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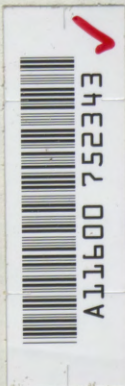
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OVERSIGHT HEARINGS ON THE HIGHWAY SAFETY PROGRAM

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HEARINGS BEFORE THE SUBCOMMITTEE ON ROADS OF THE COMMITTEE ON PUBLIC WORKS UNITED STATES SENATE NINETY-FIRST CONGRESS

FIRST SESSION

ON

REVIEW OF PROGRAMS IMPLEMENTING THE REQUIREMENTS
OF THE HIGHWAY SAFETY ACT OF 1966

AND

S. 2399

A BILL TO PROVIDE A FORMULA FOR APPORTIONMENT OF
STATE AND COMMUNITY HIGHWAY SAFETY FUNDS FOR
FISCAL YEAR 1970 AND THEREAFTER

JUNE 24, 25, 26, AND JULY 1, 1969

Serial No. 91-16

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 Daniel J. Hansen, deputy secretary, the president, American Road
 Builders' Association
 Dean J. Loring, highway safety committee chair, Gov. Warren P.
 Knowles State of Wisconsin

Thursday, June 25, 1969

Patric H. Harty, executive director, National Bureau of Cities, accompanied
 by Michael Alexander, 2nd floor, Bureau of Cities
 Carlton E. Robinson, vice president, Institute of Traffic Engineers,
 accompanied by Barton W. White, executive director
 James W. Hines, chairman of the Board, a representative of the National
 Highway Safety Advisory Committee
 William E. Marshall, member of the Board of County Supervisors of
 Oakland County, Michigan, and chairman of the southern Michigan
 Council of Government, accompanied by Brian B. Wainwright, executive
 director, Traffic Improvement Association of Oakland County, and
 Ralph Taylor, National Association of Counties
 Edmund Ford III, Jr., Governor's Highway Safety Committee, State of
 Wisconsin

Thursday, June 26, 1969

Richard George E. DeLoach, vice president, American Automobile
 Association
 Haddon, William J., M.D., president, American Institute of Highway
 Traffic Engineers
 James Wainwright, executive director, International Association of Chiefs of
 Police, accompanied by William E. Finney, director, Highway Safety
 Division, International Association of Chiefs of Police
 Addison W. White, Jr., highway safety committee, State of Maryland, accompanied
 by Schuyler D. Land, vice president and general counsel, American Insurance
 Co.
 Murphy, Joseph K., Baltimore, State of Maryland, accompanied by John Taylor,
 Washington, D.C., Florida Senator, accompanied by John Taylor,
 Florida State Police Bureau, Bureau

Friday, July 1, 1969

Richard George E. DeLoach, vice president, American Automobile
 Association
 Haddon, William J., M.D., president, American Institute of Highway
 Traffic Engineers
 James Wainwright, executive director, International Association of Chiefs of
 Police, accompanied by William E. Finney, director, Highway Safety
 Division, International Association of Chiefs of Police
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 Murphy, Joseph K., Baltimore, State of Maryland, accompanied by John Taylor,
 Washington, D.C., Florida Senator, accompanied by John Taylor,
 Florida State Police Bureau, Bureau

OVERSIGHT HEARINGS ON THE HIGHWAY SAFETY PROGRAM

TUESDAY, JUNE 24, 1969

U.S. SENATE,
SUBCOMMITTEE ON ROADS OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met at 10:15 a.m., pursuant to call, in room 4204, New Senate Office Building, Senator Jennings Randolph (chairman of the subcommittee) presiding.

Present: Senators Randolph, Jordan, Cooper, Boggs, and Gurney.
Staff present: J. B. Huyett, Jr., assistant chief clerk and staff director; M. Barry Meyer, counsel; Thomas C. Jorling, minority counsel; and Bailey Guard, assistant chief clerk, minority.

Senator RANDOLPH. Good morning, ladies and gentlemen.

We will finish first today our testimony on hearings that we had begun on S. 1442, and also S. 561, covering, as you know, the subjects of highway beautification. Then we will begin our hearings on the programs that implement the requirements of the Highway Safety Act of 1966, and we shall also talk about S. 2399, which is a bill to provide a formula for apportionment of State and community highway safety funds for fiscal year 1970 and thereafter.

(S. 2399 follows:)

[S. 2399, 91st Cong., first sess.]

A BILL To provide a formula for apportionment of State and community highway funds for fiscal year 1970 and thereafter

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 402(c) of title 23, United States Code, is amended by striking the second and third sentences and inserting the following in their place:

"For the fiscal years ending June 30, 1967, June 30, 1968, and June 30, 1969, such funds shall be apportioned 75 per centum on the basis of population and 25 per centum as the Secretary in his administrative discretion may deem appropriate. For the fiscal year ending June 30, 1970, and following fiscal years, these funds shall be apportioned to each State on the basis of population determined by latest available figures from the Census Bureau. The annual apportionment to each State shall not be less than one-quarter of 1 per centum of the total apportionment."

Senator RANDOLPH. The Congress, in 1966, as you recall, passed the Highway Safety Act to insure a positive approach to reduce the unprecedented carnage on our highways and streets. The purpose of this act was to create a vehicle through which the Federal Government and the State and local governments could enter into a partnership to effectively attack this massive problem.

However, the problem remains larger and larger than ever before. During 1968 there were approximately 14 million motor vehicle accidents on our highways and streets, resulting in almost one in every 50 persons in our country being injured, and one out of 3,675 being killed.

During 1968 the deaths from vehicle crashes—I emphasize this—reached an all-time high of 55,500 people. Highway crashes have killed more Americans—this is said over and over, but I repeat it—than all of our wars combined and are the leading cause of death, and I think this is something we should underscore, for young people between the ages of 16 and 24.

Now, these grim statistics unmistakably highlight the fact that in motor vehicle deaths, Americans face a destructive problem equal in size and complexity to other ills that beset us, such as crime, disease, and poverty. Highway injuries exceed by 10 times all of our criminal actions combined, including homicide, armed robbery, rape, riot, and assault.

The direct cost, it is said, to the Nation of damage resulting from accidents exceeds \$25 billion per year.

A study by the Department of Transportation last year revealed the shocking fact that at least 800,000 crashes per year, resulting in 25,000 deaths, relate to the use of alcohol by drivers and pedestrians. Thus, almost 47 percent—perhaps I haven't worked it out exactly—47 percent of our yearly deaths on the highways and roads and streets are attributable to the consumption of alcohol.

One of the most tragic results of alcohol-induced accidents is that much of the loss of life, limb, and, yes, property, is suffered by completely innocent parties.

Certainly a program must be developed to arouse the American public to the seriousness of this problem which, in turn, will assist the States in enacting implied-consent and alcohol-test legislation. There will be differences on this subject, but I wish, as chairman, personally to make that statement. We must, I believe, give the State and local law enforcement officers and the courts the necessary public backing to take the habitual drinking driver from behind the wheel of a moving vehicle.

Members of this subcommittee—and I am grateful for their attendance this morning—are concerned by our inability so far to reverse the highway accident and death trend. I hope through these hearings we will be able to assemble the necessary facts to establish priorities for Federal action and obtain proposals which will enable Federal, State, and local authorities to implement safety programs which will immediately, I hope, show positive results.

Federal, State, and local officials must assess and marshal the many resources which are presently available to them and develop organizations and effective plans to overcome the national highway safety problem. It is often too easy to do too little, using the excuse that there are insufficient funds to alleviate the terrible blight on our Nation and our people. I think we have a responsibility to see that it is removed.

We are fortunate this morning and all the members of the subcommittee join me in this expression of welcome to the Honorable John Volpe, Secretary of Transportation of the United States. His background, his experience and his administrative ability are being brought

into the Department in an effort to solve the problems, in part, that I have mentioned this morning.

So as to conserve his time, I say to the members of the subcommittee, we have arranged for the Secretary to discuss more than one subject here this morning. That is why I so indicated at the beginning in connection with completion of hearings and beginning of a new set of hearings.

Mr. Secretary, I am very happy to greet you, and if there are other members of our subcommittee who wish to say any words of greeting at the beginning before your statement, we would be delighted.

Senator COOPER. Mr. Chairman, I will not delay the hearing. I just want to join with you in expressing our welcome to the Secretary, particularly as you come to testify upon a very important subject. I am glad that Senator Randolph went into some detail in pointing out the importance of this act, the Highway Safety Act of 1966. As you know, it involves uniform standards, and the development of highway safety programs by the individual States.

At the time this bill was introduced, there was tremendous interest given to the question of automobile design. Of course, that is a very important aspect of the problem, but I believe that this act, the development of these standards and the programs of the States is going to be most important.

I join all my colleagues, I know, from the minority side in welcoming you to our committee.

Senator RANDOLPH. Thank you, Senator Cooper. I do want to underscore what the Senator said, and I have often talked about the Automobile Safety Act as contrasted to the Highway Safety Act. We were not making comparisons, except to say we believed there had been a certain oversight of the importance of the Highway Safety Act in reference to the more emotional Automobile Safety Act, and I feel that in the years to come, we will find the necessity for this act to effect improvement.

Does any other Senator wish to make a comment?

Senator BOGGS. Mr. Chairman, I think you and Senator Cooper have covered the problems well. I am happy to join you in the thoughts that you have expressed.

Senator RANDOLPH. Thank you, Senator Boggs, for your comments. Secretary Volpe, we are ready to hear you at this time.

STATEMENT OF HON. JOHN A. VOLPE, SECRETARY OF TRANSPORTATION; ACCOMPANIED BY FRANK TURNER, FEDERAL HIGHWAY ADMINISTRATOR; RALPH BARTELSMEYER, DIRECTOR, BUREAU OF PUBLIC ROADS; AND ROBERT BRENNER, ACTING DIRECTOR, NATIONAL HIGHWAY SAFETY BUREAU

Secretary VOLPE. Thank you very much, Mr. Chairman and members of the subcommittee. I can't tell you how delighted I am to appear before this Senate Subcommittee on Roads of the Public Works Committee for the first time in my capacity as Secretary of Transportation. My contacts with this committee while I was serving as the first Federal Highway Administrator were most pleasant and rewarding.

NOTE: Remarks by Secretary Volpe regarding highway beautification were extracted and included in the hearings entitled "Highway Beautification," pp. 2-4.

As you may know, I am extremely proud of the Federal-aid highway program. In particular, I feel that the Interstate System represents a magnificent transportation achievement. Much of the credit for this is directly due to this committee.

With me this morning is Mr. Frank Turner, the Federal Highway Administrator, and Mr. Ralph Bartelsmeyer, Director of the Bureau of Public Roads, who, I am sure, is also very familiar to the committee, having served as Chief Engineer in Illinois and as Chairman of the Highway Research Board.

Senator RANDOLPH. Do you desire, Mr. Secretary, that they come now and sit with you?

Secretary VOLPE. If Mr. Turner particularly would come and sit with me here, I would like that. I hope I do not have to turn to them, but I may not remember all of the details.

We also have Dr. Robert Brenner, Acting Director of the National Highway Safety Bureau. These gentlemen are well known to you. We are here today to discuss the programs and plans of the Department in the areas of highway beautification and highway safety. Later, Mr. Turner will discuss some of the specifics of these subjects in greater detail, and we all stand ready to respond to any questions you may have.

The main point I would like to make in these brief remarks is that the Department is deeply concerned about the effect of our highway transportation activities on people—on the individual citizen. This concern is reflected in activities ranging from effective implementation of equal opportunity requirements to the development of the safest and most efficient highway network possible.

We believe also that the American motorist should be able to enjoy the great natural beauty of this country when he uses its fine highway system.

The Department is concerned with human desires and needs in another very important respect—averting the loss of life and personal injury resulting from motor vehicle accidents. I want to emphasize my personal dedication to the proposition that, in matters of safety, well enough should not be left alone. While a good foundation has been laid, we are not yet doing well enough and we will not be satisfied with simply doing better. Safety in all modes of transportation will be given fresh, top-level emphasis in the Department.

I might add that I note that Governor Pyle is here this morning and other members of the National Safety Council, and I well remember my activities before this group and other groups in preaching safety for many, many years as a contractor and later as a Commissioner of Public Works, and later as Governor; so that, in this safety field, I have more than just a passing interest and am deeply involved and will continue to be very deeply involved.

In 1966—at the urging of this committee—Congress enacted the Highway Safety Act to help combat one of the most serious problems facing our Nation: the multitude of persons killed and injured annually on our highways. We have now had more than 2 years of experience in administering that act and its companion safety legislation, the National Traffic and Motor Vehicle Safety Act.

Despite our efforts under this legislation, our preliminary tabulations indicate that the numbers killed on our highways increased to

some 55,000 persons in 1968. But that figure should not be taken to mean that the legislation was poorly conceived or improperly carried out, either at the State or Federal level. The increase in the absolute number of highway deaths must be viewed against the background of a 4-percent annual increase in vehicle registrations and steadily increasing totals of passenger miles being driven and, I might add, at increasingly higher speeds.

It is our firm belief that the death tolls would have been much higher and future projections much more unfavorable were it not for the gains which we were able to make with the authority provided us in the 1966 safety legislation.

We are now developing a program of priorities in the safety field which will enable us to concentrate our activities on critical areas. Mr. Turner will describe our process for establishing these priorities during his presentation.

One area in which we expect to place increased emphasis is that of alcohol and highway safety, which the chairman touched on so very well. This is indeed a serious problem. As the Department's report to the Congress in 1968 indicated, the use of alcohol by drivers and pedestrians was directly involved in more than 25,000 deaths and at least 800,000 crashes in the United States last year. Property and income losses from crashes in which alcohol was a factor have been estimated to be an astounding \$7.5 billion each year.

But far more important than the monetary loss is the dreadful citation by one medical examiner, that "44 percent of the innocent, not-at-fault dead drivers were killed by drinking drivers." That is quite a statistic.

It is, of course, easy to be against drunken drivers. Doing something about the problem is more difficult. We plan to come up with a tough and workable program through which such drivers can be identified to responsible officials and the courts, and firm measures taken to preclude their use of the roadways for the safety of the rest of us.

The role of the Federal Government under the Highway Safety Act is one of leadership and guidance to the States, on whom devolve the responsibility for carrying out the highway safety standards prescribed by the Secretary.

You will recall that 13 standards were promulgated in 1967. These covered: periodic motor vehicle inspection, motor vehicle registration, motorcycle safety, driver education, driver licensing, vehicle codes and laws, traffic courts, alcohol in relation to highway safety, identification and surveillance of accident locations, traffic records, emergency medical services, highway design, construction and maintenance, and traffic control devices.

During 1968 additional standards were issued on pedestrian safety, police traffic services, and the control and cleanup of hazardous debris. Work is going on to develop two more important standards: school-bus safety and accident investigation.

A number of States already meet or exceed the performance levels prescribed in several of the standards. Other States are, as yet, unable to comply fully with any of the standards. While a remarkable beginning has been made by the States in implementing the Highway Safety Act of 1966, there is still a long way to go in achieving the act's goal of substantially reducing the highway death toll.

Before I leave the subject of highway safety, I would like to discuss S. 2399, the Department's proposed formula for apportioning State and community highway safety program funds. As you know, under subsection 5(10) of the Federal-Aid Highway Act of 1968, Congress must enact a new, nondiscretionary formula before these funds may be apportioned to the States for fiscal years 1970 and 1971.

Earlier this year, former Secretary Boyd recommended to the Congress that these funds be apportioned among the States in the ratio of traffic accident deaths in each State over a 3-year period to the nationwide total of such deaths in that period. No State, however, would receive less than one-quarter of 1 percent of the funds apportioned each year.

Such a fatalities-based approach has some precedents in other areas relating to public health and social welfare. We think it inappropriate here, however, because it would appear to reward a State with a poor safety record and work to the disadvantage of a State with a successful program.

To avoid this defect, we recommend apportionment of these funds on the basis of population. This is, of course, the method selected by Congress with respect to 75 percent of each year's apportionment for fiscal years 1967 through 1969. None of the alternative methods of apportionment which we examined bore a clearer relationship to the problem at hand than an apportionment based on population, which has the advantage of being easily understood, rests on reliable data, and can be implemented immediately.

We do, however, concur in the recommendation for a minimum apportionment to each State of one-quarter of 1 percent of the total moneys apportioned for these programs annually. Regardless of population, there are certain minimum expenditures which every State must meet in administrative and overhead costs to insure a basically sound program.

In the highway-safety facet of the programs I have seen enough of the kind of research that has been undertaken and is presently being pursued to assure you that I think we are on the right track. I believe we are going to see some really major breakthroughs in the months ahead, and I would certainly hope that I can come before this committee again in the not too distant future and present to you some goals as I see them that we ought to strive for in the years ahead.

Certainly it is a privilege to be before your committee again this morning, and I certainly would be very happy to answer any questions you might have at this time.

Senator RANDOLPH. Thank you, Mr. Secretary. I know that it is customary for the chairman of a subcommittee or committee chairman to begin the colloquy with a witness, but I would like to reverse that today and I would like to come in later. We are fortunate in our committee to have a very fine spirit, no partisanship, and, in a sense, no feeling of seniority. We work together on the committee, and I would like to move now to ask Senator Sherman Cooper if he would begin the questioning if it is agreeable.

Senator COOPER. Thank you very much, Mr. Chairman. May I say I think that your statement, your first statement before this committee, is a very good one and your comments on the highway safety program and also on the beautification program are heartening.

Mr. Secretary, can you tell the committee how many States have submitted programs and how many States have come into an agreement with the Department of Transportation on highway safety?

Secretary VOLPE. Did you ask on the safety program?

Senator COOPER. Yes.

Secretary VOLPE. In the highway safety, it is 45, sir. All 50 States have submitted their answers to our requests. Forty-five have been approved.

Senator COOPER. When the States submit their programs, do they include in them the uniform standards to which you have referred in your testimony, or provisions going to those standards?

Secretary VOLPE. I believe, yes. When we say that 45 have approved standards, it means that they have accepted the standards that we have promulgated.

Senator COOPER. Has there been any difficulties in the States coming into agreement with the Department, and the Department coming into agreement with the States?

Secretary VOLPE. Frank, perhaps you might answer that because you have had to deal with them on a day-to-day basis.

Mr. TURNER. There are difficulties which we will solve before the end of the year. We have no fear whatsoever but that all States will provide, by the end of the year, a program that will meet our approval.

As the Secretary has indicated, a majority has already been given approval. Difficulties that we run into are generally in the area of a program involving driver education, for example, which might be, in our opinion, strengthened over what the State had proposed.

Some of the other elements are in the fields of vehicle inspection programs, and in proper policing, and in the areas generally that have to do with motor vehicle registration and driver licenses. But I am confident, Senator Cooper, we will be able to resolve all those points in the next few months and develop a satisfactory program in every State.

Secretary VOLPE. May I add, Senator Cooper, that Frank refreshed my memory in one particular area, the area of vehicle inspection, which the Commonwealth of Massachusetts has had on the books for 40 years.

One Governor within these United States, within a week after I was nominated for the position that I now have the privilege to hold, called me and asked if, when I became the Secretary of Transportation, I really wouldn't impose that penalty, would I, on vehicle inspection control.

There was a lot of clamor for repealing this bill in his State and he wanted to know, "Would you really enforce it?" I said, "You repeal it and you will see how fast the implementation of the penalty is made."

Senator COOPER. I understand the chief problems come with individual standards; that is, driver education and motor vehicle inspection. How many States actually have a program which they are enforcing and carrying out? Are you able to tell us anything about that?

Secretary VOLPE. Frank, can you respond to that?

Mr. TURNER. As the Secretary indicated, 45 States—I believe that is the number at the present time—have a program that we have

approved as being adequate in each of the standards areas that were referred to in the Secretary's statement. I believe that having approved those plans, this is an indication, then, we consider that the performance of the State meets the standards and is satisfactory to us. So the answer to your question would be that 45 States do have a program which they are carrying out in the way that we consider to be satisfactory.

Secretary VOLPE. I might add, Senator, that although many of these States have met the minimum requirements, I think there are cases where we believe that more than minimal requirements are going to be required in order for us to get this job done.

I think of my own State, where I fought for over 4 years to get an implied-consent law on the books. We finally got it on the books last year, but instead of 0.10 as the level for alcohol, they inserted the figure of 0.15. Well, I am told that at 0.15 you would practically be lying down. That isn't much of a compliance, it would seem to me, with the purpose for which the implied-consent law is developed, which is to detect those people who have been drinking in excess of what they should be drinking.

I don't think anybody should drink when they are going to drive, as a matter of fact, at all, but certainly at 0.10 you can figure that he shouldn't be driving, and at 0.15 he should be in bed.

