to the successful "Click It or Ticket" effort launched in North Carolina in 1993. Appeals to "do the right thing" do not work in getting those who do not wear their belts to buckle up, but rather, a standard enforcement law combined with a high visibility enforcement plan, including checkpoints and traffic tickets for drivers not using their belts, proved to be a winning formula in North Carolina. Nearly every law enforcement agency in the state participates in "Click It or Ticket," and the results are impressive.

In the program's first 27 months alone, fatal and serious highway injuries were cut by 15 percent and taxpayers were saved more than \$100 million in health care related costs. Since the start of the program, law officers have held over 17,500 checkpoints and issued nearly 130,000 safety belt and over 11,000 child safety seat citations. Furthermore, at checkpoints and roving patrols, law enforcement officers have made more than 469,000 charges for violations other than safety belt, child safety seat or drunken driving offenses. Officers are apprehending car thieves, capturing drug violators, and arresting fugitives who may have driven away if not for this high visibility enforcement of traffic laws. Another related proposal is to provide funds to states for the enforcement of all traffic safety laws, including safety belts and impaired driving laws.

Without the necessary funding, the President's goals for use rates will not be achieved, and the rate of preventable deaths and injuries will continue to soar. Allocation of funds for enforcement of safety laws should be viewed as an investment, if not actually a savings, both in economical terms and in terms of human lives. Increasing the safety belt use rate from the current estimated daytime usage of 68 percent to the goal of the President's Initiative, 85 percent, could prevent an estimated 4,200 fatalities and 103,000 injuries annually. This

reduction in injuries and deaths would result in an economic savings of approximately \$6.7 billion annually.

C. Impaired Driving

Approximately 2 in every 5 Americans will be involved in an alcohol-related crash at some time in their lives. In 1995 alone, 17,274 people died because of alcohol-related crashes -- that means an average of one person was killed every 30 minutes. Forty-one percent (41%) of the total traffic fatalities for the year were alcohol-related. Additionally, more than 300,000 persons were seriously injured in crashes where police reported that alcohol was present -- an average of one person injured approximately every 2 minutes. (Source: NHTSA Traffic Safety Facts 1995). These statistics are particularly abhorrent considering that there is no such thing as a "drunk driving accident." Almost all crashes involving alcohol could have been avoided if the impaired person behind the wheel was sober.

In an effort to critically examine this national public health crisis, Advocates, Mothers Against Drunk Driving (MADD) and Nationwide Insurance co-sponsored the third "Rating the States" report which surveys the nation's and each state's drunk driving policies and laws. The report is designed to focus attention on the problems of impaired driving and underage drinking, to identify what states are doing to address the problems, and to highlight progress made and challenges that remain. It is unfortunate to announce that our country received the grade of a 'C.' One of the reasons for this low grade is that drunk driving fatalities increased in 1995 for the first time in a decade. This rise may be an indicator that our nation and the media have become complacent about the driving under the influence (DUI) problem. Additionally, improvements are needed in the testing rate of drivers involved in fatal or serious injury crashes. In 1995, only 68 percent of fatally injured drivers and 24 percent of surviving drivers were tested. Furthermore, no states enacted new .08 BAC laws in 1996.

There is some good news in the fight against teenage drinking and driving. Despite an overall increase in alcohol-related fatalities, youth (ages 15-20) alcohol-related fatalities declined by almost 6 percent. This decline occurs at a time when the population of teenage drivers is growing and most national surveys indicated an increase in teenage drinking. This welcome news may be a testament to the effectiveness of zero tolerance BAC laws for young drivers. As you are probably aware, in 1995, Congress passed the NHS bill which included a requirement that states enact a zero tolerance BAC law by FY 1998 or be penalized 5 percent of their federal-aid highway funds and 10 percent each year thereafter. That sanction has spurred state legislative activity. Since enactment of the provision, 11 states enacted zero tolerance laws, and it is under active consideration in 6 states.

Although our nation is moving in the direction of having zero tolerance BAC laws for all youth, most states have set the legal BAC limit for adults at .10 percent, making it the highest in the industrialized world. Sweden's national BAC limit is .02 percent; Australia (in the more populous states), Finland, France, the Netherlands, and Norway have .05 BAC limits; and Australia (in the remaining less populous states), Austria, Canada, Great Britain and Switzerland have set .08 BAC limits. According to a study by the Boston University School of Public Health conducted last year and published in the American Journal of Public Health, states

adopting an illegal BAC limit of .08 percent experienced a 16 percent decline in the proportion of fatal crashes in which the driver's BAC was .08 percent or higher. The researchers concluded 500 to 600 fewer fatalities would occur annually if every state adopted .08 percent BAC limits. (Source: "Initial Assessment of the Effects of .08% Legal Blood Alcohol Limits on Blood Alcohol Level of Drivers in Fatal Motor Vehicle Crashes," R. Hingson, Sc.D., T. Heeren, Ph.D., and M. Winter, M.P.H., Boston Univ.). Additionally, the American Medical Association (AMA) supports a .05 percent BAC and urges states to adopt this level. Advocates believes that legislation needs to be enacted which ensures the nation reaches the goal of reducing alcohol-related traffic deaths by 11,000 or fewer by the year 2005.

Therefore, Advocates urges Congress to include S. 412/ H.R. 981, "The Safe and Sober Streets Act of 1997" sponsored by Senator Lautenberg and Senator DeWine and Representative Lowey in ISTEA II. This legislation would require every state to lower the illegal BAC limit to .08 percent for drivers over 21. Under the law, states that fail to enact the measure would have a percentage of their federal highway construction funds withheld. Adoption of this legislation in the reauthorization of ISTEA will move the nation toward a more sensible threshold to measure legal impairment and will save lives.

D. Truck Safety

Each year nearly 5,000 Americans die in truck crashes and 100,000 are injured. (Source: U.S. DOT Fatal Accident Reporting System). According to the IIHS (based on their numbers on the road and the amount they travel) large trucks (tractor-trailers, single-unit trucks, and some cargo vans weighing more than 10,000 pounds) account for a disproportionate share of highway deaths. Consequently, it is not surprising that 90 percent of the American public opposes bigger trucks. (Source: Louis Harris Poll). In fact, last week in the Wall Street Journal, an article titled "More Trucks Shake Residential America" described the public's anger and fear toward big trucks.

The public has good reason to fear big trucks. Truck traffic has jumped from 17.1 billion miles in 1990 to 23.6 billion in 1995, on town and city roads. Truck mileage on interstates is expected to increase about 23 percent from 1990 through 1997, to 58 billion miles. In 1995, 98 percent of people killed in two-vehicle crashes involving a car and a large truck were occupants of the car. (Source: U.S. DOT Fatal Accident Reporting System). While large truck occupant deaths number approximately 600 annually, about 3,600 occupants of passenger vehicles die each year in collisions with large trucks. (Source: IIHS). One reason for this disparity is the vulnerability of people traveling in passenger vehicles when they are involved in crashes with large trucks. Trucks typically weigh 20-30 times as much as passenger cars.

Another problem with big trucks is their braking capability. Loaded tractor-trailers take 20-40 percent farther than cars to stop, and the discrepancy is worse when trailers are empty and speeds are higher because the braking distance disproportionately increases. Inspections of truck rigs in five states in 1990 revealed more than half with serious brake defects, according to the IIHS.