Senator COOPER. Can you tell the committee what the States have done about allotting money to municipalities within the State?

Secretary VOLPE. Yes. I know from the point of view of my own State, we are making grants to municipalities within the State. We coordinate, in most cases, with the State government in approving safety grants for helping with ambulance services, for instance, and setting up helicopter operations for State police, and many other activities in the municipalities themselves.

Senator COOPER. As I recall, one of the purposes for allocating money to the municipalities was that they would have particular problems in their city or area. Do you know whether or not—maybe Mr. Turner could answer this—whether or not these programs which have been submitted on behalf of municipalities do show different problems and responsibilities than you find in the overall State program?

Mr. TURNER. Yes. As you know, Senator, the statute requires that 40 percent of the available funds must be made available for local community programs as distinguished from the State program. These programs are all different. They get down to the actual enforcement and operation of many of these educational and licensing and enforcement areas that we are talking about.

Senator COOPER. This is just a general question, but I think Mr. Turner will probably have an answer to it. In your judgment, is this program beginning to work effectively at all, or is it still just in the beginning stage of the development or do you find resistance to the program in certain States, or certain parts of States?

Mr. TURNER. We think it is beginning to work, Senator Cooper. It takes some time to get a program of this magnitude and complexity developed and agreed to. Obviously we think we are pretty well along in that activity and have made considerable progress, which should not be lost at this time.

There are obviously disagreements with individual States, and more particularly over individual parts of a program. There is difference of opinion as to the relative priority to be assigned to different elements of the program in different States, but we are in a position where we can provide flexibility in the approval of a program in the assignment of priorities.

We are attempting to lay out priorities. In fact we have been directed to do so by the Appropriations Committee in the House, but it is extremely difficult to set up a scheme or schedule listing of national priorities that will fit every particular State and which will agree with every particular State's judgment as to what should be the priority items.

We believe we are making progress in the total program, and that is encouraging to us as I think it would be to you.

Secretary VOLPE. May I add, Senator, that when a State has not had a vehicle inspection law on its books at all, there is quite an educational process involved in getting the State legislature to approve such a bill and getting the Governor to sign it in the face of rather overwhelming personal preferences on the part of individual drivers or automobile owners who feel that, "Well, I can take care of my own automobile. Why do we have to have a law and have me go to a service station or go to a State-regulated station where my vehicle will be inspected?"

Yet we have found in Massachusetts, and all of the other States which have vehicle inspection laws, that it is at these inspections that we find faulty brakes, faulty headlights, the lack of a taillight, and other factors that do determine to a great degree the safety of that vehicle.

Senator COOPER. Just one final question. If the State does not come into agreement with you, then you can invoke the penalty, 10 percent of their apportionment of highway funds.

Secretary VOLPE. Yes.

Senator COOPER. Now assume all of these States submit programs that come into agreement with these standards. Then what method of enforcement is provided to see that they maintain those standards which they submit in their planning?

Secretary VOLPE. Well, it would be through the district or division offices that we have in each of the States, Senator, who are on top of these things at all times. We find out quick enough that the legislature is, for example, considering repealing a law which enabled us to indicate that they were in conformity with our standards, so we are kept up to date very, very currently on the aspects of legislation and also whether or not it appears that the legislation is actually being enforced.

Senator COOPER. The reason I say that, it is uncertain to me whether or not once a program has been approved if it was not enforced by the State, not carried out, whether you then could fix a penalty against the State by withholding 10 percent.

Secretary VOLPE. Well, I would say in a case of that type, we would certainly call it to the attention of the State first and say, "You did comply with this provision last year, but we have information now that indicates that your State is not enforcing this law," or whatever the case might be, "and therefore unless you come into compliance"—and give them a period to do so—"we will have to invoke the penalties."

Senator COOPER. As I read the language:

Federal-aid highway funds apportioned on or after January 1, 1969 to any State which is not implementing a highway safety program with approval of the Secretary in accordance with this section shall be reduced by amounts equal to 10 percent of the amount which otherwise is to be accorded to each State under Section 104 of this title until such time as each State implements the approved highway safety program.

I would assume from that that after a program is approved and is not implemented, you could year after year withhold 10 percent of the highway funds.

Secretary VOLPE. You are absolutely right, sir.

Senator COOPER. Thank you.

Senator RANDOLPH. Thank you, Senator Cooper. Senator Boggs.

Senator BOGGS. Thank you, Mr. Chairman. I first want to congratulate Secretary Volpe on his presentation this morning. Mr. Secretary, it certainly is encouraging to hear the emphasis you have placed on what I consider the critical matters of concern.

For example, the drinking driver. I don't like to blame everything on him, but the statistics you brought out certainly show us that we do have to do something about this problem. I was wondering if you or Mr. Turner can give us any indication of what the various States are doing to crack down, if they are doing anything to crack down, on the drunken driver.

Secretary VOLPE. I will touch on the general situation. In our Governors' conferences, we have had many discussions with regard to this very serious problem, and in many of the States enlightened Governors on both sides of the aisle have taken measures to recognize alcoholism as a disease and have attempted to get legislation on the books that would set up alcoholic centers and in every way possible to try to correct this social ill.

I must say that there are some States where not very much action along this line is taken. There are some Governors who have attempted to take this avenue and who haven't been successful in their legislatures.

I would ask Frank to comment on specifics.

Mr. TURNER. Perhaps the most important action, Senator Boggs, relates to the implied-consent feature whereby, in the granting of a driver license, the driver gives his consent to examination in case of an accident, or at such time as may be required, to determine whether or not he has blood alcohol content in excess of the percentage stipulated in the statute, 0.15 percent has been generally recognized and used as the dividing line, so to speak, as the Secretary has indicated. But experience indicates that that is a fairly high level of blood alcohol content, at which stage a driver is not really in able possession of his faculties to drive properly. We have requested 0.10 as the level, and in Utah, for example, 0.08 has been set as the statutory level beyond which a driver is considered to be in a drunken condition.

Now 15 States have 0.10 percent level; 21 have 0.15, and 16 of those have legislation that is pending to reduce the level from 0.15 to 0.10. Six States have a dual system, either 0.10 or 0.15; and five States have no level established but do have legislation pending.

Senator Boggs. Very good. Are there grants made for research in this field?

Mr. TURNER. Yes; and we propose a much larger effort in that direction.

Senator BOGGS. I commend you for that. I think that is one of the fields where we need to have more knowledge.

I understand that there are seven accident-cause teams in the field. I was wondering if, at this time, you are able to give us any kind of a report on what they are finding.

Mr. TURNER. Yes; Senator Boggs. We do have seven of these "Go Teams," as they are called, actively underway at the present time. We are proposing in the next fiscal year another 20 such teams to be established. They are a mixed team of engineers, professional medics, psychologists, traffic people, and others, and they will investigate in great depth all of the features of an accident in the hopes that somewhere within that total probe, they will find information which will more accurately establish the cause of not only that accident but others similar to that and we can begin to find trends of causes of accidents.

As an example, one which has, I am sure, been brought to your attention, one of these Go Teams in an investigation several months ago, in connection with a schoolbus accident in the South, uncovered a defect in the braking system of the vehicle. As a result of that, the manufacturers of the vehicles instituted a massive recall program of all school buses to change a brake cylinder.

Charges were made, and in the process of change it was found that the supposedly new cylinder also had a defect, and that had to be corrected, but the end result was that within a few days time, all school buses of that type had had modifications made in their braking systems to correct the defect that had been found by one of these investigating teams.

Senator BOGGS. It certainly was well worth while to have the team out in that case.

Mr. TURNER. It certainly was, sir.

Senator BOGGS. Mr. Chairman, I want to commend Secretary Volpe and Mr. Turner and their associates on the work being done in this field and comment that as far as the State of Delaware is concerned, I think it has moved along—I don't want to brag—commendably. Delaware's plan has been approved. To the best of my information, there has only been one little stumbling block and they are working on it now. That is, emergency medical services.

In our State, we have volunteer fire companies, about 51 volunteer fire companies. We are fortunate to have them. And we have only one professional company. The volunteer fire companies are really up to snuff with their standards and their educational programs. They are a little sensitive that Government is trying to tell the volunteers what to do in meeting certain standards. But a program of understanding and discussion is going on now.

Other than that, I think that the plan has been a great help, and the State officials and the legislators have been all out in support of it. The coordinator has done a good job.

I know there will be other questions. I want to take this opportunity to ask to be excused, Mr. Chairman. I have a markup on an appropriations bill. I am ranking member on the subcommittee and I must be there. If you will excuse me, please.

Senator COOPER (presiding). Senator Gurney, do you have a question?

Senator GURNEY. Yes. That was an excellent statement, Mr. Volpe. I would like to pursue this line of questioning that Senator Boggs began. It has always puzzled me why Americans were so callous about this business. Last year, of course, the casualty rates on the highway were considerably higher than Vietnam; as a matter of fact, in 1 year, higher than for the whole war in Vietnam; and I would say if we placed one-tenth the emphasis on highway deaths that we place on Vietnam, maybe we could do something about this problem.

Unfortunately, most people seem to be unconcerned. I guess they have the attitude "it won't happen to me."

I noticed you mentioned that you are going to come up, as you put it, with a "tough and workable program" in the area of drunken driving. I can think of one community in Florida that has a reputation for handling drunken drivers very sternly, and there are few arrests. People avoid it like the plague.

Exactly what do you propose to do? What can we do at the Federal level to zero in on this cause?

Secretary VOLPE. You are talking about the alcoholic driver particularly, Senator?

Senator GURNEY. Yes.

Secretary VOLPE. Well, Frank, you might give him some insights in your statement, I am sure, if I remember correctly some of the areas which we would pursue.

Mr. TURNER. It is an extremely difficult area, as you indicated, Senator, because it involves the individual, his individual liberties, and some of the social standards that we have set for ourselves. But the research done to date would indicate that the major problem lies not with the so-called social drinker as such but rather with a small percentage on the order of 3 or 4 percent of the total driver population, that have personal habits in regard to the use of alcohol which would almost categorize the individual as what we call an alcoholic.

To get that individual off of the road before he has done damage is very difficult to do. It is a part of the objective that we would seek in large-scale research that I referred to a moment ago, part of which we would undoubtedly be doing in collaboration with the Department of Health, Education, and Welfare because it will involve questions that are over in that field rather than in our own field.

But we do know, preliminarily at least, that there appears to be a relationship between alcoholism, driver behavior, and proneness to violation. They seem to become involved in other infractions of the social code, and so it does seem possible that we may be able to identify a large number at least, a large percentage of this type of individual by some means in an examination process, possibly in connection with driver-license renewal.

Now, education, of course, is an item that we must give a great deal of emphasis to, but this is a long-term proposition, and it is going to take a while to get the effects of that.

Enforcement, as you have implied, is certainly a very valuable and persuasive kind of an effort. We may have to change not only our code of conduct and ethics but some of our basic principles of law, freedoms in the country, in order to really get at this problem effectively.

For example, England 2 years ago enacted a statute which permitted a driver to be stopped and subjected to an examination to determine whether or not he was in a condition to drive. England has a 0.08 blood content level established as the threshold of drunkenness in driving. A police officer in England can stop an individual and subject him to a very simple, quick test and immediately determine whether or not he is above or below the 0.08 level.

We can probably not do that in this country at the present time under our present system of statutes. We may have to agree as a society to permit that kind of an examination to be made at the will of the policeman. We cannot do it at the present time.

There are a number of other things that are being talked about, such as requiring the medical profession to report all patients who come to them in which they find symptoms of alcoholism; for example, just as a doctor is required at the present time to report patients who come with gunshot wounds, narcotics, and things of that nature.

These are some of the things that are long range. They are complex, and we cannot put them into effect overnight.

Senator GURNEY. Do you plan to suggest any of these, one or two perhaps, this year?

Mr. TURNER. Very definitely. This will be a part of the total program that we hope to develop and present for action by the Congress.

Senator GURNEY. When you say that we cannot now do what England is doing—and that is, have a police officer examine a person that might be suspected of drunkenness—are you saying that society won't accept it or it runs afoul of the first amendment?

Mr. TURNER. I believe it runs afoul of the Constitution, sir.

Senator GURNEY. Let me ask you one other question here. It does seem, though, we could make progress in some of these fields like standards for alcoholic tests. I think everybody now recognizes that a standard is something like what you suggested in your programs. And yet from the testimony here, the States vary extremely widely on that.

I realize we can't tell a State what to do as far as passing a law affecting its own highways is concerned, but we can insist on a standard affecting interstate highways, can't we? I mean we could enact a statute today on that one, couldn't we?

Mr. TURNER. We can set up a standard, which we already have the authority to do, and that standard the State would have to meet in order to continue with the highway program as a condition precedent. This has already been done.

Senator GURNEY. That is the 10 percent of a point—what did you mention?

Mr. TURNER. 0.10.

Senator GURNEY. They apply to all Federal-aid highways?

Mr. TURNER. They apply to the program of the State, and the penalty is the forfeiture of a portion of the Federal-aid highway program annual apportionments.

Senator GURNEY. How do we know this is being enforced if the enforcement process is in the hands, I suspect, of the State police? How do we check up on them?

Mr. TURNER. This, of course, would be handled by the State police.

We have a small staff, inadequate in numbers, but we do have a small staff with which to monitor the way in which the State is implementing and following through in the program that they have submitted to us.

Senator GURNEY. Are they following through, in your opinion?

Mr. TURNER. We are just in the beginnings of these at this time.

Senator GURNEY. What about things like examinations and these propensities toward alcoholism? Are we going to do that by standards promulgated by legislation? Is that in the works?

Mr. TURNER. I don't think I can answer you, Senator, as to what we will do on it, in that we have not yet developed our program to the point that we know precisely what to recommend to you on that subject.

Secretary VOLPE. I might just add, in my State, for instance, last year—and more and more States are starting to do this—we finally, after a great legislative battle, did get on the books the fact that each driver in Massachusetts, I believe it is every 4 years after he gets his initial license, will have to undergo an examination both for eyesight and for his ability to retain that license.

In other words, as the statute books were before last year, a person could get his license at age 16, and at age 85 or 90 he could still be driving that car with the original license, which was just automatically renewed every year or two, without our ever knowing if this man can see even 5 feet ahead of him or whether he had lost an arm, for instance, or whatever the situation might be.

So this is one area in which I think that we ought to promulgate some standards, and I, for one, having gone through the experience in Massachusetts, will follow this, because it is one way in which we can assure ourselves that the guy behind that wheel is capable, if he hasn't been drinking, of driving that automobile and has the eyesight and other faculties necessary to do it properly.

Senator GURNEY. Well, that is certainly important. We see that in Florida. We have a lot of retirees in Florida, and a lot of them can't see or hear to drive too well, and we have had that problem over the years.

Let me ask, have you gotten any statistics yet as far as your standards are concerned on alcoholism and their effect on accident rates on the Interstate System or the other Federal-aid system, or are you just in the beginning so you really haven't gotten any expertise yet?

Mr. TURNER. I don't believe, Senator Gurney, that we can at the moment distinguish between the accident-fatality rate from that particular cause on the Interstate System as contrasted to the other proportions of the system.

Senator GURNEY. What about comparison between States? Are there any States that have done a good job in this field and, if so, why?

Mr. TURNER. Yes. I mentioned Utah in the tabulation a little bit ago. I might point out to you that New York State has, within the last few weeks, enacted a law which is very similar to the British law that I was describing to you.

Senator GURNEY. But, I mean, are there any States actually that have a dramatic low percentage of alcoholic, of deaths caused by alcoholism on the highway, in comparison to the others? That is what I am really asking.

Mr. TURNER. I don't think I can compare the States for you in that particular field. We can cite to you one State experience recently, however, which, in terms of the total program, the alcoholic standards is a part where there has been a rather dramatic reduction in fatalities since the program was put into effect. That State is Wisconsin. Last week they increased the State highway patrol. For example, they put into effect a very extensive driver-training program for persons arrested for traffic violations. They have generally put on a very strong drive in all directions in highway safety and reduced the fatalities from 578 to 447 in a comparable period of time after the safe-driving and safety program had been put into effect.

Senator GURNEY. What about alcohol problems in that State?

Mr. TURNER. I don't think that I can separate out for you, at this time at least, the effect of alcohol in that particular part of the program. I would be glad to try to get that for you. I don't believe I have that available right at the moment.

Senator GURNEY. I would think it might be beneficial to explore what some of these States have done. Certainly your example of Wisconsin is an excellent one. I was thinking more particularly of the alcohol problem because that is a major problem, 25,000 out of 50,000 deaths, and it might seem as though there would be a variance between the experience of one State and another, and, if there is, there is probably a reason for it. That is why I am asking the question, to find the reasons for the low rates in some States and high rates in others. Maybe that is the answer to what ought to be done.

Mr. TURNER. It is exactly what we intend to do, Senator. This comparison has just come in to us in the last few weeks, and we are in the process of following through on that because it has demonstrated very tangibly the reduction that appears to be possible with a program of this kind.

Senator GURNEY. I don't want to belabor this point. Obviously you are giving serious consideration to it, and I compliment you, and we certainly need to do it. And the Highway Safety Act of 1966 points in this direction.

I am a great believer in States' rights. A lot of us are. But I think since this is an area where we are furnishing 90 percent of the funds for interstate highways, we ought to have Federal standards, we ought to enforce them, and we ought to get the States to come along in spite of themselves.

I think this is a program that can be handled a lot better on a Federal level because I think legislation enacted by us and standards promulgated by you are far less apt to run afoul of local political influences if done here at the national level. I am sure we all know problems that we frequently have at the State and local level that we do not have here at the national level.

So I hope we could move in a rather dramatic way in this area.

Mr. TURNER. Senator Gurney, I think you will find that the States are all back of this program. There is no shirking and there is no fighting in opposition to the purpose that we are both trying to achieve. There are some questions which generally are in the opinion field in which there is honest difference of opinion as to which is the best way to do a job, but there is no disagreement of the need for doing

it. There is no lack of willingness to cooperate and to work out the best program that we know how to do.

Senator GURNEY. I am sure that is true of your highway departments and probably your law enforcement people, who certainly are with you and with us in this case. I am talking about other things like, for example, the example the Secretary gave of the statute passed in Massachusetts to lay down the first requirement as to what constitutes a drunken driver. It took years to get it passed and then really it is a meaningless piece of legislation, and I am sure it is, Mr. Secretary, because of the local political influences that I was mentioning.

Secretary VOLPE. Senator, I may add, one of the statistics that has impressed me extremely is one of which I don't think many people are really aware. We now have statistical proof that indicates that for every 5 miles of Interstate Highway we have built, there is one American less killed every year on a continuing basis; so that for every 5 miles of this system we have built, you have saved an American that year, and then every continuing year, as contrasted to the other highways we have.

The other point I would like to make if I may, Senator, is that we have a tremendous job of education here. The American public, it seems, as far as highway deaths are concerned, just accepts the fact that we kill 150 of our fellow citizens just about every day. Some days a little more; some days less.

You have one plane crash with 150 people killed or even 37 killed, and it makes really major headlines, but here we are killing 150 on an average at least every day and yet we see little about it because there are two killed here, five there, one there, but it still adds up to 150 every single day of the year; and somehow we haven't gotten this message across to the people behind that wheel to realize what a dangerous weapon it is, if you want to put it that way, and how much difficulty it can get them into and that it is he who also could be one of those statistics if he doesn't drive courteously.

This is one of the areas that I just can't understand—how some people who are just wonderful citizens, courteous to other people that they meet in conversation and business dealings and everything else, once they get behind that wheel, adopt the attitude "Let me just get out there in front of everybody else," and he changes character. I don't know what happens.

This is a problem I think we all have to face, and I am sure that former Governor Pyle probably will touch on this because it is a real problem for us.

Senator GURNEY. You are so right. One final question here. In your proposal S. 2399 about apportioning of highway safety funds on the basis of population, what other methods of apportioning these funds have you considered?

Secretary VOLPE. Well, Secretary Boyd had suggested to the Congress that you consider the fatalities in that State, the number of accidents as compared to the total, and this situation, it seemed to us, would give more money to those States that had a poor record. Well, in essence, you were rewarding—it seemed to me, at least, and to my associates—we were rewarding States that weren't doing a very good job and penalizing States that were doing a good job.

There may have been one or two other formulas considered, but this is the one provided in the bill that Senator Cooper has introduced. Our recommendation is for passage of his bill.

Mr. TURNER. Senator Gurney, we did try a number of other factors, such as registration of vehicles, miles of road, and combination of those, vehicle miles of travel, gallons of gasoline sold, area, and many other factors.

We came back, however, to the conclusion that there was probably a reasonable relationship between population, which in turn is related to number of vehicles, and again that is related to vehicle miles traveled and things of that nature.

So we concluded that the exposure of all individuals to accidents is about the same if they are driving at all. So therefore population, we concluded, was a reasonable measure to use. Population statistics are accurate, they are available to us. Many of these other factors are not as available to us. Many of them are the result of computations which carry in them certain assumptions and imprecise measurements, and therefore we concluded, to have a real accurate, stable base which we could defend, that population was a reasonable measure, and that is the reason for the recommendation that we have made to you.

Senator GURNEY. Well, that is what I was interested in. As the Secretary was testifying earlier, and I certainly agree on the business of not allocating on the accident record, because it does seem to reward those who are not doing well. I also wondered about a city like New York. I used to live there and practice law there some years ago before I moved to Florida. It seems to me, if it is still true, a lot of people in New York don't own cars in the city itself, and here you have an enormous city with millions of people who don't own cars because they cost too much, and there is nothing to do with them if you have them. Yet in a State like Florida, we still have a lot of open space. Not only does everybody have a car but everybody else comes to Florida, too; and I was just wondering if there was some imbalance in this way of breaking down the apportionment of these funds, and more particularly is Florida getting a fair share?

Secretary VOLPE. Senator, I would say frankly that, overall, the number of drivers and vehicles that go to New York to visit add considerably to the total problem they have there. I think that would also be true of Florida. I would certainly have to say that there are a great many of us who visit Florida, some of us quite frequently—until we got into Government service.

So I would say that it probably would balance out when you consider the huge numbers of vehicles that enter New York City, for instance, of people who don't own cars or live there but still I think would more than make up for that statistic even if all of the people of New York City owned a car.

Senator GURNEY. Thank you.

Senator RANDOLPH. Thank you, Senator Gurney.

Let us go off the record.

(Discussion off the record.)

Senator RANDOLPH. On the record, please.

Senator Gurney has mentioned the responsibility as he conceives it of the Federal Government in reference to the Highway Safety Act.

Now, I am not in disagreement with him, except I in a sense believe that the emphasis of the Federal Government in this program must be on education, must be on the leadership that must be "sold," to use that trite expression, to the States, because, after all, the enforcement procedures must lie, as I see it, with States and their political subdivisions.

But I certainly agree that there must be a partnership in facing this problem as we have not yet been able to face it, affirmatively and to supply answers.

The Administrator, Mr. Turner, here, knows, Senator Gurney, that I gave an example of what I believe to be a lack of surveillance on the highways by members of the enforcement establishment, when I referred to an experience that I had driving from Miami north. Was it the Sunshine Parkway?

Senator GURNEY. Yes.

Senator RANDOLPH. I was not going north a considerable distance, but up toward Fort Lauderdale.

I am not sure if Senator Cooper recalls, if he were present, but I had documented there the seriousness of the problem as it relates, as I see it, to a lack of officers of the law on the highway itself.

Now, what do I mean? I mean on the highway in a manner that could be helpful to better safety, and also to the enforcement of law, where necessary.

I keep talking, and I know I don't make any progress, and perhaps I am not on sound ground, but you have got to take these police officers out of automobiles, a certain percentage of them, and place them on motorcycles.

I have kept saying this over and over again, and I say it today, because that traffic is like this and like this (indicating). It is packed it, and the car cannot move in and be helpful in dispersing that traffic. He cannot go by on the side, but the motorcycle police officer can weave in and out of traffic, and the automobile driver, he sees him doing this, and he becomes a more careful driver, as I see it, in situations of that kind.

Now, I don't know what the Administrator is going to say to this today, but what do you think, Mr. Turner, about this surveillance on the highways by persons who have maneuverability? Now, we have today perhaps 400,000 police officers in the United States, State and county and municipal, and I think that is about right, is it? 400,000. If I am in error, we will correct the record.

According to testimony which was given in 1968 at a highway hearing, there were 350,000 local law enforcement officers at that time.

Now, what do you mean by "local"?

Mr. HUYETT. State, city, county.

Senator RANDOLPH. All right. That is what I have said, then, State, county, and city.

Now, at that time it was believed that there were 175,000 that were on duty in any 24-hour period, and that would be 7 days a week, would it?

Mr. HUYETT. Yes.

Senator RANDOLPH. That means in any 8-hour shift, as of that

date, only 36,000 officers were actually out on the streets and highways.

So we talk about a big police force, and we don't have it on the highways and on the streets, Senator Cooper and Senator Gurney.

These men, of course, are in court, and they are many, many places, but they are not meeting the problem. I am not critical of them, except to say when we talk about these 400,000 law enforcement officers, why, they are not on the streets and highways.

Now, would you comment on that, Mr. Turner?

Mr. TURNER. Certainly I would agree with you that we do not have a large enough police force.

Your figures are about as I remember the totals. Of the 400,000-man force, 24 hours a day, every day in the week, you have only about 80,000, as the theoretical maximum that could be on at any given moment, that would work out to about one police officer of some kind, all kinds, for every 2,500 people, which is a fairly low figure.

There is no question but what this is an area where we need more support, and this is one of the areas that our standards go to, an adequate police force.

Secretary VOLPE. Mr. Chairman, I might add that in Massachusetts, in my 6 years as Governor, every year I recommended an increase in our State police force, and most of the time I recommended 100 additional members of our State police force. One or 2 years we did not get any. One or 2 years we got 50, and I think in 1 year I did get 100.

When you break down the total number of 600 or so in our State police force, and you take into consideration vacations, sick leave, et cetera, et cetera, et cetera, in any one given time, you don't have a great deal of coverage by our State police.

As a matter of fact, in some cases, one person might be covering as many as, if I remember my figures right, more than 80 miles of expressway. Now, that is not an awful lot of coverage.

Senator RANDOLPH. I don't care what the tests are. If the policeman cannot get to the driver, he cannot do anything about it.

Secretary VOLPE. Absolutely right.

Senator RANDOLPH. And this is a fact of life in connection with this problem, and certainly it bears, then, on the problem of alcoholism very materially.

We have found in our Labor and Public Welfare Committee in hearings on occupational health and safety legislation, that the person does not have to be drinking as you have indicated, the worker, in any sense. It may have been a number of hours since he was drinking, and he comes on the job, and apparently he is in good condition, but, Mr. Secretary, his reflexes are not working at that machine, and his coordination is absent, and so the injury occurs in high instances, and others are subject to what might happen to him, because of people even standing close by a certain machine operation.

So I think the stress here today, Senator Gurney and others, on the subject as it bears on the incidence of consumption of alcohol and the results of its effects, tragic deaths and accidents. I think we cannot overlook the need for creative thinking, Mr. Secretary, in this field, and resourceful thinking, and do what apparently we have not yet been able to do: that is, to meet this responsibility.

I had another pet subject. Perhaps Mr. Turner has heard me talk about it so often, and that is the lack of signs, and the signs themselves.

I find in the State of Florida, or any other State that the exits, that road leading from one road to another road, is not clearly indicated. Remember, now, we are thinking about interstate roads and people are moving rather rapidly, when the traffic is not congested on such roads, and the people in Florida, as I say, are visitors from other States, and they do not have ample warning of the turnoff from one road to another.

Oftentimes they come up on it, and they are startled, and they apply the brake, and then, when they have partially stopped that car and are halfway between one road and the other road, why, cars behind them cause a collision.

I feel this matter is very important, and I would like the Administrator to comment on it, if you would, at this time.

We need some leeway, some cautioning back from where those signs say to the motorist, "Turn if you want to turn."

Mr. TURNER. Well, I would obviously agree with you, Mr. Chairman, on a personal basis as well as officially. This is a sore subject with me, too, occasionally when I get lost in these things, as you have described you have done.

The question of how much signing to do, how much message to put on the sign, how much can be put on the sign, and where the sign shall be placed, is an item that is receiving a great deal of attention from highway people, researchers.

On the other side of the coin from what you have described, we are being bombarded with charges that we have too many signs, and signs are meaningless. They distract the motorist's attention to the point where he cannot observe traffic and keep his eyes on the road.

So the proper balance is one we are still trying to get, but my personal opinion is that we need to get more repetition of some of the signs of the kind that you have described, directional signs, information by which the motorist can get himself maneuvered into the proper lane far enough in advance of his exit point that he is not confronted with a sudden decision and has to swerve across one or more lanes of traffic in order to get over there, or he will pass the exit point and then attempt to correct his mistake by U-turning, backing up, or some other maneuver.

But we are working on other things in addition to just the repetition of the sign.

I feel personally that an adequate mileposting system referenced to the interchange and turnoff points would also be helpful in that it will permit the driver to know at all times his exact location and how far away he is from the turnoff point. If the turnoff point is labeled, and he knows it to be at milepost 21, and he is at milepost 15 at that particular time, he knows he is 6 miles away from the point where he has to make a maneuver to get out of the main traffic lane and he has 6 miles in which to make that maneuver.

The conventional signing as we now have it provides two advance warning signs at 1-mile intervals, so his first notice of an exit point is now placed in the signs 2 miles in advance of his maneuver. That

message is repeated, then, 1 mile away from the exit point, and then immediately at the exit point.

But I believe that that probably is not enough repetition of the message, particularly for the stranger in an area.

Secretary VOLPE. And for the driver on the interstate road, traveling at 60 or 70 miles an hour, we are only talking about a minute and a half or so before he makes that decision.

Mr. TURNER. I think many people do not realize the sheer size of those signs that they are looking at on the Interstate System. If you had those down on the ground and looked at them, you would find that even the smallest signs are taller than a man can reach. They are very, very large signs indeed.

Senator RANDOLPH. I am very grateful, Mr. Turner, Mr. Secretary, for your comment on this subject.

I am in no way an expert. I am just a student of this problem, but I think it is one that we all observe, and we all have experience with, so I am stressing it here today.

We do have as witnesses tomorrow the representatives of the Governors, their coordinators in the matter of highway safety. At least three of the States will be represented tomorrow, I believe: Wisconsin, Virginia, and New Mexico.

So this will help, Senator Gurney, with some of these problems, to have these people come in to counsel with us.

I am hurrying now, so that you can leave the witness stand.

Mr. Secretary, section 402 requires each State to have the highway safety program in accordance with the uniform national standards. Now, I believe the man who held the position before you indicated that State programs would not have to include all of these standards.

Do you intend to continue that practice, if it was a practice, of allowing the States to establish their own priorities as to safety areas on which they think there is a need for concentration?

Secretary VOLPE. Mr. Chairman and members of the committee, let me say, as I indicated earlier in my testimony, yesterday was too late to take action in many of these fields. Today is absolutely too late.

So I, for one, consistent with the law, want to see to it working in partnership with the States.

Having been a Governor, I appreciate the prerogatives and feelings of State Governors. On the other hand, as I think Senator Gurney and others here have well pointed out, highway safety is one area where the lives of thousands upon thousands of people are involved, some of whom might have been—I suppose I could be provincial and say a Leonardo da Vinci, or a Raphael, or a distinguished scientist, or what-have-you.

So I say to you, as far as I am concerned, consistent with our obligation to consult with our partners, the States, I believe we ought to try to see to it that all of these standards are met, and adhered to.

If a State cannot comply with them fully the first year, and they have reasonable arguments as to why this could not be done, we are not going to be arbitrary. On the other hand, when it comes to saving lives, and no one can determine the value of even one human life, except the Lord Himself, I feel it is up to us to do everything within our power, within the law, to get this job done.

Senator RANDOLPH. I thank you, Mr. Secretary.

I am in agreement with you, and I appreciate the vigor with which you made this statement, and it will be helpful to the members of our subcommittee.

Mr. Secretary, in August of 1967, the Committee on Public Works held 2 days of hearings on the subject of value engineering. I understand that you are familiar with the concepts and the results in program development and dollar savings. What has been achieved through application of its principles? Have you given consideration to the application of the technique of value engineering to the programs under the jurisdiction of the Department of Transportation, especially the highway program? Would you be responsive to a request from any of the States to use 1½-percent funds for this purpose?

Secretary VOLPE. Value engineering as applied to the Federal-aid highway program relates to efforts directed toward determining whether alternate highway engineering plans and designs can provide equal or better service at less cost. Value engineering savings by the Federal Highway Administration are accomplished primarily as a result of Bureau of Public Roads review and recommendations for changes in State highway department plans and designs on Federal-aid highway projects.

The following table shows FHWA accomplishments in value engineering savings for each of the fiscal years 1967 and 1968 and for the first half of the fiscal year 1969:

VALUE ENGINEERING SAVINGS

Program	Fiscal year 1967	Fiscal year 1968	1st half fiscal year 1969
Interstate.....	\$82,815,000	\$95,445,000	\$41,057,000
ABC system.....	19,724,000	40,134,000	9,141,000
Forest highways.....	447,000	142,000	59,000
Public lands highways.....	12,000	310,000	184,000
Total.....	102,998,000	136,031,000	50,441,000

It is desirable that the States adopt procedures wherein their highway contracts would include a provision permitting the successful bidder to share in cost savings resulting from cost-reduction proposals initiated and developed by the contractor for changing design plans and specifications or other contract requirements. The cost of developing such contract provision would be very minimal, and there should be cost savings once the plan is in operation.

Use of 1½ percent H.P. & R. funds for developing such a contract provision appears unnecessary and perhaps out of line with the intended use of H.P. & R. funds as provided in section 307, U.S.C., Highways. Likewise, any payment to consultants in connection with value engineering services for the State highway department, such as review and revision of engineering plans and designs prepared by the State, would appear to be an administrative expense not eligible for reimbursement from 1½ percent H.P. & R. funds.

Senator RANDOLPH. This final question: It does not bear upon the subject matter of the hearing today, but I felt that since you are before our committee, really for the first time since you have become Secre-

tary of Transportation, that you might wish to counsel with us at least briefly about what your thinking is in reference to the postinterstate program, which we are now hoping will start perhaps 2 or 3 years beyond the original target date.

Now what is your thinking about the future highway program? Could you make available to our subcommittee, perhaps in the next few months, your thinking on this, the framework in which we could be definitive while we look forward and conduct our hearings?

Secretary VOLPE. I would be happy to, Mr. Chairman.

I recall rather vividly my testimony as a Governor, I believe, before this committee, with regard to the postinterstate program some year, or year and a half ago, or thereabouts. I was thinking at that time about the needs. I am sure the Federal Highway Administration, and the Bureau, have been thinking about the needs.

Since I have been here—since January 22, as Secretary—I have talked with our very able Administrator about these plans for the future, and I can indicate to you that it is receiving very careful attention even now. I am sure all of the members of the committee recognize how much leadtime is required here if we are going to get the job done efficiently and economically rather than jump into a program hastily just a few months before we are ready to go.

And I can say to you without any question of doubt that this winter, following the next few months, we will be in a position to come before you, sir, and your committee associates, and indicate to you our thinking with regard to the postinterstate program.

Senator RANDOLPH. Thank you, Mr. Secretary, very, very much.

We are grateful for your being here today, and we are helped by your testimony, and also the testimony of Mr. Turner.

Is there any further comment from either Senator?

Well, thank you very, very much.

Mr. TURNER. Mr. Chairman, before you conclude, we have some statements here, and some summary material outlining the highway safety activities of the Safety Bureau which I think might be useful, if you would care to put them into the record.

Senator RANDOLPH. Yes; thank you, Mr. Turner.

I had planned on announcing the presence, it has already been noted, of Dr. Brenner, and also Mr. Bartelsmeyer, and to see if they wish to say anything on the record.

But this summary, "Highway Safety Activities of the National Highway Safety Bureau," will be included at an appropriate place in the hearing record today. This will be very meaningful to us.

(The statements referred to by Mr. Turner follow:)

STATEMENT OF F. C. TURNER, FEDERAL HIGHWAY ADMINISTRATOR, DEPARTMENT OF TRANSPORTATION

Mr. Chairman and members of the Subcommittee, since taking office as the Federal Highway Administrator, I have concentrated my attention on the safety-related aspects of the work of the Highway Administration—more attention, as a matter of fact, than I have devoted to all other aspects of FHWA activities. With respect to the National Highway Safety Bureau, it became apparent to me that the Bureau's resources, in both funds and personnel, were spread too thin and that a much greater concentration of effort in selected areas was required to achieve maximum results.

The State and community grant-in-aid program under the Highway Safety Act of 1966 is one example. Since the start of the program Congress has made

available for obligation only some \$92 million. These funds have been used to support highway safety programs in fifty States, the District of Columbia, and Puerto Rico designed to carry out the 16 highway safety standards issued to date covering areas as diverse as driver education, emergency medical services and motorcycle safety.

It is evident that while present conditions prevail, the amount of money available to any one State to implement the highway safety standards is likely to be limited and, as shown by the report we submitted to the Congress in accordance with section 207 of the Highway Safety Act, far less than what is required to assure full implementation of each standard.

This situation was recognized by the appropriations committees. The report of the conference committee on the 1969 appropriations directed that the funds be obligated only in the most essential and practical program activities. It was the committee's belief that concentration of funding would result in accomplishments of greater significance.

I agree with that evaluation and, moreover, am firmly of the view that all the safety-related activities of the Highway Administration—not just those of the National Highway Safety Bureau but of the Bureaus of Motor Carrier Safety and Public Roads as well—must be coordinated and concentrated to insure maximum effectiveness. Consequently, I am now taking steps to review all our activities which bear on highway safety. My intention is to insure that we channel our efforts to those programs which will bring the most immediate results in terms of reducing the death and injury tolls on the Nation's highways.

It seems only sensible to me that we not cut highway safety programs up into neat little boxes labeled "highway safety," "vehicle safety" or "driver safety." Each of these are but aspects of the same overall problem. A poorly designed road can cause the wreck of the most carefully constructed car, and an unsafe driver will cause injuries in any vehicle on any type of road. Thus, in determining the areas upon which we will concentrate our activities, we are not restricting ourselves to the programs administered under the Highway Safety Act alone.

To carry through our ideas on this subject the following steps have been taken. At my direction, task forces have been established to investigate the particular areas which we have reason to believe will yield the most results. These areas relate to areas of alcohol usage, crash survivability, data contribution, driver behavior, emergency medical services, enforcement, public information and education, speed and vehicle standards compliance. The task forces will attempt to isolate specific items on which concentrated effort will bring the greatest reduction in accidents and injuries.

We have already identified one area of major importance in which our efforts should be concentrated. It involves the effect of the use of alcohol on highway safety. Following the report on this subject which was sent to the Congress in accordance with the requirements of the Highway Safety Act of 1966, we have concluded that excessive use of alcohol by drivers is a major cause of highway fatalities. We are now developing a series of countermeasures which—through the instrument of the Highway Safety Act—can be implemented to combat this problem.

These may entail revision of traffic codes, full implementation of the "implied consent" and blood/alcohol test statutes, special detection methods, revocation of drivers licenses, and similar measures. It will also undoubtedly call for educating the public to the problem of the alcoholic driver. In developing our program we plan to pay close attention to the efforts of other nations, particularly Scandinavia and Great Britain, to control the alcoholic driver. One practice which has worked well in England, for example, is the random checking of drivers to determine whether they have consumed too much alcohol to be able to drive safely. We are looking into whether this would be feasible under our own laws. We think concentration of our resources on critical problems of this nature will be the key to an actual reduction in highway deaths.

In addition, we plan to work with industry and other groups outside the formal government structure working in the highway safety field. There is a large job to be done. To do it effectively we need the assistance, resources, and general "know how" of all concerned organizations. In this manner, by guiding and coordinating the activities and efforts of others, we hope to use our own limited resources to achieve a "multiplier effect" in our attack on highway safety problems.

With respect to the proper relationship between the Federal Government and the States the administration of the highway safety program has not been with-

out its problems. Our attempt to find the proper balance between the Federal role of leadership and guidance, and the understandable desire of the States for a greater degree of responsibility, has not been entirely successful. The States have complained, with some justification, that projects developed at the State and community level required an inordinate amount of time for approval in Washington, that delays have been experienced in getting policy decisions, and that the system of priorities developed by the Department for fund allocation among highway safety programs has been less than clearly understandable.

A great deal of these difficulties were attributable to the problems of a new agency and a new program and the need, in its initial stages, to make certain that the program was moving in the proper direction. This "start-up" period is now over, and I feel confident that the need for close surveillance from Washington of every aspect of the program is no longer necessary. Consequently, we plan to take measures to delegate to the field establishment of appropriate operational authority, reserving our headquarters staff operation for matters of overall guidance and decision on major policy, novel questions, and particularly troublesome matters. By so doing, we expect that delay and paperwork in getting important programs underway will be reduced even further.

One word of caution before I close. It is not likely that we can find one or two "magic bullets" which will solve a problem which is of national magnitude and which has resisted the efforts of ourselves and others for so long. Americans are driving at faster speeds with greater frequency and over longer distances than ever before. Each year sees a 4 percent rise in the number of vehicles driven. The use of alcohol is on the increase. The result is that the number of traffic deaths keeps going up. But I feel we have made a good start in attacking this problem and, by paying greater attention to high payoff areas, we will do even better.