Not only are trucks dangerous, but they also cause tremendous damage to our nation's roads attaching a hefty economic price tag. A single heavy truck, even one that meets the federal Interstate standard of 80,000 pounds, does as much damage as 9,600 cars. Furthermore, conventional trucks pay for only 65 percent of the costs to repair the damage they do to roads through fuel and user taxes, according to the U.S. DOT. Trucks substantially exceeding 80,000 pounds gross weight pay even less.

For these reasons, Advocates urges the Senate to include H.R. 551, Representative James Oberstar's bill which would establish a freeze on existing weight standards and truck lengths on the Interstate System and the NHS, in ISTEA II. The 1995 National Highway System Designation Act selected 160,000 miles of highways for construction, reconstruction or other forms of upgrading. The NHS will constitute a major new investment in our nation's highways, streets, and bridges, and this expenditure must be protected. Protection means assuring that trucks are held to their present weights and lengths, not only on the Interstate, but on the entire NHS, which includes country roads and city streets. Currently, federal standards limit trucks to 80,000 pounds on the Interstate system, although grandfather provisions permit some states to allow heavier trucks on their portions of the Interstate highways. Some states allow 57 foot trailers, and one allows trailers 60 feet long. The top limit in the others is 53 feet.

The Oberstar bill would preserve current state weight laws, including those which legitimately exceed the federal limit, and permit those rigs of more than 53 feet now on the road to continue to operate. Additionally, it would restore to the U.S. DOT authority to review state claims of grandfathered rights to run trucks heavier than federal limits. Lastly, it would require U.S. DOT to define what a "non-divisible load" really is, and prevent the continued use of unwarranted special permits as a subterfuge for routinely running heavy trucks on the NHS.

In fact, two state trucking associations, those of Mississippi and Arkansas, oppose any increase in truck size and weight limits. Dean Cotten, president of the Mississippi Trucking Association, said that, "our membership is convinced that the trucking industry does not gain productivity through size and weight increases, rather it is required to purchase new equipment." Cotten also stated, "[s]upporting measures to increase truck size and weights come from those who ignore history and have a blatant disregard for the cost incurred in obtaining it."

These two state trucking associations also fear the consequences of permitting states to determine size and weight limits. "If we throw size and weight back to the states, we'll end up with the same patchwork we had before the federal 80,000 pound limit was set," stated Lane Kidd, president of the Arkansas Motor Carriers Association. Congress needs to enact a truck size and weight freeze to protect American families who share the road with these big rigs and protect our investment in highways from accelerated road damage.

The case for a freeze is even more compelling because of negotiations concerning the North American Free Trade Agreement (NAFTA). Last June, 58 Senators and 232 House Members wrote to then Secretary of Transportation Federico Peña urging that U.S. negotiators not compromise truck safety by agreeing to the use of longer and heavier trucks on U.S. roads and highways. A recent study by the Government Accounting Office (GAO) which evaluates truck inspections at the U.S. border points out the real danger of allowing bigger trucks into the United States. The GAO report found that fewer than one percent of the 3.3 million trucks

entering the U.S. were inspected at the border. But of those that were inspected, nearly half were put out-of-service because of safety problems. Inspections of Mexican trucks are not as stringent as inspections of American trucks. If Mexican trucks underwent the same level of inspection the out-of-service rate would likely be even higher.

Border states are being asked to shoulder a significant safety burden that affects all of us. Congress should provide these states with the necessary assistance in terms of infrastructure improvements, more inspectors, and specific legislative guidance that will not permit the safety of the American public to be negotiated away.

A legislated freeze on truck size and weight, similar to the 1991 freeze on LCVs, would raise the level of safety for U.S. motor carriers as well as foreign motor carriers. The public is weary of the dangers of big trucks and strongly supports federal leadership in this area.

Advocates also urges that Congress not permit any thawing of the 1991 ISTEA freeze on longer combination vehicles (LCVs). In 1991, the Congress froze the expansion to additional states of large, multi-trailer LCVs to protect the American public from the dangers of bigger trucks. Today, use of LCVs is limited to at least 20 states and should not be expanded.

LCVs are "Twin 48s," also known as "Turnpike Doubles," triple trailer trucks, also known as "triples," and Rocky Mountain Doubles. A twin 48 is two 48 foot trailers on the back of one tractor, and it weighs as much as fifty cars. A triple is analogous to a ten-story building on its side being hauled down the highway. Rocky Mountain Doubles have a longer semi-trailer with tandem axles and a short "pup" trailer with single axles. These types of trucks are inherently unstable because of their size and weight which cause the trailers to "sway," or move back and forth in serpentine fashion.

Additionally, the braking problems of single trailer trucks are amplified with LCVs due to their heavier weights, multiple trailers, longer lengths, and the greater likelihood of them mixing both loaded and empty trailers. Furthermore, "offtracking," which occurs when a trailer's rear wheels do not follow the path of the tractor's front wheels, happens more frequently with LCVs than with single trailer trucks. Offtracking can cause LCVs to swing into oncoming lanes of traffic during turns, to hit objects on the road side, to cross over curbs and gutters, and to overturn.

LCVs are also incompatible with cars in traffic. Motorists who pass or are passed by LCVs in wet weather will be blinded by splash and spray on their windshields for longer periods than those passing or passed by single trailer trucks. LCVs also move more slowly on grades and accelerate more slowly than other trucks. Additionally, they require more room when maneuvering on crowded freeways and roads. Furthermore, lane changes and freeway merging by LCVs disrupt traffic and are unsafe. Passing LCVs takes more time and distance - up to 20 percent more - increasing safety risks particularly on two-lane, undivided highways. Lastly, since LCVs have more trailers and are less stable than single trailer trucks, there is a greater risk when a LCV is involved in a crash that the multiple units will be thrown into adjacent or oncoming lanes of traffic, leading to more severe crashes.

E. Truck Driver Fatigue

Truck driver fatigue is a factor in 40% of all truck crashes according to the National Transportation Safety Board. Compound this problem with industry efforts to increase truck driver driving times (hours of service) and you have a written invitation for more devastating crashes on the nation's roadways. Currently, truck drivers can drive 60 hours in seven days or 70 hours in eight days. In comparison, air line pilots are permitted to fly only 30 hours in seven days under normal conditions. Considering that the equivalent of a plane crash occurs on our nation's highways every day, increasing the number of hours truckers drive on the roadways would be a grievous mistake.

Researchers at IIHS estimate that presently more than half of the tractor-trailer drivers violate federal hours of service regulations on a 1,200 mile route. Increasing the federal limits will only serve to legalize these drivers' actions, and, further, it will not stop drivers from continuing to exceed the new, higher limits. In 1995, 1,926 people were victims of crashes due to truck driver fatigue. (Source: IIHS). Our nation cannot continue to ignore basic human needs for rest and recovery. Any new regulations that alter hours of service standards should be done in a way that enhances the health and safety of commercial drivers and the American public and reduces the potential for and prevalence of commercial vehicle crashes. Consequently, Advocates urges Congress to reject any efforts to expand hours of service for truck drivers and instead direct the Federal Highway Administration (FHWA) to conduct a rulemaking that reduces commercial driver fatigue and sleep deprivation and improves driver health and safety.