SUMMARY OF HIGHWAY SAFETY ACTIVITIES OF THE NATIONAL HIGHWAY SAFETY BUREAU

Since the start of the highway safety program a little more than two years ago, the groundwork has been laid for a coordinated and comprehensive attack on the national tragedy of highway deaths and injuries at the State levels. Highway safety standards have been developed and issued covering a wide spectrum of safety measures. Back-up materials have been prepared to assist States in their implementation of the standards. Broad programs have been drawn up by all of the States and are now being implemented.

By the end of FY 1969 more than \$90 million will have been obligated in grants to the States to help them finance the cost of nearly three thousand individual projects designed to implement the highway safety standards. But of even greater importance is that the Highway Safety Act of 1966 has served to focus the attention of State governments on highway safety and to bring to the fore the requirement for a much greater effort if appreciable reductions are to be made in the tragic toll of traffic casualties. Significant progress has been made in some States as alert and responsive administrations begin to face up to the magnitude of the problem.

What has been generally a fine start in developing a national highway safety program should not obscure the many problems which have arisen since enactment of the basic legislation. There are indications that several States are considering what only can be interpreted as backward steps in safety. For example, some States have introduced legislation to repeal motorcyclist helmet laws. In other States, the repeal of motor vehicle inspection laws is being considered.

The most serious problem, however, cuts across all levels of government. This is the availability of resources. In comparison with a three-year Federal authorization of \$267 million, a total of \$92 million was made available for obligation during this period. There is some question as to whether the States could have obligated the full authorization had it been available during the start-up period. Initially, the States had no precise perspectives of what had to be done. Now, the full scope of the State programs and plans is clearly described in their program submissions to the Secretary.

A State program comprises the legislative, organization, operational and financial plan, which together form a blueprint for future action on highway safety. All States have submitted plans and these have been reviewed by the National Highway Safety Bureau. Action by the Bureau has resulted in provisional ap-

provals for most State plans. In the next phase of review, NHSB technical personnel will meet with officials representing the various highway safety elements in the States to improve their programs so that a truly comprehensive plan of attack will be outlined. It is expected that by December 31, 1969, all of the plans will have been discussed with State officials, and the Secretary will have taken an affirmative action on the approval of their programs.

Naturally, these blueprints developed by the States for future action on highway safety are not perfect. Because of the newness of the effort and the gaps in the knowledge needed for this kind of pragmatic, operational planning, we are a long way from perfection. But these program plans represent the most comprehensive planning ever attempted on a State-by-State basis in highway safety. They are the result of very careful analysis and judgment within the bounds of existing knowledge and comprise an excellent starting point.

Despite the discouraging data for 1968, there are some encouraging indications that the programs initiated by the Department under the broad mandate of the law are beginning to take hold. In the 5 years preceding the passage of the two safety laws, highway deaths were increasing at an average of 6.9 percent each year. In the two years following passage of the law, this measure was down to 2.3 percent annual average increase even though vehicle registration and mileage were up to 6.4 percent and 8.6 percent.

There is a very promising indication, derived from data obtained from one insurance company covering four widely separated States, that a sharp reduction is taking place in the number of casualties per crash. For example, while the number of crashes and casualties increased slightly in Illinois during the first 7 month period of 1968, casualties per crash were down 3 percent.

This downturn in the number of casualties per crash is particularly significant in light of the general approach adopted in organizing for implementation of the Congressional mandate to bring the problem of highway deaths and injuries under control. The challenge was to bring about sizeable reductions in total casualties—*by whatever means worked best and most quickly*. Our all-out attack on the problem consists of these principal parts:

The first is to reduce those factors that cause crashes to occur.

The second is to give the vehicle driver and his passengers a better chance of escaping without serious injuries when a crash occurs.

The third is to improve the recovery chances of those injured.

In the first, or accident avoidance attack on the problem, the Department is working on safety standards which will improve the manufacture of tires. Lessening the chance of tire failure while driving, lessens the chance of a crash. Better designed highways, such as the interstate system of highways, also reduce the chances of a crash—about halving the rate of traffic accidents on some of the older rural roads. Proper driver education and licensing are among the most important crash prevention programs under the Highway Act. But getting after the problem of drinking and driving is another, if not the most vitally important, crash prevention effort, and countermeasures aimed at reducing the incidence of drinking and driving are among the most important crash prevention programs.

To deal with the second, or injury-avoidance phase of an accident, a number of things have been done. One Federal standard requires that steering columns collapse on impact in a crash so that they do not spear the driver through the chest. Another standard requires that windshields be made to cushion and resist penetration of the head striking it in a crash.

But the best known crash protection feature is the safety belt—regulations now require both lap and upper torso types in all new cars. There is absolutely no doubt that safety belts provide a great deal of protection *if used*. Some studies show that minor injuries have been reduced by about 30 percent and fatal injuries by about 80 percent through the use of combination lap belts and shoulder harness. Even for only lap belts, the death rate per crash is only 60 percent of the death rate for occupants who do not wear such belts.

The cause for concern with the action being contemplated by some State to repeal of motor vehicle inspection laws may be found in a report submitted to the Congress in 1968 by the Department, entitled "Safety for Motor Vehicles in Use." This report highlighted a major factor contributing to the grim crash statistics. The report estimated that about half of the 94 million motor vehicles in use are deficient in one or more aspects of safety performance due to deterioration with use, improper maintenance, or inadequate initial design or fabrication. Clearly, some of the safety deficiencies, such as faulty brakes, make a crash more likely, if not inevitable.

Startling confirmation of the validity of these data was obtained recently by a study conducted by the Automobile Club of Missouri under contract with the Bureau. An inspection of 10,000 vehicles at the organization's diagnostic center found 45% of cars driven 500 miles or less had safety-related defects. This rose to 90% on cars five years old. A recheck after repair showed that only 65% of the work paid for was done satisfactorily.

No one has, as yet, established the full role of unsafe vehicle condition in the accident picture. Reliable statistical data are not available on as patently obvious a safety need as good brakes. The problem here is that current, routine crash investigations and reporting often tend to overlook or understate the role played by vehicle factors in causing crashes and casualties. Most investigations are conducted by law enforcement people who focus on the traffic violation aspect of the accident. In some cases the extent of the damage is likely to mislead investigators to think a defect—if discovered at all—is the result rather than the cause of the crash.

While the Department has plans for improving accident investigation, which represent the key to establishing the precise role of unsafe mechanical condition of vehicles, it is clear that periodic motor vehicle inspection programs conducted by the States in accordance with our standard will have to be the cornerstone of used vehicle safety programs. By and large the public recognizes the need for vehicle inspections, but there is also some feeling that the benefits obtained do not warrant the inconveniences created.

There is little doubt but that some vehicle inspection systems, as presently administered, are haphazard, inconvenient and often costly. Because of these shortcomings and in light of the substantial benefits which could be derived from a well-conceived and administered inspection program, we are now working to change their basic orientation.

The objective is an inspection operation fully equipped with modern diagnostic equipment, while can, at a very modest cost to the automobile owner, check out the essential performance characteristics of his vehicle and provide him with sound advice on needed repairs.

This shift in focus from one of enforcement of vehicle requirements to one which provides a much-needed service to the consumer, will find a great deal of support by the public. Once this support is forthcoming, motor vehicle inspections should play a major role in assuring a greater degree of safety of the nearly 100 million used cars now on the road.

Accident investigation and information analysis are among the research needs that cut across the board for virtually all other research efforts as well as program implementation by the States. Progress in highway safety is dependent, to a considerable extent, on a thorough data base derived from improved investigation of crashes and their resulting casualties. Procedures and techniques now under development will form the basis for a significant upgrading of the accident investigation process employed by State and local officials for routine investigations. In addition, the Bureau has undertaken a program for the in-depth investigation of accidents through the use of multidisciplinary teams.

The basic level of data will be gathered by routine policy investigation of accidents. The goal is to provide the police officials with more meaningful accident report forms which will yield as much information as possible without hindering their other law enforcement duties. An improved report system is being field tested at the present time.

The second level of effort in the States involves the development of procedures for a team approach to accident investigations in which a highly trained police officer and a traffic engineer participate jointly in the investigation.

The in-depth accident investigations involve the training of teams of medical-engineering and legal experts who, in turn, will train others. Seventy-two in-depth accident investigations were conducted by 7 teams during 1968, resulting in 21 recommendations involving motor vehicle safety standards. One of these teams conducted an investigation of a school bus crash in Alabama in 1968 which led to the recall of over 10,000 school buses by General Motors for correction of possible braking malfunctions which might result in a safety hazard.

In FY 1970 and FY 1971 we plan to activate twelve new multidisciplinary teams. The work of these teams will result in the accumulation of a comprehensive body of knowledge of accident and injury causation leading to the development of countermeasures and the assessment of the effectiveness of new safety features.

Closely paralleling accident investigation in importance is the system for aggregating and interpreting the resultant data and correlating results with data on exposure to risk. At the present time there are wide disparities among States in regard to both the quality and the quantity of information being gathered and substantial gaps in the availability of essential accident data. The need for a better information system is clear. Thus, the development of a coherent national system composed primarily of independent and compatible State systems is a high priority program.

No field of social purpose related to the health of the populace has been more beset than highway safety with old-wives tales, half-truths, self-serving pronouncements, and general lack of scientific evidence in which to formulate and carry out highway safety programs.

The Department has made a start on this problem by means of a broad-scale research effort encompassing the three crash phases referred to previously.

In all, a total of 294 contracts at an aggregate dollar cost of \$30,735,000 have been awarded in the three years in which the program has been in effect to more than 193 universities, foundations, companies, and States. Included in the background data we have submitted is a summary of these research contracts. Very little of this work would be characterized as "basic research." Most of it is directed toward highly specific program needs. There was such a paucity of research attention to the safety field prior to the passage of the Highway Safety Act that a monumental gap must be filled.

The driver education program provides one example. The purpose of the driver education standard is to upgrade driver performance through proper training and education of teenagers and adults alike in safe, efficient, and courteous driving. About \$9 million in Federal funds have been obligated for this program since passage of the Highway Safety Act which is more than has been obligated for any other highway safety program.

Projects funded to date provide for the expansion and improvement of existing courses of instruction for young people, in-service training for driver education teachers, and procurement of simulation equipment and off-street facilities.

The Greater Minneapolis Safety Council has reported an interesting study which examined the driving records of 94 persons who were required to attend driver-improvement classes in which their driving violations before and after attending the courses were compared. It showed a 69 percent reduction in violations following the training. However, this study also shows the inadequacy of much of the information available to date on the effectiveness of driver training. It does not show whether training courses of this nature for traffic violators are more effective than the conventional ways of dealing with violators through fines, license suspension, jail sentences, etc.

Many other questions on driver education of a similarly highly pragmatic nature remain unanswered—at least without hard scientific facts to back up the subjective opinions of our Nation's leading experts. For example, insufficient data is available on how the driver education dollar should be apportioned between behind-the-wheel training and classroom instruction, or between more intensive teacher training.

Questions such as these make it imperative that we conduct much more research in driver education. They will not answer themselves, yet they deal with a program of vital importance to highway safety, and one that rightfully continues to command a major part of the safety dollar.

It is necessary to go beyond driver education research and learn how the entire field of improving driver performance, by whatever means, shapes up as a family of countermeasures, when compared to improvements in vehicle and highway design, for example. Only with such information can the question be addressed as to how much attention is to be given to the driver, to the vehicle, and to the roadway, and as to how the available resources are to be allocated among the several highway safety program elements.

The safety demonstration project program has been developed to facilitate and accelerate the application of research findings to operating highway safety programs. Demonstration projects are undertaken by means of Federally-financed contracts with the States and local communities to perfect and give visibility to new and improved techniques for advancing highway safety. For example, a \$213,000 grant to the District of Columbia will determine whether motor vehicle defects, identified by the manufacturers and supposedly corrected at the time the vehicle was recalled, have been corrected. This will be done by establishing a

system at the District's motor vehicle inspection stations to enable the inspector to obtain, very carefully, manufacturer defect data for the make, model, and year of the vehicle being inspected and then checking to see whether the defects have, in fact, been corrected.

This program also involves the improvement of inspection procedures to include the latest diagnostic equipment.

In the near future, a new program will be undertaken—the "Safety Demonstration Cities and Counties" program. This will involve working with one or more cities and counties to assist them to carry forward in coordinated fashion their highway safety programs. More effective coordination will be sought among such areas as driver training, safer vehicles, improved pedestrian safety, public attitudes, alcohol in relation to safety, and identification and improvement of high-accident locations.

The procedures, guidelines, and results of these projects will be documented and evaluated as possible models for nationwide use.

Mr. TURNER. We also have here on the table one of the British devices that we referred to earlier, if you would like to get an analysis, and we might be able to work it for you here.

Senator RANDOLPH. All right.

Secretary VOLPE. Seeing that bag, Mr. Chairman, reminds me of one or two really great potentials for reducing our highway slaughter, and that is the air bag, so-called, as well as the—I prefer to call it flexible bumper, which softens the impact when a moving vehicle meets an immovable object. We have great faith in the possibilities that both of these research projects which we are working on present to us, and I personally believe that it is quite possible that with just these two avenues, together with the projects we are now working on, I could hopefully look to a saving of as many as 10,000 lives per year, in just another couple of years.

If the committee in its discretion would like to see a presentation that I witnessed some 2-weeks ago, showing exactly what we have done by way of research in this air bag, as well as this flexible bumper, as I like to refer to it, and perhaps also the British bag, we could certainly be very happy to arrange for such a presentation.

Senator RANDOLPH. I believe, Mr. Secretary, we can arrange to do as you have indicated, which would be helpful to our members.

Secretary VOLPE. I would hope possibly there might be a combination of the other committees that might be involved.

Senator RANDOLPH. Who is to demonstrate this?

Dr. BRENNER. I would be delighted to demonstrate how it works. Mr. Chairman, the tube that you have has yellow crystals in it. The plastic bag is inserted at one end. The glass end is broken off at both ends.

Senator RANDOLPH. It does not matter which end?

Dr. BRENNER. It does not matter which end. The subject then blows into one end of the tube, until the plastic bag, which has been attached to the other end, is filled. If the yellow crystals I have here turn green beyond the yellow stripe, then he has got a problem.

In other words, if this is the color that the yellow crystals turn to, that indicates a very heavy alcohol content. If this changes beyond the yellow line, then there is a strong indication that the subject has more than a .10 percent.

This costs about 20 cents, and with a quantity of production it could decrease.

Secretary VOLPE. I would believe, from the questions that have been asked, sir, we have probably covered a good deal of the ground that we have talked about. They are available, and their statements will be made a part of the record.

Senator RANDOLPH. We do want their statements included in the record of this morning's hearings.

I think this will suffice for our hearing today. I hope that if you can remain for a few minutes—if not, Mr. Secretary, I am sure you have commitments, and perhaps Mr. Turner—but if others of the Department of Transportation could remain, I would like for Mr. Pyle to come forward at this time.

Thank you, Mr. Secretary, very, very much.

Secretary VOLPE. Thank you, Mr. Chairman and members of the committee.

STATEMENT OF HOWARD PYLE, PRESIDENT, NATIONAL SAFETY COUNCIL; ACCOMPANIED BY PAUL HILL, ASSISTANT GENERAL MANAGER, AND HARRY N. ROSENFELD, GENERAL COUNSEL

Senator RANDOLPH. I don't know whether to call you Mister or Governor.

Mr. PYLE. Sir, I am not sensitive.

Senator RANDOLPH. Governor Pyle and his associates will proceed. Senator Cooper will preside from this point.

Mr. PYLE. Thank you very much, Senator Randolph.

Senator COOPER (presiding). Gentlemen, we are very glad to have you.

I will call you Governor. Once a Governor, always a Governor.

Mr. PYLE. I suppose so. Thank you.

Senator COOPER. We remember your testimony very well in past years, and your leadership, and that of your colleagues in stimulating this legislation. It will be very interesting to hear what you have to say.

Mr. PYLE. Mr. Chairman and Senator Gurney, I would like to introduce my associates this morning. On my right, our general counsel, Mr. Harry Rosenfield, and on my left Mr. Paul Hill, one of our assistant general managers and our traffic specialist.

I am almost tempted to depart altogether from our printed testimony in order to engage in the dialog that has been going on here this morning, because it is of intense interest to me, and we have a number of observations that would be relevant. However, because of the level at which our written testimony is cast, I would like the privilege of handling it as I originally intended to do, if I may.

It is a privilege to have another opportunity—this is, incidentally, our 13th time to testify since 1965—to talk traffic safety with this very important committee. There is a growing urgency in this area of mutual responsibility, and we hope we can be as convincing as we are concerned.

The National Safety Council believes there is a real crisis in confidence throughout the country today as to whether the Congress is really serious about traffic safety.

To meet this crisis in confidence, and reenergize the entire traffic safety effort, we believe it is imperative that the Congress demonstrate

its commitment to the traffic safety acts and maximize their potentialities by—

1. Doubling the original 3-year authorization, thus authorizing \$600 million in grants to State and local governments for the next 3 years under the Highway Safety Act of 1966—

2. Upgrading the traffic safety programs so that those who administer them report directly to the Office of the Secretary of Transportation.

3. Giving every possible evidence that Congress regards traffic safety as a top priority national program, and that it will treat it as such.

The Nation's traffic accident losses have reached a point where:

There is no room for bargain hunting.

There is no time for half-hearted support or for temporizing.

In enacting the highway safety acts of 1966, Congress took national leadership in traffic and highway safety. It was a great breakthrough. But, such leadership cannot be an on-again, off-again proposition. It must be Federal challenge-leadership, a leadership that challenges literally everyone—the States, local communities, industry, voluntary groups of all kinds, safety organizations, the American people as a whole—and, yes, the Congress itself—challenges everyone to do more than they now think they can do.

The measure of Federal Government's commitment to challenge-leadership is mirrored in its unwillingness to finance the saving of lives. To be worthy of the confidence of all concerned, there must be more commitment—more dollars—than the Congress has made available to date—more dollars than the States may now think they can match.

This is the challenge-leadership the circumstances demand—positive evidence that the Congress means business—that the Congress is dissatisfied with the current level of effort and planning.

Three basic questions are involved:

1. Does the Congress believe that the job simply is not being done in traffic safety? The National Safety Council so believes.

2. Does the Congress believe that as a result thousands of Americans are being literally condemned to avoidable death and injury on our public roads on a scale that is unforgivable? The National Safety Council so believes.

3. Does the Congress believe that we now know enough about traffic safety to do far more than we are now doing to substantially reduce the annual highway death rate? The National Safety Council so believes.

In 1966, the Congress felt so strongly about such compelling questions as these that it acted in support of the conviction that the traffic and highway safety job could not be done without Federal leadership and Federal financing. The Congress challenged the entire highway safety community to follow its lead in improving the Nation's highway safety records.

We agreed then—and do now—that such Federal participation in the national highway safety program was a major step forward.

We have previously testified before this committee that \$1 to \$2 billion of new money annually, from all levels of government, will be

needed to fully implement what the Congress has mandated. We believe that for the next 3 years, the Federal part of what the Congress has legislated will take at least \$600 million of congressional authorization under the Highway Safety Act of 1966.

The need is beyond question—the record is appalling.

As has already been indicated here this morning, the death rate, as pointed out by the chairman, is simply unbelievable.

Traffic accidents are causing more than 1,000 deaths of men, women, and children every week—36,000 injuries, and \$200 million worth of economic waste each week. Statistics for the first 4 months of 1969 show a fatality increase of 2 percent over the comparable period of 1968.

The total number of Americans killed in Vietnam since the early 1960's is approximately 36,000. It is a tragic loss, but what about the 55,600 men, women, and children who were killed on our highways in 1968 alone?

It is the same as destroying the whole city of Wheeling, W. Va., in 1 year. It is the equivalent of destroying seven cities the size of Somerset, Ky., in a single year.

The economic loss of \$11,600 million for last year alone:

Was almost 50 times the cost of running the entire legislative branch of the U.S. Government, including the Congress, for 1968.

It was over 110 times the cost of running the entire Federal judiciary for 1968.

There is universal agreement that there are three major components in the traffic accident problem: the road, the vehicle, the driver. Congress has legislated in each of these areas:

1. The road: The Federal-Aid Highway Act represents congressional determination to reduce, to the maximum extent possible, traffic accidents caused by unsafe driving environments.

2. The vehicle: The National Traffic and Motor Vehicle Safety Act of 1966 represents congressional insistence that the public be protected against unreasonable risk of accidents, or death and injury from accidents, occurring as a result of the design, construction, or performance of motor vehicles.

3. The driver: The Highway Safety Act of 1966 represents congressional assistance to State and local governments in the many operational areas of highway traffic administration that involve motor vehicle owners and operators and their safe use of the highway system.

Each of these three sectors of the total system is interdependent with the others. Failure or collapse of any one of them inevitably has a deteriorating effect on the entire interrelated traffic safety effort. Each of these three sectors has been dealt with by the Congress with an explicit guarantee of substantial Federal financial participation.

May I call the committee's attention to page 135 of the current issue of Reader's Digest. The article is labeled "Pictures Without Words." "It happened 55,200 times last year."

"The latest estimate," and here is a 3-page dramatization of the traffic and picture that is almost too horrible to look at.

Now, interestingly enough, Life magazine has just come out with the current issue of yesterday, "The Faces of the American Dead In

Vietnam," and on page 26 they have a very dramatic story which begins by printing the pictures of the 262 American boys killed in Vietnam during the week Wednesday before Memorial Day through Tuesday after Memorial Day; 262 killed. This is what Life thinks about the Vietnam dead. This is what Reader's Digest thinks about the situation with respect to traffic accidents on our highways.

In order to get the two in perspective, 262 died in 1 week here, and Life thinks enough of it to dramatize it, in this fashion; 1,063 people died the same week in traffic accidents, and unfortunately the same impetus is not being given to it that is being given to the Vietnam question, and that is why I plead with such fervor to gain this committee's attention, and ultimately the attention of the Appropriations Committee.

Let us reminisce a bit. Traffic safety professionals who know the length, breadth, and depth of the challenge were disappointed when the Highway Safety Act of 1966 authorized only \$267 million for Federal aid to States and communities for highway safety programs through fiscal 1969, but it was a start, and everyone was optimistic about the future. Then came the financial limitations the Congress imposed on the program—\$92 million available for obligation.

In spite of the fact that a sincere effort was made to assure all concerned that the action was not meant to inhibit the program, we have continued to feel the effects of the nagging impression that perhaps the Congress was not really serious about traffic safety after all.

We reasoned: If the request for authorization of \$140 million in obligational authority for fiscal 1969 could be honored, we believed it would put an end to most of the doubts of those who had not given the Highway Safety Act the support it deserved.

When the appropriations bill was finally cleared, the Traffic Safety Bureau was allowed a fiscal 1969 budget for matching cooperation with State and local governments of \$50 million in liquidating cash (\$100 million was requested), and \$65 million in obligational authority (\$140 million was requested); \$26.5 million was appropriated for research and demonstration projects.

Recently, the retiring administration submitted a budget request for \$100 million in obligational authority for 1970.

More recently, further cuts in traffic safety financing have been proposed.

Recognizing all the fiscal pressures that are harassing the Federal budget these days, and the fact that State and local levels of government are similarly restricted as to what they can do, it would be unrealistic to expect the level of financing for traffic safety that the seriousness of the problem demands.

Does this mean, however, that we can afford to do as little as is now being contemplated, while the bloodshed and tragedy on our highways continues to overshadow all other forms of violence in terms of its savage toll?

The answer is an unequivocal "No."

Motor vehicle travel is increasing at the rate of 40 billion miles per year.

Each year, 2 million more drivers and 2 million more motor vehicles are being fed into the traffic stream.

Last year, 1968, 37 of the States recorded costly increases in traffic deaths and injuries. Only 13 States and the District of Columbia were able to stay even with the previous year's traffic death toll, or show a slight improvement.

In the main, every curve involved in the traffic accident picture is an ascending curve, and such will continue to be the case until our commitment to the contrary is sufficient to drive the bitter consequences of these trend lines down.

We could not possibly be more convinced that the National Highway Safety Act of 1966 is sound. But it is only a promise—we desperately need its fulfillment.

Our widespread contact with State and local levels of official interest in the act persuades us that beyond a question of a doubt there is a strong will to cooperate in achieving long overdue objectives.

The roadblocks that continue to keep this lifesaving program under wraps simply have to be reduced to the irreducible minimum, and a new flow of confidence set in motion.

Almost daily the national press carries some new account of commendable congressional interest in safety—

- Better control of flammable fabrics.
- Air and water pollution.
- Fire safety for nursing homes.
- Product safety.
- Natural gas pipeline safety.
- Mine safety.
- Radiation safety.
- Youth camp safety.
- Toy safety.
- Boating safety.
- Occupational safety.
- Railroad safety.

Legislation on matters pertaining to safety has never been more inclusive than is the case today.

Still, we cannot seem to put enough budget support together to do a solid job of coping with what the Congress itself has said must be done about traffic safety.

Safety has many areas of need, and the Congress is to be commended for being actively interested in so many of them, but approximately half of the worst of the Nation's total accident problem is on our highways.

Still, nearly 3 years after adopting a widely accepted plan for more traffic safety for our people, there are still such unresolved questions as what is an appropriate departmental structure for an effective administration of the plan?

After committing ourselves to a plan based on the absolute necessity for a comprehensive attack on the problem involved, we have confused our way of going by raising the question of priorities—What aspects of the highway safety program deserve more attention than others?

In meeting the highway safety challenge of these times, there is very little room for uncertainty with respect to operating policy.

It is a hard nosed battle for the lives of thousands of men, women, and children who have a right to the protection that official action at all levels of government can bring to the Nation's highways.

It has been encouraging to read the testimony that has been given before committees of the Congress by State highway safety officials. It matches our findings in the field almost exactly, and we have talked to many responsible leaders who have not been able to appear for committee hearings.

The States, counties, and cities want more action.

There is a growing impatience with the lack of realistic financing.

There is understandable irritation over what is believed to be unreasonable delays in clearing programs requiring matching funds.

There are honest differences of opinion as to the nature and selection of a considerable number of the research projects.

These, and many other related complaints, all come under the general heading of healthy discontent.

All of it can be harnessed to the most productive era of progress in the history of highway safety.

Mr. Chairman, and members of the committee, the Congress has chartered the National Safety Council "to arouse and maintain the interest of the people of the United States * * * in safety and in accident prevention." 36 U.S.C. 463 (3).

This you can rely on us to do to the absolute limits of our capabilities. Our chapter organization throughout the States is equally committed.

In turn, we respectfully suggest that congressional adoption of the National Safety Council's three recommendations will:

Show that Congress really does mean business about traffic and highway safety,

Allay the current crisis in confidence as to congressional intention, and

Galvanize the total traffic safety program into high gear toward the goal of reducing accidents on the Nation's highways.

In terms of saving American lives, we know of no higher priority in this Nation today other than solving the Vietnam problem. We believe the next major step is up to Congress.

May we submit all of these particulars, gentlemen, for the record, including the current issue of *Life*, the current issue of the *Reader's Digest*?

We believe these are dynamic demonstrations of the gravity of this problem, and we sincerely hope that we can persuade the Congress to be appropriately responsive.

Senator JORDAN (presiding). Let me say first that I am sorry I was not here for your entire testimony. I am pinchhitting for our chairman. I am sorry I did not hear all of your testimony, but I will read it.

Mr. PYLE. Thank you.

Senator JORDAN. Senator Cooper, do you have some questions to ask the Governor?

Senator COOPER. I think we have had some trouble; I will not say because of the terms of the act itself, but trouble nonetheless.

As I recall, these funds were authorized to be apportioned to the States, and then as they were obligated, the Appropriations Committee was from time to time liquidating those obligations.

They authorized \$6 or \$7 million in 1967, \$100 million in 1968, and \$10 million for 1969, but the Appropriations Committee limited the amounts that could be obligated.

Did you testify before the Appropriations Committee?

Mr. PYLE. Yes, and so did you.

Senator COOPER. Yes, I know.

Mr. PYLE. And we appreciate it.

Senator COOPER. I remember, though, when the matter first arose on the Senate floor, there seemed to be a diversity of opinion as to whether or not this committee had the authority to obligate funds on the Federal aid system.

Now, this year, as you said, for 1970, I think President Johnson first recommended \$100 million.

Mr. PYLE. In obligational authority.

Senator COOPER. Obligational authority. President Nixon recommended \$75 million, I believe, and then \$50 million for appropriations to liquidate obligations.

Assume that the \$75 million is obligated. How do you consider that? Is it an adequate amount for this year?

Mr. PYLE. Woefully inadequate, and, Senator, the worst part of it is that it implies no confidence in the program. This is hurting us worse than anything else, because this Congress in 1966 said to the United States of America, and the local government establishments, "We are going to challenge you to do a better job," and it never has.

You cannot challenge anybody in this field with \$75 million. You just cannot do it. They are quietly sitting back there saying, "Well, as long as they don't gig it, we will just do it our way," and that is the way it is going to go, in spite of the fact, as I have indicated here, they are ready for more action. But we are not leading the way at the congressional level to the degree that the original legislation intended to.

Senator COOPER. As I recall, one reason given by members of the Appropriations Committee for not appropriating more money was that the States, and particularly the subdivisions, could not use effectively any larger amounts of money.

Is that a correct statement, in your view? Do you think they are in a position to use effectively larger funds?

Mr. PYLE. I certainly do, sir. If I may advance that concept just another stage, let us go back to the beginning.

We said we were going to do something about this. It is the prerogative of the Congress of the United States to set goals to be achieved for both the State and the National level.

It is the prerogative of the key committees of this Congress to require and request reports on the progress that is being made. We are not doing that. We are being critical of the fact that the program is not moving, but we are not standing over the program forcing its development and expansion.

Now, as a former Governor, I would be the first to admit, as you would, that the legal responsibility for traffic safety is still at the local level. But until Congress matches the impact of its original approach with a continuous followthrough that calls for action, reported back, rather than just saying nobody is able to do anything about it, the Nation will not achieve what Congress said in 1966 was our goal.

Senator COOPER. I agree that Congress did establish its program. We gave indications to the States that they were to develop their programs, and if they were acceptable, then we would provide money.

We have to take into account that we cannot always furnish all the money—that we have to cut down someplace. But even taking those matters into account, I think it is a small amount that is being made available.

I remember that the Senate included in its highway bill last year, as I recall, authorization to pay highway safety authorizations from the highway trust fund. I think that is correct. The Highway Act of last year provided it should be paid for from the highway trust fund, but we lost that in conference.

Would you recommend that funds for the safety program be paid from the highway trust fund?

Mr. PYLE. Not necessarily, Senator Cooper.

You realize that the source of revenue for this program is at the heart of the whole problem. Where do we find this kind of money?

I think in the presence of this or some other committee, I said at one time, "Where did you find the money for the poverty program? Where did you find the money for a lot of these other programs?"

We just naturally overspend our capabilities in order to make it clear to the public that we really believe in these programs.

I am well aware, as a former Governor and as a former public official, that the Federal Treasury is overspent to unbelievable dimensions, but at the same time I am sitting here to speak, as it were, for the more than 152,000 men, women, and children who have been killed on our highways since this act was passed. I cannot stop hollering for money.

Now, I understand the political implications of the highway trust fund fight, and we are not going to get involved in that, as far as the National Safety Council is concerned.

Senator Nelson recently suggested that Congress establish a trust fund out of a portion of the alcohol taxes. This has merit. We could support the idea.

I only have one query to make in connection with the earmarking for this type of program. I would ask the question: Does this not show some type of distrust in the integrity of Congress to appropriate money out of the general fund and handle its commitments?

I am not suggesting that we raid the Highway Trust Fund presently established to build roads, but we have got to find some money for this highway safety program, because we cannot afford the depletion of our human and economic resources represented by these traffic accident statistics.

Senator COOPER. I think you are wise not to get into the trust fund question, but I just say I find no fault in providing at least some of the funds from trust funds, if we are going to keep on building these highways for more and more cars, with more and more fatalities.

Mr. PYLE. Senator Cooper, I would say it is the prerogative of the Congress of the United States to so state its position, and if you can find strength for it in this Congress, it would be money well spent.

But for any of us on the outside to attempt to affect this very much, I think, is pretty futile.

Senator COOPER. I know the work that you and the Council have done in stimulating interest in this program, but I must say that I believe that there are still a great many people that just do not know

that there is such a program. If you could use your good offices to arouse more interest in the States and local communities as well as here in the Congress, I think it would be helpful.

Mr. PYLE. We will do that, and we are doing that.

I failed to bring with me an item that we would be glad to add to the testimony. We have a campaign now in the field, in which 20-some agencies are cooperating. It is known as the States program.

We will make a copy of this whole kit available as a part of the testimony, so you will understand how that is progressing. I failed to bring it along, for which I apologize.

You are absolutely right. This is our major obligation, but it is hard for us to make it stick if we don't have the challenge-leadership of the Congress to make it stick for us, because we cannot talk up a fight and then not have any fight.

Senator JORDAN. While Senator Cooper steps out let me say this is a matter of concern not only to Congress, but to a great many other people.

I don't know just where the money is going to come from to do the job that we all want done.

Let me go back to my own State of North Carolina. We feel we are more progressive than most of the other States, but to get a driver's license, a boy or girl has to go take a test, and go to school at least 6 weeks.

Mr. PYLE. As they should.

Senator JORDAN. I believe that is right. I have got two granddaughters in school, right now. One of them has graduated and gotten her license.

We put on more patrolmen every year, but we have not yet learned how to keep people from just running into each other.

This last week I saw in the paper where there were 10 people killed in one wreck. All the things you can put together don't make people stop at railroad crossings.

We have got speed laws. We have tried to enforce them. We have put in radar of various types, and they are fairly effective.

We are doing a great many things, but if you all have got the answer to the problem, I don't know what it is.

I don't think it is just getting more money. The death rate has gone up consistently since 1966, and before that there was not any money spent in this particular thing at all.

States are certainly doing something along this line, and yet, the head-on collisions that we have in this country are just appalling. There are white lines down the middle of the road, but still the cars just run together. One fellow said not long ago that trees get in the way of people.

You cannot get up and do the driving, for these people. The people in the accident I referred to were not drunk. They were coming to work that morning.

Mr. PYLE. May I respond, sir?

Senator JORDAN. Yes. I want you to.

Mr. PYLE. This entire traffic safety program is built around what you would call the administrative details of how you run so massive a transport system as this: The licensing of drivers of vehicles, the fit-

ness of the vehicle, the uniformity of laws and ordinances, adequacy of law enforcement, upgrading of traffic courts to be sure that they are responsive to whatever the law enforcement does.

These are the official obligations. These are the things that are just a part of trying to administer this kind of program.

We still have States in this Union that do not require an adequate licensing procedure. We still do not have, in many States, the mandatory vehicle inspection program that helps to assure a fit vehicle, for it can come off the assembly line absolutely letter perfect, assuming such a thing is possible, and in a little while, it is not letter perfect, because people don't see to its maintenance.

What we are talking about are the administrative elements of what it takes to keep this massive transport system in place, glued together.

A great deal of what is happening is that we simply are not putting enough money into this program to surround it with the administrative details that require realistic licensing of drivers to determine whether they can even see or not, as well as other things that can affect their decisionmaking on the highway.

We are not surrounding the highway safety program with the kind of legislation that guarantees a realistic handling of the drinking driver problem. We are just tinkering with it.

The Congress started out in 1966 with a mandate, a program that, once it is fully implemented with the kind of money that is necessary for just a minimum task, will get a lot of work done in this field.

But these abuses are running loose on the highways of this country in spite of the 1966 legislation, and yet we wrote into that legislation what we need in the way of administrative control.

We do not have the money today to administratively control the vehicle pattern in this country.

Now, you are always going to have some of this, but the idea is to reduce it to the irreducible minimum, and that we are not doing.

Senator JORDAN. I received last week a form to fill out from my insurance company that insures my car, which I had never seen before. I am over 65 years old. It is in that book. It says I am 72.

Mr. PYLE. You are doing very well.

Senator JORDAN. I am doing all right. But I had to go to a doctor, and so did my wife, and fill out this questionnaire about whether I could see all right, did not have epilepsy, did not have heart failure, and a great many other things.

Well, now the insurance companies are doing something about this themselves.

Mr. PYLE. We need the same thing officially at the registration level.

Senator JORDAN. Then, of course, different people are putting out the line, "The life you save may be your own," but it just does not seem to sink in. A fellow gets behind the wheel in a good automobile that runs 100 miles an hour, and there is more brains in his foot than in his head.

Mr. PYLE. Senator, this problem has to be managed, and we are not managing it, because we are trying to whip a monster to death with a switch, and you cannot manage this problem unless you put enough resources in it to take control of it.

That is what the Congress mandated in 1966, but we still have not done it.

Senator JORDAN. Senator Cooper, do you have any more questions?

Senator COOPER. No, thank you.

Senator JORDAN. Is Mr. Frank Turner still here?

Mr. TURNER, do you have anything you would like to add to this testimony, and the questions you heard from the Governor, and the explanation he has made?

Mr. TURNER. We certainly subscribe to everything the Governor said with respect to the support of the program, and the need for funding increase in resources.

This has been our plea to the Congress, to all the other bodies that we have to deal with, and we are in 100-percent agreement with Governor Pyle and the National Safety Council that more resources are needed to do the job that we have to take care of.

Senator JORDAN. Thank you very much.

Mr. PYLE. Mr. Chairman, could I add two points before we close?

In deference to Secretary Volpe and Mr. Turner and his colleagues, on the question of the apportionment of the money which Senator Cooper got into, I happen to come from the southwest part of the country. I think that Senator Gurney got at this issue somewhat in the course of his dialog. But the problem of apportioning money by population runs into, in many States, the same things that Senator Gurney spoke of with respect to Florida.

The 11 Western States, for example, are literally corridor States. There are jillions of automobiles running incredible mileage across these States to get to someplace else, and the kind of involvement that they have on strange highways, and unfamiliar environments is unbelievable.

I am convinced that in my State of Arizona a substantial portion of our local problem is caused by people who don't know how to drive mountain roads, and long distances where vertigo may develop. We have got a flock of highways out there with 85 miles before you get to a wide place in the road, to say nothing of a place to stop.

I would hope that in considering apportionment, you not set aside the problem that many of the States are having as a result of people coming to visit. We encourage this sort of thing in this country, because it is good for the economy, and it is good for the country. But the local population in my home State of Arizona is not directly responsible for an enormous amount of the trouble we have on our highways.

Highway 66 has been called bloody 66, and so on. Fundamentally, it is devoted to transstate traffic. This is tremendously important.

Secondly, there was a discussion this morning about the alcohol problem, and what are we going to do about it. We in the NSC have a program in which we are soliciting the cooperation of HEW and of the Department of Transportation. It is built around these four points, which I would like to leave as a matter of record:

1. Better education and training for the new driver.
2. Improved examining and surveillance system to weed out the incompetents.
3. A program to improve drivers and help them meet today's problems with respect to the alcohol situation, and drugs, as well.
4. Provide realistic penalties for those persons who will not conform to accepted practices.

In the course of the dialog this morning, I did not hear anybody comment on the fact that there are very few States in this Union that have what we would classify as remedial approaches to the drinker, other than the social drinker, who causes most of this trouble.

In my State, we used to dump them in the medical ward of the State hospital until we got them dried out, and then turned them back on the highway, which meant that it was just a matter of time before they would be back.

By and large, we do not have treatment centers for the confirmed alcoholic. Veterans' hospitals have the same problem.

I think Congress could very well get at one of the basic problems here by attempting to establish treatment center stations on a matching fund basis, to see if we cannot get at this hard core group that is causing this trouble.

It is not enough to have implied consent legislation, and all of the other things we are attempting to establish as administrative structures, if you are not going to cope with these people in the area of their sickness.

Custodial care is not enough. We have to have remedial care.

Senator COOPER. May I interrupt you just a moment?

Mr. PYLE. Yes, sir.

Senator COOPER. Now in talking about a long term program, it seems to me that more attention ought to be paid at first to taking these people who are driving while drunk off the road, and taking away their license.

Do you know whether or—maybe Mr. Turner can answer this question—there are any statistics available provided by the States which would show the number of cases of drunken driving, and the disposition of those cases in the courts?

Mr. PYLE. We could provide you all there is available.

Senator COOPER. I just wondered if the States keep those kind of statistics.

Mr. PYLE. I am sure that there is some information of this order available.

There are many arrests being made in some sections of the country for driving under the influence of alcohol. However, the conviction rate is considerably below that figure.

Senator COOPER. Because I know what happens to a good many of them. A man is arrested driving drunk. In my State I think it is imprisonment, as well as a stiff fine, and revocation of license. Sometimes what they do is they just change it to speeding, where there is no revocation of license, and no jail sentence.

Mr. PYLE. That is right. That is why I say, sir, that until the Congress of the United States really declares itself in support of what you mandated in 1966, with money and will to match, we are not going to get the States to be as realistic about the administration of this program as they must eventually be.