F. Transportation Research and Technology

Safer air bags are now being designed for the near future. However, attaining air bags that perform safely and effectively for all persons in all frontal crashes is an important public safety goal. This goal can be achieved by developing advanced or "smart" air bag technology that shapes the force of the air bag deployment based on the occupant's size and position at the time of the crash as well as the severity of the crash. To provide technology that enables air bags to protect all occupants in frontal crashes, a new generation of sensing devices (sensors) must be developed. Sensor technology, for crash sensors and occupant position sensors, is the weak link in developing advanced air bag design and performance.

To solve this problem, Advocates has proposed that a portion of the funding authorized for the Intelligent Transportation System (ITS) program be used to improve the protection provided by air bags and safety belts to all occupants, especially children and short adults. A program that provided \$25 million annually for research and development of crash and vehicle sensors would hasten the accomplishment of advanced air bag technology. Directing ITS resources for this purpose is a logical step since the development of advanced technology for application to highway vehicles to improve safety is a major premise of ITS. In fact, the ITS Program Plan, the master plan for ITS projects, includes a proposal for Pre-Crash Restraint Deployment. This effort was intended to develop advanced sensor and radar technology to improve the response of vehicle safety systems in the event of a crash. The ITS Program Plan recognized that sensor development and safety devices are integrally related to crash survival. Advocates' proposal adds a new dimension to this ITS concept. Unfortunately, the ITS program has not funded or

developed the Pre-Crash Restraint Deployment aspect of the ITS Program Plan.

This important area of safety research and development has gone unfunded even though the ITS program has received approximately \$1.3 billion from the federal government. The administration is now seeking an additional \$600 million for research and development over the next six years. In addition, the administration is proposing that ITS projects be eligible for federal Highway Trust Funds as any other construction project. Despite the vast expenditures of federal funds, ITS has not produced appreciable improvements in highway safety. Although many claims have been made about the potential for ITS to make vehicles and highways safer, there are few tangible safety results. The ITS safety concepts for passenger vehicles are mostly still in development and will not be available, if at all, for many years to come. Since the ITS program has not initiated safety research and development on vehicle sensors as planned, we urge Congress to promote occupant safety, and to protect children and short adults, by targeting funding for accelerated vehicle sensor research and development.

VII. CONCLUSION

In conclusion, I urge this committee to draw a line in the pavement against increasing deaths and injuries on our highways or accepting the status quo as "good enough." This Congress would never tolerate an airplane crash every single day killing 115 Americans and injuring thousands more as the price of having cheap air fares and unlimited access. Neither should this Congress allow a surface transportation bill to be enacted that does not set specific goals for reducing motor vehicle deaths and injuries and adopts the programs and policies that will achieve them.

Small increases in funding for traffic safety programs and the safety belt incentive program proposed by the U.S. Department of Transportation are only first steps to combating drunk driving, improving truck safety, increasing safety belt usage, and providing adequate resources for traffic enforcement. Much more needs to be done as our safety agenda shows. It will make important and significant gains in bringing down deaths and injuries on our highways. I challenge each of the Members of this Committee to devote as much time advocating safety proposals to improve the safety status of your constituents as you spend debating and generating funding options to improve the financial status of your states.

Advocates and all of the members of the SAFETEA Coalition offer this Committee our assistance in developing legislation that will truly make our highway journey into the 21st a safer road to travel.

Thank you.



ADVOCATES
FOR HIGHWAY
AND AUTO SAFETY

HIGHLIGHTS OF FINDINGS

"A Survey of the Attitudes of the American People on Highway Safety"

**A PUBLIC OPINION POLL CONDUCTED BY
LOUIS HARRIS
for
ADVOCATES FOR HIGHWAY & AUTO SAFETY**

MAY, 1996

INTRODUCTION

Advocates for Highway and Auto Safety (Advocates), a leading national highway safety advocacy group, is an alliance of consumer, health, safety and insurance groups working together to advance highway and auto safety. In May, 1996, Advocates sought to determine how Americans feel about specific highway and auto safety issues, policies and programs. To do so, Advocates commissioned a well-known national pollster, Louis Harris, to survey a cross-section of 1,000 adults during the week of May 22-June 1, 1996.

A broad spectrum of issues was covered and great emphasis was placed on how important Americans feel the government role (both federal and state) should be in setting standards and passing policies and legislation.

I. Government Presence in Highway and Auto Safety

Despite conventional wisdom that the public wants less government involvement in regulatory matters, decisive majorities of Americans feel it is important for the government to play a strong role in highway and auto safety regulations.

Among the key findings in this area:

-- 94% say it is important to have federal regulations of car safety standards, with 77% stating such a presence is very important.

-- 91% feel that federal regulation of large truck safety on the highways is important, with 74% viewing federal involvement very important.

-- 91% believe federal involvement in assuring safe highways is important, with 78% saying such a role is very important.

-- 87% say it is important to have the federal government setting strict rules about food and product safety, highways and airline safety, and safety on the job, with 62 citing such regulation as very important.

-- 80% feel a federal presence is important in passing laws which mandate safety belt use, with 61% saying federal involvement in this area is very important.



-- 77% believe it is important for the federal government to pass laws to get people to wear motorcycle helmets, with 61% stating such laws are very important.

-- 73% say a federal presence in controlling excessive speed on highways is important, with 47% stating this presence is very important.

-- 72% believe it is important to have the federal government setting safe speed limits, with 48% stating that this role is very important.

II. Strong Support for Youth Highway Safety Issues

More than 9,100 Americans under the age of 21 were killed in highway crashes in 1995. Highway crashes are the leading cause of death and injury of Americans under the age of 30. Therefore, a central focus of the poll dealt with young people. The poll showed that the public wants the most government involvement in areas that affect youth, such as strengthening and enforcing child safety seat laws, underage drinking and impaired driving, and graduating licensing.

A. Child Restraint Laws

-- By 84% to 14%, a decisive majority of the adult public favor making it mandatory for all states to require that all children traveling in vehicles operated by *anyone*, not just their parents, no matter where "the children are riding must be buckled into special children's safety seats.

-- By an even higher 90% to 6%, the public nearly unanimously believes that "all people driving children, whether they are related to the children or not, should be made responsible for ensuring that the children are properly belted in."

B. Underage Drinking and Impaired Driving

-- A 91% to 7% majority favors passage of uniform laws, under which, "when teenage drivers test positive for any alcohol, they are subject to *immediate* revocation of their driver's license, and will be subject to strong penalties for driving under the influence." Among the youngest group, those 18 to 19, an 88% to 12% majority support such laws.

-- By 78% to 18%, a majority of adults nationwide oppose any effort "to roll back the legal drinking age from 21 years of age." Among those under 30, a smaller but still substantial 65% to 31% majority also opposes any such downward change.

C. Graduated Licensing

On the proposal to enact graduated licensing laws to phase in the full driving privilege for teens, the Harris poll questioned the public on several key components of the proposed law:

-- An overwhelming 89 percent to 8 percent majority supports teen drivers holding a learner's permit for at least six months before they qualify for a license and that an adult driver must be in the vehicle with the teenagers. Seventy-seven (77) percent of young people agreed.

-- 79 percent favors a teen driver moving up to a restricted license for six months to a year after taking a behind-the-wheel test. A 2 to 1 majority of young people agree.

-- A majority of 88 percent to 9 percent agree that "finally, if after a year or so, the teenager has not violated speed or drinking-when-driving laws, the teenager will be issued a full driver's license." And, 79 percent of teens agreed.