Senator JORDAN. Well, Senator, I thoroughly agree with what you had to say there, and I think, Governor, we all have got to admit the States have got to do more about carrying out the laws.

Now, I know of a case that happened just 2 weeks ago. A man was drunk, and ran off the road, and was trying to get back in the car

so he could drive some more, and the patrolman locked him up. Next morning, he was turned out, and they said he was speeding.

So you cannot pass a Federal law to make judges do certain things. That is all there is to it.

Mr. PYLE. No. But, sir, when the Congress of the United States really declares itself, when you begin taking 10 percent of the Federal Aid Highway funds if they don't do it, you are going to be surprised how rapidly you are going to Christianize a lot of these people.

Nearly three out of five in California, of the fatally injured drivers tested in 1967, who were responsible for accidents, had been drinking. In one-car accidents the proportion of drinking drivers approached two out of three, whereas with drivers not responsible for accidents less than one out of five had been drinking.

Among fatally injured pedestrians, who had been tested, more than half had been drinking.

Then we have a figure on Wisconsin, two out of three fatally injured drivers in 1966 accidents who were tested had been drinking. Among drivers under 26 years of age, three out of four had been drinking.

This gives you some idea of the enormity of the problem.

Senator JORDAN. Senator Cooper says he has no more questions.

Governor, we appreciate you being with us, and your associates with you.

We appreciate all the testimony we have had this morning.

We will recess until 10 o'clock in the morning.

Thank you very much.

Mr. PYLE. Thank you very much, gentlemen.

(Whereupon, at 12:40 p.m., the subcommittee adjourned, to reconvene at 10 a.m., Wednesday, June 25, 1969.)

OVERSIGHT HEARINGS ON THE HIGHWAY SAFETY PROGRAM

WEDNESDAY, JUNE 25, 1969

U.S. SENATE,
SUBCOMMITTEE ON ROADS
OF THE COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met at 10:10 a.m., pursuant to recess, in room 4200, New Senate Office Building, Senator Birch Bayh presiding.

Present: Senators Bayh (presiding), Jordan, Spong, and Gurney.

Also present: J. B. Huyett, Jr., assistant chief clerk and assistant staff director; M. Barry Meyer, counsel; Baily Guard, assistant chief clerk, minority; and Thomas C. Jorling, minority counsel.

Senator BAYH. Good morning, ladies and gentlemen.

We will reconvene the hearing started yesterday to review the programs implementing the requirements of the Highway Safety Act of 1966, and S. 2399, a bill to provide a formula for apportionment of State and community highway safety funds for fiscal year 1970 and thereafter.

Our first witness this morning is Mr. John T. Hanna, director, Highway Safety Division, State of Virginia.

Mr. Hanna, we are glad to have you with us this morning. You may proceed with your statement.

STATEMENT OF JOHN T. HANNA, DIRECTOR, HIGHWAY SAFETY DIVISION, STATE OF VIRGINIA

Mr. HANNA. Thank you.

Mr. Chairman and members of the subcommittee, I am John T. Hanna, director of the Virginia Highway Safety Division.

Today I shall discuss primarily Virginia's operations under the Highway Safety Act.

When the year 1965 came to an end, Virginia's score of traffic deaths stood at 1,062. This marked the fifth consecutive year that they had increased and the second in which they had topped a thousand.

This discouraging trend no doubt influenced the 1966 general assembly. It called for the establishment of the Virginia Traffic Safety Study Commission, which would thoroughly study every facet of the State's program of highway safety promotion and make recommendations to the 1968 legislature.

The 19 members of this commission met about 75 times, often publicly, and made 103 recommendations, some of which required legislative and some administrative action.

The U.S. Highway Safety Act of 1966 no doubt made itself felt on the 1968 legislature, for in addition to strengthening Virginia's overall program, arrangements for administering this act were enacted into law.

The new laws called for the establishment of the Virginia Highway Safety Division with a director who would answer only to the Governor's office. Also appointed by the Governor was an 11-man highway safety commission composed of both private citizens and officials, all of whom have made substantial contributions to highway safety.

Among the activities in which the commission has been involved are a reflectorized license plate demonstration, alcohol breathtest demonstration, tail light demonstration, and a VASCAR demonstration.

Additionally, in support is the coordinating committee, composed of heads of various departments of State government having interest in highway safety through their basic functions.

Reaching to the proverbial grassroots, the legislature required that each county and each city of the first and second class form a local highway safety commission and that each submit, through the highway safety division, to the Governor a program for highway safety by which it might be determined if the locality is eligible for Federal funds.

The law requires that at least one member of each local commission be of the locality's governing body. Commissions are directed to meet at least four times annually.

With limited assistance from the highway safety division, in that a full staff had not been appointed and indoctrinated, the commissions, 135 of them, formed. Nonprofessional citizens comprised 27 percent, local governing officials 18 percent, and local law enforcement officers 13 percent. Medical doctors, attorneys, educators, engineers, ministers, and judges made up the rest. Of the 258 nonprofessional citizens, 52 were ladies.

The local commissions will be an invaluable source of information and assistance in future action.

Forming the State highway safety advisory committee and meeting at least once annually are the chairmen of the local commissions.

By mid-April, with the employing of the sixth coordinator, organization of the division was complete, with the exception of the hiring of an auditor.

Personal contact is the key to success in promoting highway safety. Our coordinators are well versed in public relations and are doing an excellent job in stimulating interest in highway safety and aiding in the initiation of new projects to be undertaken by the local commissions. Our coordinators, without exception, have years of experience in this field.

Early in the winter of 1969, the 135 required commission reports were in. The most serious concerns were drinking and driving and speeding. Next in line were the upgrading of highways through new designs, the expansion of high school driver education courses, more training for local police officers and overcoming public complacency. There were reported 273 programs designed to upgrad existing conditions and to install new activities.

The division is now supplying ample field service, has issued guidelines to commissions as to such functions as applying for Federal funds,

issues periodically a newsletter, A.B.C. (advisory bulletin to commissions of highway safety), and works with commissions in various problems and functions.

The division has also promoted on a statewide basis such activities as a "Lite-A-Bike" campaign, "Porto Clinic and Porto Glare" testing and the promotion of the National Safety Council's defensive driving course.

Senator BAYH. Pardon me. Would you explain to the subcommittee what the "Porto Clinic and Porto Glare" test is?

Mr. HANNA. Yes, sir. The "Porto Clinic and Porto Glare" is a device which simply measures reaction time of the driver, visual acuity, peripheral vision, color blindness and a few other factors.

It can be done very quickly and for large groups. For older groups we try to encourage a member of their group to give the test, because some of our older people are a little reluctant to take it because they are afraid they might fail some portion of it. When older people give them these tests, they feel that they can compensate for them.

A civilian-military statewide traffic safety workshop has been programmed and will be held in July of this year.

The division has greatly enlarged its library of safety films and supplies literature, posters and information to commissions. Each month a kit of promotional materials, "Operation Safety," goes to all commissions. This contains "canned" news releases and radio scripts, radio spot announcements, statistics, promotional ideas, and other such items.

Virginia has available \$1,435,162 in Federal funding for fiscal year 1969. As of June 12, 1969, the Department of Transportation had approved 57 projects for our State amounting to a total of \$894,654 of the one million four. We anticipate approval of all our projects submitted within the near future.

The 57 projects approved to date include 30 submitted by counties, 21 by cities, and 6 by State agencies.

Projects submitted through our division that are pending approval include seven projects from cities, 11 from counties and two from State agencies.

Seventy-seven projects have been submitted to date from our State. Of these 77—71 are from our political subdivisions. Of the one million four available to Virginia for fiscal year 1969 project requests include \$1,207,000 for benefit to political subdivisions and \$228,162 for benefit of State agencies. This certainly indicates approval and participation in the program by our political subdivisions.

Project types approved to date include driver education, emergency medical services, police traffic services, traffic records, alcohol in relation to highway safety, identification and surveillance of accident locations, and planning and administration.

Plastic and embossed operators' licenses will be issued to all new and renewal licensees effective July 1, 1969.

Violators must be issued an imprinted summons. Federal funding has been approved for one-half the purchase of an estimated 3,000 imprinters for State, county, and city police. This program has met with favor with everyone concerned.

The division has assisted in a program given to all Virginia judges, courts not of record, for the purpose of discussing the overall objectives

of the State highway safety program. We have been asked to participate in a similar upcoming program in the near future.

Local safety councils in Virginia have done an excellent job in past years and are continuing their fine efforts on very limited budgets. Our purpose is certainly not to replace them, but to pledge our cooperation, assistance and support to them in all their endeavors. Jointly, we are conducting four regional safety conferences a year at selected locations throughout our State.

We recently received a critique of our highway safety program from the National Highway Safety Bureau. In order to fully evaluate our program and to determine steps necessary to overcome deficiencies, meetings are being held with each individual State agency that has a responsibility in a functional area.

One of the great advantages our State has in this program is that our Governor is solidly behind our activities. With his interest as a base, the complete and continuing cooperation of affected and responsible State agencies becomes a natural. This cooperation must be present for any worthwhile safety program to succeed.

The Federal-State relationship is indeed an important factor to be considered in a discussion of necessary ingredients for a successful safety program. It is mandatory in my judgment that both Federal and State agencies stimulate, encourage, and provide research, evaluation and materials to local groups so that they will be properly informed and guided in the right direction.

A fundamental essential of an effective local highway safety program is locale oriented public information and community support. The State and Federal Governments must provide the leadership and staff assistance necessary to generate local enthusiasm and do the job.

Communities need the research and public information guidelines geared to help solve the major highway safety problems of their areas. This must be on a personal contact basis.

Day-to-day routine must not prevent the creative, special, and new thinking necessary to develop responsible programs. This program must succeed, or it must be modified until it does succeed.

It is inconceivable to me that Americans working together will not dramatically stop this unintentional slaughter and property loss on our highways.

I appreciate very much your willingness to allow us to explain to you what we have in mind, what we have done to promote safety on the highways of the Commonwealth of Virginia.

Senator BAYH. Mr. Hanna, we are grateful to you for your comments based on your vast experience. I would like to note that our distinguished colleague from Virginia, Senator Spong, is with us. I invited him to chair the hearing, but he in all modesty declined.

I am sure he has some questions for you.

Senator SPONG. Thank you, Mr. Chairman.

Mr. Hanna, I would like to say I appreciate very much your coming here to give us your testimony and to give us the benefit of your vast experience.

I have some knowledge of how much has been done with this program so far, and I think our State, you, and the Governor, are all to be commended.

I would like to ask you a few questions. On page 4 of your prepared statement, in the last paragraph, you speak of determining steps necessary to overcome deficiencies. I wonder if you would discuss what these deficiencies are in your judgment.

Mr. HANNA. The deficiencies?

Senator SPONG. Yes.

Mr. HANNA. First of all, we believe that the complacency in some communities has reached a point that there is absolutely no effective program underway to reduce crashes.

Secondarily, alcohol and the driver in Virginia is perhaps one of the greatest single efforts to which we need to direct our attention. In Virginia, as you know, we have the .15 versus the .10. We have one paragraph stipulating that it is a violation of State law to operate a car in the Commonwealth while under the influence of alcohol, barbiturates, narcotics, et cetera.

That takes about four sentences, and then there are five pages of material relative to the testing technique procedure and difficulties that the officer, the defendant and the State have to go through to obtain a conviction.

We are fully cognizant that the rights of the defendant must be fully protected under all circumstances. The .15 is, in our judgment, totally unrealistic, because no person has been found at the level of .10 and above who is not under the influence, and the .15 should be reduced.

We are going to make every effort to get research material that will sell our legislature on that program.

We know there are over 100 pathological conditions that would indicate a person as being under the influence but who is not. The blood test in general has not provided a satisfactory answer.

We want to go to the breath test in addition to the blood test. Some defendants, for example, who may be requested to take the test or who request the test, may have a mouth injury or lung injury that would prevent their taking the breath test.

Alcohol and the driver is one of the most serious problems in the Commonwealth of Virginia.

Senator SPONG. What percentage of Virginia highway fatalities would you relate to alcohol?

Mr. HANNA. I think it would be very close, if all factors were known, to the national average of approximately 50 percent involving a drinking driver.

As you may also know, there is a psychiatric clinic in the Fairfax area, whose participants have appeared before the Highway Safety Commission seeking seed money with which to conduct a pilot series of tests in the Fairfax area wherein every person stopped for any traffic offense would be given a test.

Then his background and history of alcoholism and drinking would be fully explored. Then some constructive efforts would be made to reduce the instance of alcoholism among drivers in that county.

This is a long-term proposition. We have had some interest by outside agencies that probably want to sponsor portions of the program.

My guess is, Senator, during certain times of the day and night and on weekend periods, that the incidence of alcohol and the driver

is far greater than 50 percent, particularly in the early morning hours of Saturday, early morning hours of Sunday, and perhaps Friday evening.

Senator SPONG. In your judgment are these deficiencies common to most States, or is Virginia unique?

Mr. HANNA. No. I think they are more or less common to most States. Some have been notable in their achievements, however, in overcoming those deficiencies.

Generally speaking, it has been found that those States that have the 0.10 level of blood alcohol to constitute being impaired while driving, have a little lower traffic crash rate than those of Virginia.

Overall, I would say that we are making progress with respect to our highway safety program on all fronts. In some areas of the highway safety standards, we are perhaps a little ahead.

We need some additional legislation. For example, in the last general assembly the helmet law for motorcycle operators did not pass, and that probably was an error on the part of the officials who presented this to the general assembly, in not giving more concrete information as to the specific number who would probably be saved by that legislation.

Senator SPONG. Do most States have that law?

Mr. HANNA. I think about half of them have it now, but dramatically, according to the Secretary of Transportation, there has been a 6.1-percent decrease in motorcycle fatalities throughout the country, primarily as the result of legislation passed.

Almost nothing else has been done, and that legislation has consisted of mandatory crash helmets, mandatory goggles, and special motorcycle operator's license. There are the three phases, I believe, that have been most encouraging in doing something.

Now, this is something that wouldn't cost us a lot of money, and would immediately reduce the number of crashes. We have gone to orthopedic surgeons in this regard, and they are making some compilations as to the number of fatalities, had the person who was a fatality in a crash used the helmet, and secondarily, how much would the severity of the injuries have been minimized, had the crash helmet been worn.

Senator SPONG. You mentioned the imprinted summons. Would you discuss the advantage of that?

Mr. HANNA. Yes. The primary advantage of the printed summons is it will accurately transcribe the information from the operator's license onto the summons; namely, address, certain physical characteristics of the individual and certain other pertinent information comprising about four or five lines on the new operator's license, which will come out after the 1st of July, so that the accuracy is one thing.

Secondarily, we believe that after it has been tried for a while, it will expedite the processing of the summons by the police officer.

It has a third advantage of providing multiple copies, all of which have the correct information on them, which can be used by the various agencies which have some responsibility in this field. For example, the abstract to be used by the court will also be imprinted as a part of this summons, which they can send to DMV.

There are some potential disadvantages, of course. We have had a hard time finding where it should go in the patrol cars. By and large,

however, they have found a spot for mounting it in the trunk. Not all of the municipal police will carry the imprinter, because they can call another officer and have him bring his imprinter.

The imprinter people tell me, since there is so much interest displayed by Virginia, and since we are apparently the first State to use it, that they are going back to the drawing boards and may come up with a hand-operated imprinter (pocket size.)

We had a hard time finding a place to put it in the patrol car for fear that it would be a lethal instrument into which the officer or his passengers might be thrown.

Senator SPONG. Yesterday Secretary Volpe recommended that apportionment of safety funds be done on the basis of population rather than on the basis of fatalities. Do you have any thought on that?

Mr. HANNA. Senator, I can't say that that is the best technique and method. I will say that the present formula leaves something to be desired, and actively we should be seeking an improved method of apportionment.

As you well know, the present technique penalizes those that have a lower crash rate and perhaps aids those with a high crash rate. I have looked into ours very carefully. As far as I can determine population-wise and crash-rate-wise, we would probably come out under the new formula about as well as we are now, so as far as the State is concerned as to the funds we would receive, I would have no major comment in that regard.

I do feel that this matter of apportionment is extremely important, and we should constantly seek some improved method wherein the States that are doing the superior job and are getting results are accorded the money, but by the same token, taking account that perhaps some of these States are so far behind that they have to have help very quickly.

I look upon this traffic crash picture as a nationwide program, not just a statewide program. Only through combined efforts of State, Federal, and local, can we achieve it, and that is a vital part of the program.

But as one of your Representatives will tell you later, I chose not to say anything about that, because I don't have anything better to recommend.

Senator SPONG. Thank you.

Senator BAYH. I admire your relationship with what you have to say, and your statement that you are not able to propose something better. That is normally not a prerequisite for being able to talk about it. I think it should be, but normally it isn't.

If I may pursue a couple of thoughts, it seems to me that your program is very complicated and requires a high degree of public participation and awareness. This surely must be done.

Do you have any statistics indicating the relationship between the 6 months of this year and, say, the 6 months of last year or the year before?

Mr. HANNA. Yes. Unfortunately, I must call to the attention of the committee that we are up in numbers. However, by the same token, the registration is up and vehicle mileage is up, and we think that the rate is still about equal to what it was last year or slightly less, that is, the fatality rate per 100 million vehicle miles.

Last year it was around 5.2 plus to this year 4.8. However, we aren't satisfied. We are very much disappointed that it isn't among the lowest, which is around 2.6.

We are about 15 over what we were last year on the basis of about 450 fatalities. That is but one measuring stick.

The 44,000 injuries that we experienced in Virginia was about 5 to 10 percent of a paralytic nature, of people absolutely helpless, who cannot support themselves to any degree. These concern us just as greatly as the others.

I was happy to see Secretary Volpe request the expedition of the inflatable type of material in the car that would inflate upon crash. I think that deserves a lot of consideration.

If we can just develop the material in a manner that the operator can still control his vehicle and can partially see what is occurring after the crash, so as to prevent him from creating a more serious crash, and yet minimize injuries within the vehicle, we will go a long way.

Senator BAYH. I know it is too early to tell how much progress you are making, but—

Mr. HANNA. We are making progress in this regard: we are creating an awareness that has not been there before. We have greatly increased students in driver education, we have more talks, more movies, and you can't measure that in what is going to occur today, tomorrow, and yesterday, but it may manifest itself pronouncedly in 1971, 1972, 1973, and as we implement more extensively these highway safety standards.

I am told that this is the answer.

Senator BAYH. You just have to get some results with this type of comprehensive program.

What has been your experience with driver education?

Mr. HANNA. We do not have any definitive data, Senator. I personally feel if driver education and training isn't the answer, there is no answer. Education and training has been the answer to everything this country has ever done, stood for, wanted, or needed.

Now, it may be that the driver education we inaugurated 5 years ago was not the proper education. Some school officials just took it on because they had to, but didn't really want it.

We don't have that type of program in Virginia. Now we have qualified instructors. As a matter of fact, it is tougher to be a driver education instructor than to teach in many other categories. We have people who do not have poor driving records, and do not commit traffic offenses. That is bound to have a good effect.

We have a program which goes into effect July 1, and that is that every child between the ages of 16 and 18 in Virginia must have completed an approved driver education training course, a driver education school course, before he can apply for his operator's license. We think that is going to help some of the dropouts, too. We believe they will stay in school to get their operator's license.

But in any event, we haven't had the proper driver education in the years gone by. If present driver education is not the answer, we are going to have to revise it to make it the answer.

Senator BAYH. That is for our benefit. We will take whatever we can.

Let me ask you about the problem of alcoholism. I have had a long-

time interest in this, having the scars on parts of my anatomy still from my first session in the Indiana Legislature about 15 years ago in which I joined with another legislator in trying to get implied-consent legislation.

Senator SPONG. I am sorry you brought that subject up.

Senator BAYH. At that time we discovered just how difficult and powerful this situation can be. Just what is the law in Virginia? Have you tried this?

What is your judgment? I am concerned about 25,000 Americans being killed in accidents directly related to alcohol and another 800,000 injured annually. You said, of the three primary causes, alcohol is significantly greater than the others, in your opening remarks.

What in the world can we do to get on top of this? Is there a meaningful role for the Federal Government in this area? Can we be more constructive with the States in tailoring their laws?

I am aware of the constitutional rights of the driver, but I am also aware of the constitutional right of the fellow who loses his life or livelihood because of an accident caused by someone else.

Mr. HANNA. Unquestionably, the Secretary of Transportation in his revealing report to Congress made great inroads in this particular guide. We have secured numerous copies of this and sent it to civic groups and to professional organizations. There is now an awakened public to the real problem of alcohol and the driver that I think we have never had before.

Unfortunately, alcoholics, as well as they intend not to drink beyond the one or two that would probably not create a great hazard on the highway—still, we don't recommend it and it is wrong—are not convinced to the point that they stop driving while they are drinking.