-- By 62 percent to 30 percent, a substantial majority of American people agree with the provision that "a young driver, for the first six months of licensure would not be permitted to drive after 10pm or 11pm." A clear 56 percent to 39 percent majority of young people disagreed.

-- The last area tested specified that "when first licensed, young drivers would not be allowed to transport other teenagers without an adult being present." A narrow 49 percent to 42 percent of the public agrees. A clear-cut 65 percent to 35 percent of teenagers disagree.

III. Automobile Safety and Consumer Information

Automobile safety is clearly in the forefront when it comes to selecting a new car in the 90s. The American people want safety features in their cars and passenger vehicles, including sport utility vehicles (the fastest growing segment of the new car market) and are willing to pay for such safety features. Furthermore, consumers want crash test results and other safety information available to help them make their purchasing decision.

-- By a clear 51% to 37%, a majority of adult Americans is convinced that "sport utility vehicles are not as safe as most passenger cars." About 1 in 3 (30%) believe they are "as safe as most passenger cars," and a small 7% feel they are "safer." A sizable majority of 57% of all women feel sport utility vehicles are "not as safe," compared with a smaller 44% plurality of men who share that view.

-- A 75% to 19% majority flatly say they would be willing to pay \$200 to \$300 more for a car "that has better safety systems to prevent rollover, better roof crush protection, improved padding on the interior of the car, and better side protection.

-- An 85% to 11% majority of those surveyed want to see all purchasers of passenger vehicles have the government safety ratings of the vehicles (from crash tests) they are contemplating buying at the point of sale.

IV. Large Truck Safety

In the wake of the North American Free Trade Agreement (NAFTA) pressure and other efforts to allow larger trucks and more consecutive hours of driving of trucks on the highways, the public adamantly opts for no compromises with current regulation of trucks on the nation's highways.

-- By 83% to 13%, a majority of the public is opposed to the move to change the number of consecutive hours that a truck driver is allowed to drive on a highway from the current 10 hours to 12 hours.

-- 80% are fully convinced that "trucks pulling two or more trailers are less safe than trucks pulling only one trailer."

-- By an even higher 88% to 7%, a majority also is opposed to allowing bigger and heavier trucks on the highways.

V. Safety Belt Use

While 49 states currently have safety belt laws, most are weaker or "secondary enforcement" laws that require police to issue a ticket for some other violation before a safety belt ticket can be written. The public is split down the middle on the proposal that these laws be upgraded to "primary enforcement" status where police are allowed to stop a driver solely for not wearing a safety belt.

-- By a close 51% to 46%, a majority opposes such a change to primary enforcement of safety belt laws.

-- Support for giving law enforcement officers the power to make such a change to primary enforcement of safety belt laws runs highest among suburban residents (52% in favor), women (51%), those 65 and over (59%), those with postgraduate degrees (56%), Democrats (53%), and Latinos (56%).

-- Most opposed are men (58% opposed), residents of the East and Midwest (54%), residents of small towns and rural areas (56%), young people under 30 (58%), political independents (57%), and Republicans (55%).

VI. Speed Limits and Aggressive Driving

The National Maximum Speed Limit (NMSL) was enacted by Congress in 1974 in response to a national energy crisis. However, one of the unanticipated benefits of the 55 mph speed limit was the dramatic drop in highways deaths. In 1995, Congress repealed the NMSL thereby allowing states to set their own interstate speed limits. As the following results show, while Americans support giving states this power, they are also concerned with the safety implications of the repeal.

-- By a 62% to 33% margin, a 2 to 1 majority of the American people support giving states the power to set whatever speed limits they want, including taking them off entirely.

-- However, a 66% to 29% majority of the public believes that accidents and deaths on the highways will rise again as a result of the repeal.

-- And a 64% to 31% majority feels that higher speed limits will contribute to even more aggressive driving.

CONCLUSION

Clearly now is not the time for the government to "back off" in the area of highway and auto safety. Highway deaths have increased each year since 1992. Last year, 41,798 Americans were killed and an estimated five million others were injured in highway crashes. Support for effective highway and auto safety policies and programs is as strong as ever. At a time when deaths on the highways are increasing, Americans want the government to remain involved in setting safety regulations that affect their safety and the safety of their families and friends on the highways.

Potential Savings Due to Standard Enforcement Safety Belt Use Laws

A. Potential In States with Secondary Enforcement Laws (plus New Hampshire which has no law)

Fatalities and Injuries Which Could Be Prevented

State	Fatal Injuries	AIS 2-5		AIS 1		Total Savings
		Cost Savings	Injuries	Cost Savings	Injuries	
Alabama	87	\$56,727,219	741	\$34,435,011	585	\$92,904,945
Alaska	9	\$8,263,125	100	\$6,548,700	72	\$15,113,865
Arizona	58	\$39,811,026	812	\$39,770,136	558	\$81,331,050
Arkansas	43	\$26,560,111	315	\$13,862,520	248	\$41,122,487
Colorado	39	\$31,755,633	572	\$33,242,924	462	\$66,717,659
Delaware	12	\$10,221,636	137	\$8,301,515	105	\$18,935,703
District of Columbia	3	\$3,070,806	125	\$9,149,875	108	\$12,725,797
Florida	158	\$124,863,450	2,251	\$126,888,870	1,852	\$258,439,892
Idaho	18	\$11,607,210	171	\$7,827,525	138	\$19,841,283
Illinois	107	\$93,280,460	2,029	\$126,171,336	1,605	\$225,844,511
Indiana	67	\$48,290,652	934	\$47,987,052	767	\$98,803,435
Kansas	35	\$27,128,255	506	\$27,995,968	366	\$56,420,595
Kentucky	59	\$38,375,901	776	\$35,999,416	688	\$76,420,053
Maine	13	\$9,421,776	218	\$11,264,060	202	\$21,354,860
Maryland	57	\$52,697,526	1,176	\$77,544,264	872	\$133,925,118
Massachusetts	27	\$25,889,706	710	\$48,564,710	698	\$77,512,354
Michigan (1)	94	\$73,534,696	1,612	\$89,946,376	1,349	\$168,302,398
Minnesota	48	\$38,393,472	685	\$39,101,170	566	\$79,563,372
Mississippi	49	\$27,368,754	350	\$13,853,100	337	\$42,181,878
Missouri	83	\$62,011,375	1,012	\$53,948,708	720	\$118,418,163
Montana (1)	15	\$10,080,195	112	\$5,380,704	78	\$15,700,437
Nebraska	20	\$14,958,500	302	\$16,108,680	279	\$32,020,523
Nevada (1)	20	\$16,061,200	211	\$12,048,733	154	\$28,674,959
New Hampshire (2)	8	\$7,018,984	90	\$5,620,950	78	\$12,952,636
New Jersey	52	\$55,263,312	1,713	\$129,850,539	1,349	\$191,664,595
North Dakota	5	\$3,368,060	57	\$2,719,356	52	\$6,247,472
Ohio	112	\$84,036,064	2,619	\$140,103,405	2,150	\$231,509,669
Oklahoma	42	\$27,821,850	516	\$24,350,040	431	\$53,476,527
Pennsylvania (1)	120	\$96,079,560	1,784	\$101,869,968	1,429	\$203,176,810
Rhode Island	4	\$3,154,708	101	\$5,693,067	100	\$9,208,175
South Carolina	59	\$38,092,996	565	\$26,013,165	471	\$65,495,611
South Dakota	11	\$7,550,367	104	\$5,078,320	91	\$12,914,063
Tennessee	100	\$68,320,000	1,167	\$56,835,234	937	\$128,080,548
Utah	18	\$10,945,584	267	\$11,591,004	217	\$23,139,631
Vermont	8	\$5,945,040	88	\$4,684,680	75	\$10,884,420
Virginia	81	\$67,766,301	1,102	\$65,749,728	791	\$136,540,022
Washington (1)	4	\$3,256,988	70	\$4,061,470	49	\$7,500,787
West Virginia	31	\$18,404,855	361	\$15,302,429	333	\$34,610,713
Wisconsin	56	\$42,331,240	811	\$43,735,608	654	\$88,325,764
Wyoming (1)	11	\$7,884,371	79	\$4,071,344	54	\$12,132,565
Subtotals	1,843	\$1,397,612,964	27,351	\$1,533,371,660	22,070	\$3,010,135,345