Although alcoholics have created a disproportionate share of the problem, I didn't mean to minimize the effect by nonalcoholics.

I believe that the program that this psychiatric group wants to inaugurate in Virginia may come up with some answers as to what we can do as to all levels of drinking and operating a vehicle and as to therapeutic methods to employ once we find the alcoholics.

Senator BAYH. Do you have any evidence or any figures that compare the 50 percent of the accidents that involve the traditional alcoholic who does have an illness, with the nondrinker?

Mr. HANNA. No. As a matter of fact, we hope that would be one of the purposes of this study, to determine the degree of alcoholism by those that are involved in offenses, in crashes, and in fatal crashes.

You see, we have almost no indication now as to how many people are drinking and are just cited for some other traffic offense—improper turns, speeding, reckless driving, something of that nature, unless the officers feel that the drivers have imbibed to an extent that their ability to operate a car is impaired, no test is given.

Senator BAYH. You mentioned there was a proposed law in Virginia, or is it on the books now, that you would require everyone who is stopped to be tested for alcoholic content.

Mr. HANNA. It is not a law. It is a request by this group that the necessary legislation be instituted and the necessary seed money be provided to permit them to make extensive testing throughout the county of Fairfax, to determine from every violator whether or not he

has been drinking and if so, to what extent, and by every person involved in every crash.

Senator BAYH. In talking about the blood test and the "breathalyzer" approach, then, this is strictly voluntary now in Virginia?

Mr. HANNA. Yes. It has to be offered by the police officer to any defendant who is going to be arrested for driving under the influence, and it is not given to those who are injured in a crash. For example, a driver, if involved in a fatal crash in which he, too, is injured, very rarely ever gets a test.

Senator BAYH. I think the idea of removing discretion and giving both, would be one way of insuring the accuracy of our statistics.

Mr. HANNA. That was presented to the legislature, but that did not move 2 inches off the ground. Most of the doctors aren't willing to say that it is all right for this man in this condition to take the test because of implications of shock, so consequently, the man frequently who is most at fault in a crash which has resulted in the death or serious injury of people, about whom we really wanted to know how much alcohol is in his system, is not given the test because he is injured in the accident.

Senator BAYH. The third cause you mentioned, after drinking and speed, was conditions of the highway.

Mr. HANNA. Yes.

Senator BAYH. Would you care to offer some comments about the tendency we have seen in the last 3 or 4 years to have the expenditure of funds for highways serve as either an economic stimulus or depressant?

Some of us did not look very kindly on the past administration's effort to hold back Federal interstate funds, at a time when it looked like the economy was moving ahead too rapidly. In an effort to let some of the pressure out.

What do you think about this?

Mr. HANNA. First of all, I would like to answer it in this manner: that the topics program now going into effect offers great possibilities for crash reduction, particularly in cities.

The State of Virginia, so far as I know, has an excellent program in priority order, in which traffic crashes take a great deal of importance in determining the allocation of funds for interstate construction, for primary highway construction, and for secondary improvement and for spot improvement.

A good portion allocated by the highway commission is to the various districts and areas based on the high incidence of crashes. I think there is a void, however, in many of the small communities which have not implemented the identification and surveillance of high-crash-frequency locations. As a matter of fact, many have no program at all. They need guidance, they need the help to analyze the crash rate at these locations, and to draw some conclusions from them, so as to establish priorities for roadway improvements and construction, primarily in the smaller towns and cities.

Senator BAYH. I meant to expand this beyond the safety factor. I mean in the use of highway construction funds.

Mr. HANNA. I am referring to those, too.

Senator BAYH. Well, I don't think you specifically answered the

question. Maybe you don't want to. But it is wise in light of the fact that we are annually losing 55,000 lives on our highways, and at least one of three causes that you listed was unsafe highways, which indicates that something needs to be done, that we should cut back funds in this area, using as a basis for the cut the fact that this is going to be beneficial to the rate of the economy?

Mr. HANNA. From a highway safety standpoint I would say it is most inappropriate at this particular time, particularly when we know that highway improvements and new highway construction will greatly minimize the crash rate and traffic fatalities.

Senator BAYH. Thank you very much. One last question. You have been very patient.

I suppose this is the basic question. Is there anything else you would care to propose as far as what we, sitting here in this committee, and the Members of Congress or the Senate in general, can do to help to make your job easier?

Are there other adjustments to the proposed legislation?

Mr. HANNA. Senator, I think in the hearings that you are conducting, the in-depth interest that you are showing in the highway safety program, the encouragement that you are providing to the Secretary of Transportation to continue with the appropriations as they have been in the past, with the recognition that highway safety is one of the outstanding problems of this country today, you are in fact doing the thing that we are encouraging you to continue, and we wanted to tell you how helpful that the Department of Transportation, that the Highway Safety Act of 1966, that the Federal funding has been to help us in that regard.

We merely want it continued and accentuated to the degree that you find you can accentuate it with the multiplicity of the other national needs. I don't think we are in a position to say specifically as to specific dollars and cents. But we want to let you know that it is a needed, effective program, and is doing some good, and anything you can do to facilitate in that direction is in the national interest.

Senator BAYH. Senator Spong.

Senator SPONG. Coming from a State that does not always look with kindness on Federal involvement, I am delighted to hear you say that.

Mr. Chairman, I defer to Senator Jordan.

Senator JORDAN. Thank you.

I am sorry I didn't get here much earlier. I started, but I just didn't get here. I stopped at two other committees to provide a quorum so they could start themselves.

I have been very interested in what testimony I have heard of yours, and I will read the transcript on what I missed and hear the rest of it.

My brother was chairman of the State highway commission of North Carolina for 4 years under Governor Scott, and during that period of time I had occasion to learn a lot about the highway system of North Carolina, which is one of the best in the United States, as you know.

I am convinced that good highways, dual-lane highways, are the best way out of this thing.

Narrow, crooked roads are our biggest highway danger and the quicker we can eliminate them, the better off we will be.

I am dead against this idea of holding back funds with the excuse that we are going to do this, that, and the other thing. I am just fed up with guidelines. It almost makes me sick when I hear the word. I am just dead against any money being held back on construction on this safety program, and I want everybody to know that.

You have got a road in Virginia between here and North Carolina, which they are building on. That is Interstate 85, you know. You have got a three-way road in the uncompleted section which is about as dangerous a highway as can be. No question about that.

And you are building a new road just as fast as you can because you have got a lot of wrecks on that particular highway.

Mr. HANNA. Senator, in addition to interstate highways providing material relief, Virginia has a program of dual-lane construction on major arteries not parallel to the Interstate System, and that has done a tremendous job of reducing the crash rate and the congestion which also breeds accidents in that area.

Senator JORDAN. Yes, sir. I know that. And you have got a fine system of dual-lane highways, and the quicker we get more of them, the better off we will be.

Now, there are other aspects that come into this, as you pointed out, but you can have all the advice you want to about "don't do this and don't do that," and you still see this week where 10 children were killed by a train in one automobile accident.

Mr. HANNA. The highway construction is a major solution to the long-range problem. Of course there are a lot of intermediate things we can do, plus the fact that even with a modern four-lane or six-lane divided expressway or limited access, such as 95, we still have a higher crash rate than we like to see for a number of reasons.

It is what they call the fixed object crash or the single driver that drives off the road into a tree or over a guardrail. Whether that is fatigue, whether or not it is driver hypnosis, or some combination, we don't know. But we are experimenting to determine the causes.

We are putting in breakaway signs, we are putting in the Anchor twist-type guardrail, which would gradually take him up to a point where the speed of the vehicle and its impact will be arrested.

Senator JORDAN. Yes. I have observed those and stopped to examine them, because they are certainly steps in the right direction. But as you point out, you just can't keep people from hitting trees. Trees seems to get in the way. Telephone poles gets in the way.

Senator BAYH. Senator Spong.

Senator SPONG. Earlier in your statement you talked about the 12-percent rate as far as military personnel are concerned. I think coming from the Norfolk-Portsmouth area, I am in a position to appreciate that.

Anyone who sees those sailors leaving the bases on Friday will have some idea. But I wonder if your education programs are allowed on the military installations, and to what degree there is participation by the military, and what is being done on a regional and local level.

Mr. HANNA. Yes, Senator. This will be the first military-civilian workshop session. There has been sporadic cooperation among the law enforcement agencies, among the pudiciary, on the military post, and throughout the Commonwealth.

There have been some joint programs, but it has never been on a concentrated, overall, statewide basis.

The purpose of this particular workshop will first be dialogue. It will be an analysis of what the problem is from a civilian standpoint and from the military standpoint. We are not blaming anyone. We don't know what has been done in the past that has been effective and ineffective, but through this consolidated conference we will find out in the estimation of the engineers, of the enforcement personnel, of the judiciary, and of the safety experts, what in their judgment is causing the problem.

Then we will seek a solution to it. Dialog and going back home and doing nothing is ineffective, and it is just an unnecessary conference.

We expect this to be a workshop to tell us what we can do between the two jurisdictions that will minimize crashes on the part of both groups, civilian and the military.

Readily available to them is anything we have in any facility in the Highway Division: film, literature, speakers, Porto Clinics. By the same token, we would like them to accord us the same opportunity to find some jointly suggested legislation programs, some suggested improvements which, if implemented, will help both the civilian and the military and engender the fine cooperation that we have always had with the military in all categories.

Maybe we haven't gotten completely together on highway safety in the past, but we are surely going to do it in the future.

Senator JORDAN. May I ask a question at this point, Mr. Chairman?
Senator BAYH. Yes.

Senator JORDAN. Do you have a higher rate of accidents among your military personnel than among civilian?

Mr. HANNA. Senator, we think that the crash rate is much higher. We do not know specifically how many fatalities per million vehicle miles nor comparison with the population ratios.

The military problems greatly involves transients. The figures are not exchanged freely between jurisdictions, and that, Senator, may be another thing that we shall start doing.

But we know from the number of military personnel stationed in Virginia, a crosscut sampling of how many own vehicles and the probable operation of those vehicles from a mileage basis, that 12 percent of the total crashes in Virginia which do involve military personnel seems to be disproportionately high to the miles they are traveling.

Senator JORDAN. We have found the same thing in North Carolina, because we have got Cherry Point, Lejeune, Seymour Johnson, and Fort Bragg, and every weekend we have a lot of fatalities. The main reason seems to be that men are trying to get home and get back on a short weekend pass, and they run too fast.

It hasn't been drinking. There has been some of that, of course, but the leave time is, say, Friday night to Sunday night or Monday morning for reveille, and they try to go long distances in that time. It is perfectly understandable, but our accident rate has been high among our military people.

Mr. HANNA. They are some of the specific things we want to talk about. It has been suggested, for example, that rather than put an absolute deadline of 8 a.m. on these men, which means they are traveling

all night—many of the multiple fatality crashes occur during the early morning hours, either due to carbon monoxide, sleep, or other factors—probably if they knew they could still return up until noon the next day, they would not have that tendency to drive that fast, particularly since there is an activity cutoff point from where they are leaving, around midnight or 1 a.m. Then they have that 10 hours to return.

Most of them will not go a great distance beyond an 8- or 10-hour travel period. But we don't know. We don't know how that would affect the military and its programs.

We have had several instances where military personnel under a well-established command in Virginia, by virtue of enforcement of the law, the way it was interpreted, we had to hold up, for example, an officer while the cash bond was sent in for a speeding offense. Yet he is stationed at a military installation in Virginia.

We want to talk about that to see if we can't work out a better arrangement that would be fair to both.

We know the military wishes certain elements of State legislation to be changed. For example, in Virginia, they like some reciprocity of information when military personnel are convicted of driving under the influence so that similarly they can revoke his base operating permit during the same period.

We have this double jeopardy aspect to consider. We have laws involving military regulations, but we want to start talking, and we want to find out how many of these things are contributing to highway safety.

Gentlemen, if we can change this law just slightly and it is fair to everybody and minimizes crashes, let us both actively seek it, both in the military and in civilian operations. I don't know what we are going to come up with, but we are surely going to try to reduce that rate.

Senator BAYH. Thank you very much. You have been very helpful. Unfortunately, we are now somewhat behind time, but I think it has been worthwhile.

**STATEMENT OF WASHINGTON STATE SENATOR NAT WASHINGTON,
NATIONAL LEGISLATIVE COMMITTEE ON TRANSPORTATION AND
HIGHWAY SAFETY**

Senator BAYH. You may proceed.

Mr. WASHINGTON. For the record, my name is Nat Washington, State senator from the State of Washington, and I am appearing on behalf of the National Legislative Transportation Committee.

The National Legislative Transportation Committee is a committee composed of representatives of the four regions of the Council of State Governors, and all of the members of the committee are primarily interested in highway problems. My presentation will be on behalf of the National Legislative Transportation Committee, but I am going to emphasize the thinking of the 11 Western States, Hawaii and Alaska, who are members of our Western group. I am speaking from a background, as chairman of our Senate Highways Committee in the State of Washington which has the job of clearing legislatively all portions of the Federal highway safety program.

I have also served as chairman of the National Legislative Highway Committee.

From the point of view of uniform traffic laws—I am now vice chairman of the executive committee, the National Committee on Uniform Traffic Laws Ordinances.

In the short time available it is impossible to talk about the many good things in the highway safety program, and as a State legislator who for many years has been interested in highway safety, I welcomed the Federal Government stepping in and taking leadership in the program.

I was much impressed with the statements of President Johnson that this was to be a partnership between the Federal and State governments and local governments to really have a creative federalism.

I could go on for considerable time pointing out the things that the States like about the Federal safety program, but I think in the short time that I have—and I do have to catch a plane at National Airport at 12:45—I had better concentrate on the things that we don't like, so we can try to make this a more helpful program.

Senator JORDAN. May I ask a question at this point? You mean things you don't like about the present highway safety law?

Mr. WASHINGTON. Yes, sir. I will address myself to S. 2399, which relates to the changing of the formula from a 75-percent basis on population, to a 100-percent basis on population. Of course, also involved in the present formula is the accident record. The new law also, of course, proposes that one-fourth of 1 percent of the total of the funds will go each State. No State will get less than one-fourth of 1 percent.

I am going to speak from the western point of view. We feel strongly that population should not be the only factor, that road mileage is extremely important in expense items for Western States in a highway safety program. I am not going to suggest what it should be, but I think some serious consideration should be given to weaving in a road mileage factor.

For instance, in law enforcement it takes more policemen per unit of population to cover the many miles of highway in our Western States. As to the improvement of accident-prone areas—we have more accident-prone areas, because we have more miles, so it is going to cost us more to correct them.

As to emergency medical care—in order for us to have the proper communications, in order for us to be able to go out into the outlying areas of the Western States, it is going to be a much more expensive program for us than in the thickly populated East.

As to uniform signs and markings—we are going to have more signs per thousand of population than they will have in Rhode Island, Delaware, and the other smaller States. Also, the problem of removing debris will be more expensive in the West.

I am not going to belabor that point, but we do feel very strongly that an effort should be made to weave in the mileage factor in some meaningful way.

Now, as to the Highway Safety Act of 1966. In looking back on the meetings of our Western Inter-State Committee and also the National Legislative Highway Committee, that the most critical point that was

raised was that the 1966 act indicated there would be some \$266 million available to the States in the 1966-67-69 bienniums, and, of course, this indicated a great deal of enthusiasm on the part of Congress.

I think this enthusiasm for doing something meaningful in the safety field was echoed by many States, when you might have expected them to resist on the base of Federal intervention. Many State legislators recognized that we did need Federal leadership, but felt strongly that when Congress put the limitations on Federal expenditures that it was indicating a lessening of enthusiasm in Congress for the safety program it had initiated. I want to report that the limitation also had its effect in lessening the enthusiasm in the State legislatures which are concerned to a large extent with finances.

In fiscal year 1967 \$67 million was to have been spent on State safety programs. However, only \$11.9 million was actually obligated and spent from the authorized fund.

In fiscal year 1968 there was to be \$100 million, but actually the total amount expended was only \$46 million.

In fiscal year 1968 through 1969 it was to be \$100 million, but through half of the year only \$22.5 was authorized and expended.

I recognize there have been delays in getting programs approved, and that there were reasons for the cutback in funds, but the fact that there was less money than had been anticipated, did tend to put a damper on the previously enthusiastic approach of the States to the Federal program.

One of the things I feel Congress should do in the future is to set a realistic figure as to what the Federal Government is going to be able to spend, taking into consideration the Vietnam war, the other necessary expenditures. It is important that you don't build up false hopes as to what the States are going to get.

The other point that is universally discussed in meetings of legislators at western regional highway meetings is the 10-percent penalty provision. We recognize Congress is having second thoughts regarding it. In the beginning we were supposed to have our approved programs established in December of 1968. Then it was moved back to December 1969. I perhaps don't speak completely for the western area, in that there are many who feel that the penalty should be done away with completely. I personally think a realistic penalty date set far enough in advance to be a realistic target, is perhaps worthwhile.

I don't think you are going to help the program by continually postponing the penalty date. I think you would be better off by setting it up to 1974 or 1975, giving the State a reasonable time to meet it, and not just keep jumping ahead year by year, when it becomes obvious that the State legislatures are not moving fast enough.

There are about 7,580 State legislators and it is hard to get that many people together on a program. It is easy enough for you to get almost unanimous support from the Governors' representatives, but they can't act alone. They can't establish and carry out a meaningful program until it has been approved by the legislature.

You gentlemen, I am sure you recognize the difficulty of getting bills passed through State legislatures. In some legislatures the very fact that the 10-percent penalty exists causes some members to arch their backs and be less cooperative than they would otherwise be, so I feel

strongly that time for compliance should be set ahead at least a few years to a realistic date.

I want to point out that most States have been spending many millions of dollars in the highway safety field. I will use my own State as an example. In 1966 we were spending \$57 million in highway safety programs which are now covered by the standards of the Department of Transportation. Yet in the last 2 years, 1967 and 1968, we received only \$1,300,000 from the Federal Government.

In other words, we already had a massive safety program going on when the Federal Government entered the field. Now you come in with an excellent program and you give us a deadline for compliance. But with only \$1.3 million extra from the Federal Government, we are not able to advance much faster than we were before.

You have given us the leadership and you have set up an excellent program. The Safety Bureau and the Department of Transportation with their publications and their overall program have given us an overall goal to shoot for that we never had before. But we do feel that we need a reasonable period of time to reach it.

As far as research projects are concerned, we feel that the States should have more to say in setting up the projects and in approving them. The big problem now is delay in getting the projects approved in Washington, D.C. Some approvals have taken 6 months.

We feel that a page can be taken from the Federal Omnibus Crime Control Act. The Department of Justice has worked closely with the States. The States have set up supervisory agencies and have a much greater say in setting up and approving the local crime control program than we now have in the Federal highway safety program.

I commend that program to you. Perhaps you can take some ideas from it.

As the next best approach, we feel that instead of most of the preliminary work and the final approval being performed in Washington, D.C., that the authority for approving most grants should be delegated to the regional offices that are already being operated by the Federal Highway Administration.

It might even be better to allow the Federal district engineer in each State to make the approval in most instances. Perhaps this is not realistic but we think the States should be given more power to develop and approve their own research projects. Approving them at the State level should at least be given a trial run.

We feel that too much time is being spent by the Department of Transportation and the Highway Safety Bureau in supervising and approving the grants for research when the time could better be used in improving the Federal program and in assisting the States to move ahead.

I have had some personal experience in research. We have a joint legislative committee on highways in Washington which handles roughly \$500,000 of research funds every 2 years. We have found if we fragment it too much we end up with poor results. We find that we get better results with a small number of comprehensive projects.

For this reason, I feel that there is too great a proliferation of research programs between too many communities and too many counties to do the job properly.

There is a very important provision in the Federal standards which says that the States must make every effort to enact uniform traffic laws. The National Legislative Highway Committee feels that a research and demonstration program spearheaded by the Council of State Governments, at a cost of about \$60,000, could greatly assist in drafting and passing the necessary legislation.

At the present time difficulty is being experienced in getting bills drafted, and getting them enacted. To carry out this research and demonstration program the Council of State Governments has asked the Ford Foundation to put up \$30,000 and the Department of Transportation to put up a like amount. We were turned down by the Department of Transportation because, they were afraid the Congress would object to using Federal funds to influence State legislatures. I look at it not as influencing legislation, but as helping the State find techniques whereby they can work together on uniform traffic laws on a coordinated basis. I am hoping you will make a statement in one of your reports stating that Federal funds can be used for this purpose. Such a statement would allay these fears in the Department of Transportation, and make it possible to secure funds for this necessary program.

I have tried to hit these points real quick since I do have to leave by 11:30.