Notes: (1) estimates are based on expected 15 percentage point increase in usage for states with secondary law

(2) potential increases in states with usage rates of 71 percent or greater were "capped" at 85 percent.

(3) New Hampshire has no law so potential increases may well be higher than 15 percentage points.

(Source: NHTSA, U.S. DOT)

B. Estimated Savings Already Obtained in States Which Have Standard Enforcement Laws**Fatalities and Injuries Which Could Be Prevented**

<u>State</u>	<u>Fatal Injuries</u>	<u>AIS 2-5 Cost Savings</u>	<u>Injuries</u>	<u>Cost Savings</u>	<u>AIS 1 Injuries</u>	<u>Cost Savings</u>	<u>Total Savings</u>
California	228	\$200,041,044	2,730	\$170,813,370	1,971	\$7,901,739	\$378,756,153
Connecticut	14	\$15,169,448	312	\$24,092,952	238	\$1,178,338	\$40,440,738
Hawaii	7	\$6,242,292	99	\$6,255,612	64	\$260,800	\$12,758,704
Iowa	27	\$19,784,034	296	\$15,450,608	213	\$713,124	\$35,947,766
Louisiana	41	\$26,012,737	668	\$30,218,984	552	\$1,600,248	\$57,831,969
New Mexico	26	\$16,163,472	238	\$10,541,258	163	\$463,083	\$27,167,813
New York	77	\$72,418,423	1,990	\$133,451,390	1,542	\$6,625,974	\$212,495,787
North Carolina	75	\$52,258,800	1,112	\$55,253,056	837	\$2,665,008	\$110,176,864
Oregon	30	\$22,102,140	314	\$16,496,932	220	\$740,520	\$39,339,592
Texas	169	\$122,483,088	2,462	\$127,218,926	1,739	\$5,759,568	\$255,461,582
Subtotals	694	\$552,675,478	10,221	\$589,793,088	7,539	\$27,908,402	\$1,170,376,968

Note: These estimates assume a 10 percentage point drop in current usage rates if the law were downgraded.

C. Estimated Savings Yet to be Realized in Georgia which Recently Enacted Standard Enforcement

Georgia	92	\$66,897,708	1,185	\$61,454,100	990	\$3,289,770	\$131,641,578
Totals	2,629	\$2,017,186,150	38,757	\$2,184,618,848	30,599	\$110,348,893	\$4,312,153,891

Background and Assumptions for Estimating the Impact of Standard Enforcement Laws

Background

Safety belt use laws prevent thousands of deaths and injuries each year. States with *standard enforcement* laws allow police officers to issue citations upon observing a belt use violation. States with *secondary enforcement laws* require that another violation must be observed before an officer can stop and cite a driver (or other occupant) for failure to buckle up.

In general, states with standard enforcement laws have *observed usage rates* about 15 percentage points higher than states with secondary enforcement laws. Two states (California and Louisiana) recently upgraded their laws to allow for standard enforcement and experienced increases of 13 and 17 percentage points, respectively. Usually, such impact is measured by subtracting the usage rate in the last full year prior to the law from the first full year after the law's implementation.

Based on (a) the *historical difference* between *observed usage* in standard versus secondary law states and (b) the more limited experience with *law upgrades*, NHTSA estimates that a state which upgrades its law will experience an *increase in observed belt usage* of about *15 percentage points*. For example, it is estimated that a state with a usage rate of 60 percent will experience an increase in usage to 75 percent. Impact may vary from state to state. As more states upgrade their laws, we may gain additional information and change our estimate of impact.

Assumptions

Attached are state-by-state estimates of *additional* deaths, injuries, and societal costs which would be prevented *annually* for states which upgrade from secondary to standard enforcement laws *and* experience an estimated 15 percentage point increase in observed safety belt use. Also included are estimates of *additional* deaths, injuries and societal costs *already being prevented* by states with standard enforcement laws, over and above the savings which would be expected from having secondary enforcement laws.

Each of the state estimates was calculated using a software program called *Beltuse*, which was designed by NHTSA to aid states and communities in determining the impact of changes in statewide or community-wide safety belt usage rates. This program includes a 1992 fatality database, which can be used as a baseline from which to measure changes in fatalities, injuries and societal costs.

For states with secondary laws, estimates of *future usage* were derived by adding *15 percentage points* to the states' most recent (usually 1996) observation survey. Based on the current U.S. experience in primary law states, *future use rates* were "capped" at 85 percent for states with current usage rates of 71 percent or above. For states which already have a standard enforcement law, it was estimated that current usage was, on average, 10 percentage points higher than if the state had only a secondary law. This is because usage in several of these states has declined slightly as a result of a lack of enforcement and public information activity.

Additional Notes

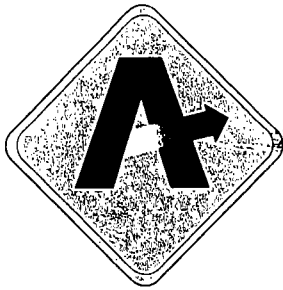
Again, the estimated *changes in fatalities* are from 1992 fatality levels. Use of 1995 fatality levels would result in slightly higher numbers for most states. However, since most states have been using the 1992 numbers (contained within the program) to estimate impact, it was decided to use these same numbers until a revised *Beltuse* program is released later this year. The new program will use 1995 fatality figures as a baseline.

Estimated changes in non-fatal *injury crashes* are based on an analysis of the historical relationship between injuries and fatalities. Injury data are categorized by severity level, using an Abbreviated Injury Scale (AIS). Fatalities are classified as AIS-6 injuries. Non-fatal injuries range from minor (AIS-1) to severe (AIS-5). In addition to calculating savings related to fatal injuries, savings are calculated for *minor* (AIS-1) injuries and *moderate-to-severe* (AIS 2-5) injuries.

It is necessary to differentiate injuries categories because the effectiveness of safety belts (when worn) varies according to injury severity. Safety belts are estimated to be 45 percent effective in reducing fatalities; 50 percent effective in reducing moderate-to-severe injuries; and 10 percent effective in reducing minor injuries.

Societal cost savings are calculated by the *Beltuse* program for fatalities and for each level of injury. These estimated savings refer to *lifetime costs*, which are costs (in 1996 dollars) will be borne by society, over the remaining lives of the persons injured during the year in question. The components of these estimates are medical costs, lost productivity, and other injury-related costs.

Beltuse also includes an estimate of non-reported crashes and an adjustment for locality cost differences.



ADVOCATES
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Advocates for Highway and Auto Safety is an alliance of consumer, safety, health and law enforcement groups and insurance and agents organizations working together to promote the adoption of effective highway safety legislation, standards, policies and programs at federal and state levels in order to reduce deaths, injuries and economic costs associated with motor vehicle crashes.

Advocates for Highway and Auto Safety
750 First Street, NE
Suite 901
Washington, DC 20002
phone: (202) 408-1711 or (800) 659-2247
fax: (202) 408-1699
World Wide Web: <http://www.saferoads.org>



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PRESERVATION**

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

November 28, 1995

STATEMENT BY THE PRESIDENT

Today I have signed into law S. 440, the "National Highway System Designation Act of 1995." This Act advances my Administration's continued commitment to strategic investment in our Nation's infrastructure. It releases immediately more than \$5 billion in funding for highway and other transportation projects. It also implements my proposal for a "Zero Tolerance" policy toward drinking and driving by those under age 21.

I am disturbed, however, by the repeal of certain key safety measures and will work to mitigate the impact of their repeal.

This Act is the culmination of several years' work by all levels of government to identify highways of national significance -- routes that will support our Nation's needs for efficient, safe, and reliable transportation. The designation of the National Highway System makes clear that transportation infrastructure should be viewed as a single system, with each mode complementing the others. Manufacturers and shippers rely on several modes of transportation to deliver their products to consumers in the most efficient manner possible. The National Highway System unites these different modes by providing access to major ports, airports, rail stations, and public transit facilities. The National Highway System also provides 53 critical connections to Canada and Mexico so that goods can move across our Nation's borders efficiently.

In 1992, I saw the way in which our Nation's highways reach all Americans. Vice President Gore and I traveled much of this great land in buses, and we met the American people where they live and where they work. Whether at a truck stop in Carlisle, Pennsylvania, or at dusk on U.S. Highway 51 in Sandoval, Illinois, we saw and heard what access and mobility mean to opportunity and economic well-being. It was during our first bus trip, from New York City to St. Louis, Missouri, that I made a commitment to rebuild America. And I'm proud to say, this National Highway System bill builds on all the work we have done in the last 3 years to do just that.

But the National Highway System is also something more. It is a prime example of the strategic investment of Federal resources. The National Highway System comprises only 4 percent of our Nation's highways, but these roads carry almost half of our highway traffic and most of our Nation's truck and tourist traffic. The improvements made to these roads will not only support our Nation's economic, national defense, and mobility needs, but directly and significantly improve the safety of these key national roadways. The funds released by this legislation and used to upgrade noninterstate highways will provide significant safety benefits.

This Act also includes an essential and commonsense highway safety measure. Last June, I called on the Congress to make "Zero Tolerance" the law of the land and require States to adopt a Zero Tolerance standard for drivers under the age of 21. It is already against the law for young people to consume alcohol. This national standard will reinforce these laws by making it effectively illegal for young people who have been drinking to drive an automobile.

more

(OVER)

Many States have already enacted Zero Tolerance laws. These laws work -- alcohol-related crashes involving teenage drivers are down as much as 20 percent in those States. When all States have these laws, hundreds more lives will be saved and thousands of injuries will be prevented. I commend the Congress for heeding my call and making Zero Tolerance the standard nationwide for drivers under the age of 21.

S. 440 establishes innovative ways to attract new forms of investment in transportation and gives States greater flexibility and more options to utilize limited Federal transportation funds effectively. It also eliminates unnecessary Federal requirements such as those concerning highway building materials and program management. This will enable Federal transportation officials to focus their efforts on the most useful and cost-effective ways of achieving important safety aims and increase States' discretion to implement their highway programs in ways best suited to their own circumstances.

In approving S. 440, however, I must note that some of my most serious concerns with this legislation have not been remedied. I am deeply disturbed by the repeal of both the national maximum speed limit law and the law encouraging States to enact motorcycle helmet use laws. I am also disturbed that this Act could potentially exempt large numbers of small- to medium-sized trucks and their drivers from critical safety regulations governing driver qualifications and truck maintenance.

Without question, these laws have saved lives. The States, now given greater authority over issues of highway safety, must exercise this authority responsibly. I am, therefore, strongly committed to the requirement in this Act for Federal and State officials to work together to assess the costs and benefits of any change in speed limits. I have instructed the Secretary of Transportation to develop an action plan to promote safety consistent with my Administration's continuing commitment to highway safety. My Administration will redouble our efforts to protect those who travel on our Nation's highways. 12

Although I am disappointed by the Congress' actions on these important safety measures, I believe that this legislation will benefit the Nation by designating and funding the National Highway System, strengthening the backbone of our transportation system, providing jobs and economic opportunities, funding vital transportation projects in every State, and making Zero Tolerance the law of the land.

WILLIAM J. CLINTON

THE WHITE HOUSE,
November 28, 1995.

#



ADVOCATES FOR HIGHWAY AND AUTO SAFETY

June 10, 1996

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Chairman and CEO
ITT Hartford Insurance Group

Andrew McGuire
Executive Director
Trauma Foundation

President:

Judith Lee Stone

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Mothers Against Drunk
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Bruce Marlow
Progressive Insurance

D. Richard McFerson
Nationwide Insurance Enterprise

John L. Pottridge
National Association of
Professional Insurance Agents

Robert Vagley
American Insurance Association

The Honorable Federico Peña, Secretary
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Secretary Peña:

It has been more than five months since the President signed into law the National Highway System Designation (NHS) Act of 1995. At that time, the President called upon the Department of Transportation (DOT) to initiate a highway safety action plan to mitigate the consequences of the repeal of several important safety measures in the bill, namely the repeal of the National Maximum Speed Limit (NMSL), exemptions that remove safety requirements for some truck operators, and incentives for all states to pass motorcycle helmet laws.

Shortly after the signing, an action plan was distributed to members of the highway safety community stating ten key action items. While we commend the Department for putting the plan together so quickly, we are troubled that little has been done since that time. We, therefore, request a meeting with you as soon as possible to discuss the status of the action plan.

Of foremost concern to us is Action Item #2 which calls for the formation of a task force "to educate State policy makers of the consequences of weakening highway safety laws." According to the plan, the task force, which was to include a variety of outside interest groups, was to be named within 30 days. While we understand there may have been internal DOT meetings, we believe this does not comply with the spirit nor the intent of the action plan.

Regarding speed limits, Action Item #4 calls for the Department to implement a pro-active program to "pursue an independent study of modern methods to determine proper speed limits." Since the NHS was signed into law, 23 states have raised speed limits, nine states have speed limits as high as 75 mph, including your home state of Colorado, and one state, Montana, has no daytime speed limit at all. With so many states increasing speeds, we are worried that little action has yet taken place by the Department and the clock is ticking.

Our third concern relates to Action Item #6 to "Support Zero Tolerance." According to the plan, "[t]he Department will aggressively support the zero tolerance provision in the legislation, urging the States without conforming laws to promptly adopt them." Progress has been slow. A total of fourteen states have not yet enacted this lifesaving law which makes it illegal for drivers under age 21 to have a BAC level of .02 or greater. More importantly, Colorado Governor Roy Romer has twice vetoed this important legislation.



Secretary Peña -- page 2

Finally, the action plan specifically states in Action Item #9 that the Department will conduct a rulemaking to modify or revoke hours-of-service exemptions for commercial drivers of specific commodities (P.L. 104-59, 109 STAT. 569, Section 345(a)) if they are in the public interest and would not have an adverse impact on safety. According to a recent issue of the *Federal Register*, the Federal Highway Administration (FHWA) is simply issuing blanket exemptions without a public rulemaking. Since there were no Congressional hearings or floor debate in the House or Senate on these broad exemptions, we believe it is imperative to allow the public an opportunity to comment.

We believe that the "Secretary's Action Plan to Reduce Highway Injuries & Related Costs" is not moving forward as quickly as needed. We welcome the opportunity to meet with you at your earliest convenience to discuss ways we can work with you and your department to help offset the anti-safety measures in the NHS bill.

Sincerely,

Judith Lee Stone
President
Advocates for Highway and Auto Safety

Fernando Trevino, PhD
Executive Director
American Public Health Association

Greg Goodale
Director, Government Affairs
Brain Injury Association

Clarence Ditlow
Executive Director
Center for Auto Safety

Jack Rendler
Executive Director
Citizens for Reliable and Safe Highways

Stephen Brobeck
Executive Director
Consumer Federation of America

Jeannine Faubion
President
General Federation of Women's Clubs

Katherine Prescott, President
Mothers Against Drunk Driving

Shirley Igo, Vice President
National Parent Teacher Association

LaVerne Hoerig, President
National Association of Women Highway
Safety Leaders

Lawrence A. McAndrews, President and
Chief Executive Officer
National Association of Children's Hospitals

Lorraine L. Wearley, PhD, President of the
Board
National Sleep Foundation

Daphne Izner, Founder
Parents Against Tired Truckers

Hubert Williams, President
Police Foundation

Joan Claybrook, President
Public Citizen

Andrew McGuire, Executive Director
Trauma Foundation

SECRETARY'S ACTION PLAN TO REDUCE HIGHWAY INJURIES & RELATED COSTS

1. **Strengthen Partnerships** President Clinton will challenge the Governors and State Legislatures to advance highway safety, thereby reducing deaths, injuries and costs, and preventing crimes. He will emphasize the high cost of crash injuries to business at economic summits, establish Safety Leadership Awards, and will champion safety in the next highway bill.
- ➔ 2. **Educate Policy makers** Secretary Peña will establish a task force on highway injury costs. Composed of those who treat crash victims, pay the bills, and set policy in the states, the panel will make recommendations on how best to convey the extent of the burden of motor vehicle crashes to policy makers at all levels.
3. **Advisory on Speed Limits** The Secretary will immediately contact Governors and urge them to take advantage of the repeal provision that gives states time to fully debate the impact of increasing speed limits.
4. **Setting Speed Limits** DOT will undertake an independent study on modern methods of setting speed limits and other proactive programs, such as assuring that all Governors and State Legislators are aware of the costs to their states due to crashes, encouraging the adoption of Zero Tolerance and other traffic safety laws, encouraging replication of "best practices" and promoting public education of the benefits of safety laws.
5. **Performance-Based Systems** The Secretary will encourage and provide assistance to the states to identify and use current data to track motor vehicle crashes, causal factors, and identify costs, to assist state policy makers as they consider their state's highway safety policies.
- ➔ 6. **Support Zero Tolerance** DOT will aggressively support the passage of Zero Tolerance legislation and enforcement in the states, including providing technical assistance.
7. **Safety Management Systems** DOT will aggressively promote and provide training for the development of state SMS efforts. The Department will showcase "best practices" to show system benefits.
8. **Traffic Safety Pilot Program** DOT will carefully exercise its discretion and will seek broad public input in implementing the new pilot program for medium-sized trucks (those under 26,000 pounds).
- ➔ 9. **Monitor Exemption Programs** The Department will closely monitor the statutory exemptions that remove safety requirements for specific categories of truck operators and, if necessary, will conduct a rulemaking to modify or revoke the exemptions.
10. **Technology Leadership** DOT will develop a safety-based technology plan and aggressively promote Intelligent Transportation Systems and technology applications.

HIGHWAY SAFETY ACTION PLAN

INTRODUCTION

The Department of Transportation (DOT) in recent years has embarked on a very aggressive safety program. Safety is the Department's highest priority, and its importance is reflected in Secretary Peña's performance contract with the President. The Highway Safety Action Plan described below is a series of actions which will respond to the changes in the National Highway System (NHS) bill and to the evolving nature of the Federal-State partnership.

ACTION PLAN ELEMENTS

1. Strengthen Partnerships. The President will challenge the Governors and State legislatures to work to sustain the progress that has been made in improving highway safety and to make further progress. The American people will hold decisionmakers at all levels of government accountable for protecting their safety. The NHS bill changes the current relationship between the Federal and State government in assuring highway safety. The President wants to work with the Governors and State legislatures to assure that this newly-shaped relationship is as successful as the previous one.
- o The President will immediately send a letter to all Governors addressing their joint commitment to safety, his proposed steps to protect safety, and his challenge to them to maintain safety. His perspective:
 - as a former Governor, "I understand and support States' rights",
 - as President, "I see the national burden created by crashes and the resulting injuries and long-term care burden",
 - huge costs often paid by taxpayers, employers, government (one third of medical costs are borne by taxpayers),
 - linkage between traffic safety and crime,
 - urge them as Governors to educate themselves about these issues in order to help us improve health and decrease budget deficit,
 - committed to working cooperatively with the Governors to achieve results measured in positive outcomes: reduced deaths, injuries and costs.

- o The President, as part of this challenge to States to maintain safety, will establish awards to Governors and State legislatures for Safety Leadership.
- o As part of the regional economic summits with business, the President will include an emphasis on the cost of motor vehicle injury to business, the leading cause of occupational death.
- o In reauthorizing the next surface transportation bill, the President will seek options that continue to move our programs toward performance-based systems to help States focus on how well they are doing in saving lives and preventing injuries.

2. **Educate Policymakers.** The Secretary will establish a task force to educate State policymakers of the consequences of weakening highway safety laws. The panel would include (1) those who bear the costs and social burden of these policies, such as: citizen representatives, business, insurance, health care providers, and (2) those who develop and implement the policies, such as: NGA, NCSL, National Association of Governors' Highway Safety Representatives, law enforcement.

The task force will be named within 30 days. The panel will meet our goal of enhancing highway safety by assuring that the concerns of those who pay the bills and bear the burdens of motor vehicle crashes are conveyed to decisionmakers in every State.

3. **Advisory on Speed Limit.** The Secretary will immediately contact the Governors of the nine States in which existing State laws provide that the speed limit automatically increases upon repeal of the National Maximum Speed Limit (NMSL). The Secretary will alert them of the terms of the repeal law that gives them a 10-day window of opportunity to delay that repeal if the State's legislature is out of session. The repeal allows a Governor to delay the automatic increase in a State's speed limit law to give that State's legislature 60 days after its session convenes to consider this issue. The Secretary will urge them to take advantage of that provision in order to carefully consider whether such an increase is in the interest of its citizens.

4. **Proactive Programs.** The Department will implement a pro-active program to:

communicate to each of the 50 States, through their Governors and legislative leaders, the burdens that motor vehicle crashes currently place on their States and provide estimates of potential cost increases resulting from reduced highway safety in the State, either through increasing the speed limit or weakening motorcycle helmet laws;

encourage the adoption of zero tolerance laws;

promote public education of the impact of highway safety laws under attack, including holding a spotlight on the States that increase their speed limits above 55/65 and on the consequences of that decision. These efforts will be supported by information

generated through the data and task force efforts mentioned in points 2 and 5;

pursue an independent study of modern methods to determine proper speed limits. Current methods are based on roadway environment and science of the 1930s. Today's approach must include a comprehensive look at current safety knowledge including human factors and vehicle design; and

promote the "best practices" approach of DOT serving as a clearinghouse to State and local groups on effective programs, planning, and evaluation efforts, and providing technical assistance as appropriate.

5. Performance-Based Systems. The Secretary will encourage improvements in performance measures and accountability by assisting all States in identifying and using current data to help them recognize and track their State-specific costs due to motor vehicle crashes and causal factors, such as excessive speed, and to identify the ultimate payer of these costs. The Department will do so by using easily-identified existing measures not currently in widespread use and incorporating these measures into the work of the Bureau of Transportation Statistics. In addition, the Secretary will work with the Department of Health and Human Services, using the existing Memorandum of Understanding, to assist in supporting improved data collection in the States.

This technical assistance will support the States in fulfilling the requirements for a report on the consequences of raising speed limits as required under section 347 of the bill.

With this data, most States, for the first time, will have before their decisionmakers (such as the governor and legislators) the costs to that State due to speed, non-belt/non-helmet use, impaired driving, etc. We hope this will lead to better and more informed decisions about highway safety policies in that State. Previous Federal efforts to share our findings have often been seen as intrusive, and thus discounted. A State's own accurate and valid data will support a State's ability to act in the best interests of its citizens.

Information including the status of State data collection efforts will be assembled and presented to legislators no later than early 1996; a priority will be placed on States where the legislature is currently in session.

→ 6. Support Zero Tolerance. The Department will aggressively support the zero tolerance provision in the legislation, urging the States without conforming laws to promptly adopt them. This effort will include technical assistance to the States from the Department.

7. Safety Management Systems. Notwithstanding provisions of S. 440 which make State implementation of highway management systems optional, the Department will continue to aggressively promote and support the development of safety management systems in all States. We are showcasing "best practices" as well as providing training to insure that all

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1994-95
PROGRESS REPORT

**Extraordinary
Leadership:
The Road Best
Traveled**





ADVOCATES FOR HIGHWAY AND AUTO SAFETY

ABOUT ADVOCATES

Co-Chairs:

Richard D. Crabtree, Pres. & COO
Nationwide Mutual Insurance Co.

Andrew McGuire
Executive Director
Trauma Foundation

President:

Judith Lee Stone

Consumer and Safety Organizations:

Stephen Brobeck
Consumer Federation
of America

Joan Claybrook
Public Citizen

Clarence Ditlow
Center for Auto Safety

Donald Friedman
MCR Technology Inc.

Jay R. Halfon
New York Public Interest
Research Group

Stephen W. Hargarten, M.D., MPH
American College of
Emergency Physicians

Ralf Hotchkiss
Wheeled Mobility Center
San Francisco State University

Katherine P. Prescott
Mothers Against Drunk
Driving (MADD)

Stephen Teret
American Public Health
Association

Hubert Williams
Police Foundation

Insurance and Agents Organizations:

Patricia A. Borowski
National Association of
Professional Insurance Agents

Herman Brandau
State Farm Insurance Cos.

Len Brevik
Independent Insurance Agents
of America

John Conners
Liberty Mutual Insurance Co.

Steve Hasenmiller
The Hartford

Rodger S. Lawson, PhD
Alliance of American Insurers

Gerald Maatman
Kemper Insurance Cos.

Robert J. McMillan
Progressive Insurance

Robert Vagley
American Insurance Association

MISSION

Advocates for Highway and Auto Safety is an alliance of consumer, health and safety groups and insurance companies and agents working together to make America's roads safer. **Advocates** encourages the adoption of federal and state laws, policies and programs that save lives and reduce injuries. By joining its resources with others, **Advocates** helps build coalitions to increase participation of a wide array of groups in public policy initiatives which advance highway and auto safety.

HISTORY AND STRUCTURE

Advocates was founded in 1989 by the heads of a number of major property and casualty insurance companies and several prominent consumer and safety leaders. These two communities share virtually identical goals on highway and auto safety issues.

Advocates' Board of Directors is made up of equal numbers of insurance and agents' organizations and consumer, safety and law enforcement groups. The insurer members provide the financial resources of **Advocates**, but both groups share the responsibility for establishing program and policy priorities. All members provide expertise, outreach to constituents, research and other assistance to help the organization achieve its goals.

OBJECTIVES

According to the federal government, each year motor vehicle crashes claim approximately 40,000 lives, are responsible for millions of injuries, and cost Americans over \$137 billion in property loss, medical and emergency bills, productivity loss, and other costs. **Advocates** is pursuing policies and standards that will mitigate this wasteful tragedy.

Advocates' unique alliance combines the perspectives and resources of our member organizations to implement specific strategies for achieving our policy goals. By working with other coalitions and organizations, **Advocates** helps to maximize effectiveness and avoid duplication of effort on numerous public policy endeavors.

(continued)



STRATEGIES AND ACTIVITIES

The organization develops a program plan each year to identify opportunities, establish priorities and allocate resources. **Advocates'** staff tracks legislation, analyzes issues, conducts research, develops strategy, participates in existing coalitions and organizes new ones when needed, engages in lobbying, files technical comments on federal regulatory actions, provides information to the media, publishes a newsletter and other publications, and maintains an extensive database of grassroots activists interested in highway safety issues.

ISSUES

Advocates has identified a number of critical issues to address in federal and state policy priorities, including:

- **Occupant Protection:** safety belts, child safety seats, air bags and motorcycle helmets;
- **Vehicle Crashworthiness:** improved head injury and side impact crash protection; upgraded standards for light trucks and vans; rollover, pedestrian and child restraint crash protection standards;
- **Speed:** radar detector bans, 55 MPH national speed limit, voluntary industry restraints on promotion and portrayal of excessive speed in advertising;
- **Impaired Driving:** administrative license suspension, roadside sobriety checkpoints, open container legislation, .08 BAC laws, lower BAC tolerance for youth;
- **Highway Safety:** improved highway safety design, appurtenances and traffic control devices, freeze on double- and triple-trailer trucks, truck safety improvements;
- **Consumer Protection:** bumper quality disclosure, auto crash parts, anti-auto theft legislation.

Incumbent in all these areas is adequate funding through authorization of programs and appropriation of funds. **Advocates** monitors and actively participates in the congressional appropriations process to influence whenever possible the allocation of Highway Trust Fund and other money for safety programs and insure congressional oversight of the regulatory agencies responsible for highway and auto safety.

OUTLOOK

Two great strengths of **Advocates for Highway and Auto Safety** are its single-minded dedication to the adoption of public policies that save lives, prevent injuries and reduce costs, and the diversity of organizational support for its mission and in its membership. Combining the resources, expertise and commitment of the property/casualty insurance industry and consumer and safety organizations, **Advocates** plays a dynamic role in developing legislative and regulatory policies, expanding public understanding of highway and auto safety issues, and encouraging coalition efforts to further reduce the devastating human and economic costs of death and injury on the nation's roadways.