Senator BAYH. We appreciate very much your taking the time to be with us. I understand you believe that the highway program, or its implementation, is basically a State responsibility. Is that fair?

Mr. WASHINGTON. Yes. We recognize that it is a State responsibility and we generally recognize that the Congress is approaching it in that fashion. But there is the feeling that the 10-percent club perhaps isn't accomplishing as much as you may feel that it is.

Senator BAYH. You mean there should be a realistic penalty, and that it should be more timely.

Mr. WASHINGTON. That is right.

Senator BAYH. Now, how large or how small can a penalty be in order to be realistic and still get the job done? How far in advance should it be? In other words, you said 1973 or 1974. Well, it would seem to me if the penalty were advanced far enough to be one session ahead of the legislature in any State, it would give the legislature the opportunity to at least look and be fully apprised of it.

How far in advance? You have already gone through a period of time to be fair and timely. What would you suggest?

Mr. WASHINGTON. Well, I am not objecting particularly to size as far as the 10 percent is concerned, but I do object and I think most other legislators do, to the short time being allowed in the State of Washington. We had a \$57 million program going when the Federal program started and we were moving ahead as fast as we could.

We have financial problems which hold us back. I think it is particularly difficult in the realm of motor vehicle inspection and medical aid. These are both important, but extremely expensive programs. I think we are moving ahead, but it would be realistic to have a 3- or 4-year period to comply with these 16 programs.

Senator BAYH. You mentioned that the States should have more to say as far as research is concerned. Can this be done and still let each

State learn about the research experience that is being done in other States? In other words, it seems to me there is no reason for the State of Washington, for example, to conduct research in the same field already conducted by another State, such as Oregon?

Mr. WASHINGTON. This is a good point. I think the way that this should be approached is that each State—and I neglected to mention that—should have an overall general plan that would be approved at the Federal level. Then you would discover the overlaps. Research within this overall basic general program and plan could then be approved at the State level.

Senator BAYH. One other question. Could you give us some idea of what the Washington experience has been in the field of alcohol? What legislation, if any, has been proposed and adopted to cope with it? Also, is there anything that we at the national level can do to be helpful to you as the State legislature deals with this problem?

Mr. WASHINGTON. We had a very difficult time. I personally had put in the bill on implied consent. I am a lawyer—but the Senate Judiciary Committee would kill it each time.

Senator BAYH. You are now looking at three lawyers who have had similar experiences.

Mr. WASHINGTON. In Washington, it got killed in the judiciary or rules committee of our State senate every time it came up. People interested in highway safety, together with the State medical society, drafted a bill largely in keeping with the proposal of the National Committee for Uniform Traffic Laws, and put it on the ballot as an initiative to the people. It overwhelmingly carried. We couldn't get by the legislature, but the people of the State of Washington voted about 70 percent in favor of it.

Senator BAYH. Seventy percent positive? Could you get us the exact vote for the record?

Mr. WASHINGTON. I will get the figure and give it to you. Sometimes we get a little enthusiastic when we start quoting figures.

Senator BAYH. What is the Washington law?

Mr. WASHINGTON. It is the regular implied consent law. In order to get your license, it is implied that you will give your consent to taking the blood alcohol test or a Breath-O-Lizer test and that failure to do it can result in a suspension of the license.

It also specifically provides that presumptive limits for being presumptively under the influence of alcohol moves down from 0.15 to 0.10.

Senator BAYH. My congratulations.

Mr. WASHINGTON. Well, it wasn't the legislature that did it, it was the people.

Senator BAYH. This seems to illustrate the fact that sometimes the people can be far ahead of their elected representatives.

Mr. WASHINGTON. Yes, but too many States don't have the right of initiative. If we had been penalized 10 percent, we could have gone perhaps another 20 years and never got it through our judiciary committee.

Senator BAYH. Thank you. Senator Spong?

Senator SPONG. The problems you mentioned in the relationship between the Federal Government here and your State also are involved in

education and housing. It's a common problem. But I do believe particularly with respect to the highway safety program that you may be interested in obtaining a copy of the testimony given yesterday by Mr. Turner the Federal Highway Administrator. He acknowledged some of the things that you have said, the difficulties between the States and the Department. But he has said that he thinks that this can be improved immeasurably and I hope it will be.

You mentioned using highway road mileage as part of the formula. Do you contemplate that that would be a factor along with population and fatalities?

Mr. WASHINGTON. Yes.

Senator SPONG. You think all of them should be considered with a minimum amount to each State?

Mr. WASHINGTON. Yes. I like the minimum. For the State of Washington, that doesn't particularly apply to us, but some of the less populated States, particularly in the West, have indicated that they have high administrative costs that sometimes approach the administrative cost of some of the larger States.

Senator SPONG. With respect to the penalty provision, does your State, insofar as you know, and within your authority to speak for your colleagues in the Washington Legislature, have any objection to any specific Federal safety standard?

Mr. WASHINGTON. No; I don't believe there is generally. I did find objection to the idea of the implied consent. Of course, we obviously had that. Many legislators didn't care how much money we lost; we were just not going to have it.

The other one is a general failure to appreciate the need for universal motor vehicle inspection. We have a spot check. I think it needs to be improved, but we would prefer to go ahead with the spot check rather than the cost of having every vehicle checked.

Senator SPONG. This is what California has.

Thank you, Mr. Chairman.

Senator BAYH. Senator Jordan?

Senator JORDAN. Well, I think there should be regular motor vehicle testing. That is important. I think the spot check is also important because your brakes can give out in a week. Of course, that depends a lot on the driver, how well he keeps up his equipment, and so forth.

But I don't think you can properly allocate money for any highway program on the basis of population. In my own State, the mountain roads are tremendously expensive to build. Some of them run \$1 million a mile, and this is also true where there is a swamp.

You have to pump that road up to get it above the water level. And yet those areas are sparsely populated. Some of the smaller States have no mileage to speak of but they have tremendously big populations. Some of the States close to New York are examples.

So I don't think that formula can work out. We are spending a lot of money and time talking about research and there are a lot of us sitting around smoking pipes and cigarettes—which I believe in because mine is a tobacco-growing State—and talking about research. You know what causes accidents: the type of highways, bridges, speed, whisky, and all these things. We don't need to spend so much money on accident research. We know the problems. What we need is to come up

with some solutions, and I think that is where our efforts should be directed in the future.

Mr. WASHINGTON. I do think, of course, that the money that is being spent for research is considerably less than the money spent on the programs themselves, and I do feel from our own experience in Washington, that certainly we find that some of our research brings in results, but quite a bit of it doesn't.

It means that we have got to have better administration of our research projects.

Senator JORDAN. These programs have got to be carried out by the States. The Federal Government cannot do it. You can make the laws up here, but you can't enforce them.

Senator BAYH. Thank you very much, Mr. Washington.

Our next witness is Mr. D. K. Kelly, traffic safety director of New Mexico Traffic Safety Commission. Mr. Kelly, we are glad to have you with us.

STATEMENT OF D. K. KELLY, DIRECTOR, NEW MEXICO TRAFFIC SAFETY COMMISSION; PRESIDENT, WESTERN ASSOCIATION OF GOVERNOR'S HIGHWAY SAFETY REPRESENTATIVES

Mr. KELLY. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, I am D. K. Kelly, director of the New Mexico Traffic Safety Commission—I am also president of the Western Association of Governors' Highway Safety Representatives.

This organization was formed in Phoenix, Ariz., in April 1968, by the individuals so designated by their Governors to implement the National Highway Safety Act of 1966.

The recommendations I will make this morning have the unanimous endorsement of the association members from the 13 Western States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

The recommendations were approved at our second annual meeting held in Cheyenne, Wyo., on May 19, 20, 21, 1969. But first, before presenting the consensus report it has been suggested that I give a résumé of action New Mexico has taken in order to comply with the Highway Safety Act of 1966.

The additional incentives provided by the National Highway Safety Bureau have caused the States to take on a new safety interest and reorganize in an effort to combat an old problem. As a result of this new interest, I feel that New Mexico perhaps has a stronger safety organization now than ever before.

We have recently amended our law governing the New Mexico Traffic Safety Commission and have placed the responsibilities of the commission within the executive office of the Governor.

The members of the commission consist of State department directors who have traffic safety duties to perform and serve by virtue of their office, whether they are elected or appointed. The new amendment provided for taking the commission activity out of another State department jurisdiction and placed it into an independent department with a full-time director and staff who are charged with the responsi-

bilities of launching the initial endeavors and coordinating the State's safety program among all State agencies, political subdivisions, and the public. The director of the commission also serves as the Governor's representative to the National Highway Safety Bureau.

To learn where the State stood in implementing the official standards, the traffic safety commission members deemed it advisable to create a study committee. The membership is composed of a representative of each commission member's department, representatives from each State department that is affected by the program standards, and a representative from the municipal league.

The State traffic safety director, by virtue of his position, serves as chairman of the traffic safety commission study committee. The study committee conducts the following activities for the Governor and the commission:

1. Study and approve grant applications as provided for by the Federal Highway Safety Act.
2. Study and approve programs as defined by the standards set forth by the Highway Safety Act.
3. Study and approve all proposed traffic legislation considered by members' departments. (This is a prerequisite in order to have a systematic approach to the State's traffic safety problem.)
4. Provide studies and assistance in areas of overlapping jurisdictions.
5. Provide written progress reports of activities undertaken by virtue of the Federal Highway Safety Act.
6. Provide liaison between the various departments.

In order to form a strong partnership with the State's political subdivisions, our official program provides for a county traffic safety commission to be formed in each county in our State. Its members consist of an equal number of representatives from the county commission, school districts, towns, and villages.

The main duties of the county safety commission are to adopt a program of coordinated activity in support of the safety standards, to set priority needs in the counties and to approve all political subdivisions' applications for Federal grants prior to their submitting them for the consideration of the State's study committee.

By executing the provisions of New Mexico's official program, a medical advisory committee has been formed to advise the State of emergency medical services needs. This committee consists of representation from medical associations, nurses organizations, hospital administrators, military bases, ambulance associations, State Red Cross chapter, police association, and the University of New Mexico's medical school.

With Federal funding and volunteers' assistance of the University of New Mexico Medical School, our State has conducted a statewide emergency medical service survey, which entailed an on-the-spot study of all ambulance vehicles, type of lifesaving equipment in use, level of training of all ambulance drivers and attendants, number of calls provided by each ambulance operation, communication capabilities and area of ambulance operation. The medical school conducted a survey of all hospital emergency rooms in the State to determine the availability of doctors, type of equipment needs, hospital treatment capabilities and communication needs.

With Federal funding assistance we are providing driver education supervision and needs survey necessary to meet minimum State requirements in 92 school districts throughout the State. We have started the establishment of a State central automated safety record center with the capability of collecting raw data from the political subdivisions and providing adequate printout back to the subdivisions for their selective enforcement, road construction and educational programs.

Updated accident investigation orientation program has been made available to all political subdivisions' enforcement agencies in the State. A mile-posting survey has been conducted by the highway department. The alcohol study program has been conducted to determine alcohol level of dead drivers. Ambulance equipment has been purchased in badly needed areas.

To assist with public safety education, a 2-day statewide Governor's safety conference is conducted annually. The entire program of the last Governor's safety conference entailed presented a New Mexico status report on all of the highway safety standards.

Another public support and educational effort provided by our program was extended by conducting civic leadership traffic legislation conferences in six locations throughout the State, in preparation for our past legislative session. We conduct annual statewide military-civilian workshops. We have a ongoing National Safety Council defensive driving course for adult drivers in all major communities in our State.

Some of our accomplishments: New Mexico's safety efforts have been directed toward constructing a solid foundation on which to build a permanent traffic safety program, which I feel will bring about desired end results.

Through our efforts, 23 traffic safety legislative changes were introduced for consideration during our past legislative session. Seventeen of the recommendations have been signed into law. We have made the public more fully aware of the National Highway Safety Act and our State needs in order to comply with the act. We have approved 65 percent of all our Federal funds to be spent for the benefit of our political subdivisions.

This concludes the brief résumé pertaining to the State of New Mexico.

In regard to administrative development of the Highway Safety Act of 1966: I would like to continue at this time with the consensus report of the 13 Western States.

The first 2 years of administration of the act have been marked with several areas of concern, brought about by the Bureau not being in a position to promulgate interim procedures in certain critical areas—this caused many delays and unrealistic deadlines, on which I will not enumerate.

But perhaps the most frustrating of all administrative problems connected with the program has been the delay in project approvals by the National Highway Safety Bureau. During the past 2 years, many months of delay were experienced on approval of projects.

On February 26, 1969, limited authority to approve and disapprove revision and continuation of projects was delegated to the National

Highway Safety Bureau's regional offices. We support such a delegation of authority and would like to see it expanded to include initial 402 projects having a Federal share of, say, \$150,000 or less. The regional highway safety programs office is better equipped to evaluate State and local project requirements falling within its jurisdiction. Such a procedure would further free National Highway Safety Bureau personnel in Washington, D.C., to develop administrative procedures and policy.

Another area of concern expressed by the 13 Western States safety representatives is the National Highway Safety Bureau's October 4, 1968, memorandum establishing a priority schedule of safety program activity.

Because of program emphasis, availability of resources and leadership in different States, program status and needs will vary. Therefore, we cannot agree that the proposals set forth on October 4, 1968, in the memorandum concerning priorities and funding are satisfactory.

Considering that traffic accidents have traditionally been looked upon as a systems problem and remedial action has been directed at the entire system. Taking this approach, the functional status of the system—generally those areas covered by the 16 national highway safety standards—is measured and priority given to those elements which need bolstering. For the reasons stated, the priorities would necessarily vary from State to State. We recommend that States be allowed to set their own priorities based on individual program needs and available resources.

1. Driver licensing.
2. Traffic records.
3. Alcohol in relation to highway safety.
4. Emergency medical services.
5. Motor vehicle registration.
6. Police traffic services.
7. Identification and surveillance of accident locations.

There are a number of areas in which the States are required to meet standards which are not eligible for funding with the national highway safety funds. An example of this is that, although the State and its political subdivisions are required to implement an adequate traffic control device program, only the planning of this program and the setting up of a system for its implementation are eligible for funding with national highway safety funds. The actual purchase of traffic control devices is not eligible.

We recommend that the administrator of the State highway safety program, in cases where it is important to the development and implementation of a comprehensive project, be given the discretionary authority to use national highway safety moneys in areas covered by the standards but which are not now eligible for these funds, so long as no other Federal aid dollars are being used for matching money.

PENALTY PROVISIONS

Often it is too easy to believe that traffic safety efforts began with the passage of the National Highway Safety Act of 1966. It is true that there were deficiencies in the system at that time the act was passed.

However, the extent to which State and local governments were involved in traffic safety activities can be seen from the example of the amount of money being spent in the State of Washington, which has been presented. The State of Washington Base Year Expenditure Study showed that in 1966 in that State approximately \$57 million in State funds was being expended annually on highway safety activities covered by the national highway safety standards.

Of this \$57 million, approximately \$22 million was eligible for matching funds under section 402 of the safety act. The total of the State of Washington's obligational apportionments of the national highway safety funds for the last 2 years was only \$1,331,485.

It can be seen from this that the proportion of safety expenditures being provided by national highway safety funds is relatively insignificant when compared with the total cost of a State program. This has caused two problems in the State administration of the program.

State agencies and legislatures relied on the \$267 million authorized to be appropriated under the original act in planning for the State's traffic safety program. The severe obligational limitations placed upon these authorizations by the Congress has shaken the faith of the State and local agencies and, more significantly, State legislatures in the program.

Legislatures are further concerned about the loss of the 10 percent Federal aid highway safety funds which, under the law, may be invoked by the Secretary of Transportation in the event the State isn't implementing an approved highway safety program. They regard this penalty as being completely out of proportion when viewed in relation to the mere pittance that is being paid by the national highway safety funds available to augment a considerable State and local expenditure on highway safety activities.

The Secretary of Transportation should take this into consideration, as should the Director of the National Highway Safety Bureau in his recommendations, whenever the 10 percent penalty provision is being contemplated. If used without too much saber rattling, the 10-percent penalty provision can be effective in moving State legislatures toward more complete traffic safety programs. However, if brandished unwisely, it will harden positions and impede progress.

In regard to funding and Senate bill 2399. It is recommended that the Congress of the United States authorize the Department of Transportation's National Highway Safety Bureau to obligate all of those moneys presently authorized to be appropriated through fiscal year 1970.

The Safety Act requires each of the States to establish an official highway safety program which must be approved by the Secretary of Transportation. In order to develop and implement an official highway safety program, the function of planning and administration at the State level is an essential element. A minimum amount of funding is required for planning and administration in each of the States, regardless of size.

There are certain States which, under the present formula of highway safety funding, lack sufficient moneys to develop and carry out reasonable highway safety programming activities and at the same time maintain the necessary planning and administration activities.

It is, therefore, recommended that a reasonable portion of the section 402 funds authorized to be obligated to the States be made available to the 50 States, the District of Columbia, and Puerto Rico in 100 percent block grants; these grants to be the same for all 50 States, the District of Columbia, and Puerto Rico to be used for planning and administration purposes or as the Governor may so direct.

Since States with large areas and more miles of road face traffic safety implementation problems and costs not necessarily related to population, and since funds expended in any given State benefit not only the citizens of that State but also all persons traveling on the roadways of the State, it is recommended that the remainder of section 402 funds available for apportionment to the States after planning and administration funds have been distributed should be apportioned on a formula reflecting a balanced application of area, miles of State highway and population. In no case can we agree that the present formula which is based partially on the ratio of fatalities in the State to the national fatality total is equitable.

A great deal more could be done if more moneys were available. We can assure you that we are prepared to move ahead prudently with a comprehensive priority-based program which will proceed at a pace determined solely by the resources available to us.

In order to bolster necessary public support for the national, State, and local programs, I personally think it is imperative that the National Safety Bureau tap all resources of safety knowledge and expend every effort possible to form strong partnerships with all national safety organizations in America that have a meaningful contribution to make, and adopt a public program of activity that will reach every citizen in our country.

We further recommend the development of an adequate and uniform traffic records system to provide a management tool with which to measure cost effectiveness of various program areas.

We recommend that safety engineering techniques which have been developed in defense and aerospace program be explored to determine their advantages and application to the traffic safety problem.

We recommend that the Congress give consideration to changing the portion of the law which prohibits funding, research, and long-term training projects with section 402 funds or in the alternative making more moneys available under section 403 for use by the States in these areas.

Senator BAYH. Thank you very much, Mr. Kelly. Your thoughts have been very helpful to us in trying to look at this problem.

You mentioned the basic need at each State, regardless of size, for administration and planning. You suggested also a block grant to each State, regardless of size. How large should this block grant be?

Mr. KELLY. We have no firm thoughts. I think \$100,000 or \$150,000 administration block grants would be adequate.

Senator BAYH. For block grants in planning?

Mr. KELLY. Planning and administration; yes.

Senator BAYH. In order to clarify your statement, would one have to make the assumption that without a Federal program, the State would not have any planning or administration costs at all, or is it fair to assume that even if there were a Federal program, each State

would have a traffic safety program which might well handle the planning and administration costs?

Mr. KELLY. No, sir. I did not intend to leave that impression, that there would not be any activity on the local level, even if this program did not exist, because we do have big programs going on at the State level.

We have not had an adequate amount of money on the State level to do what we feel needs to be done.

I might add that this is one reason why every State safety organization in the Nation supported this bill when it was introduced in Washington, because we do need it.

So we are looking for something in addition to what we have had in the past, and the better management of Federal money by better allocation of funds—this is what we are trying to project.

Senator BAYH. You refer to the alcohol study program as trying to determine the alcohol content in those who have been killed in highway fatalities. Has this study proceeded to the point where it is possible to determine what legislation or regulations might be useful in limiting the number of people who were killed?

That is a very sensitive area. I am sure you heard us discuss it earlier this morning. Has New Mexico given any thought to that?

Mr. KELLY. They have given a lot of thought to it. As a matter of fact, when we went into this alcohol study program to test the level of drivers who were killed, we thought that this study would support an implied consent law in the State of New Mexico, but we were fortunate in getting an implied consent law before we came out with the end result of our study.

The study has not been analyzed finally, but in our State it was absolutely startling as to how many cases where alcohol was involved, and the high degree of drinking that was involved in our fatalities.

Senator BAYH. When did you pass the implied consent law, Mr. Kelly?

Mr. KELLY. In our past legislative session in January of this year, and our implied consent law goes into effect July 1.

Senator BAYH. Well, although it would be too late for the committee record, if this program proceeds, say, for the next 6 months, I personally would appreciate it if you could send us any records on statistics that you might compile as to the effect of implied consent.

It is a program which makes much sense to me, but for those who are doubters it would be nice to have some statistics present and say, "Here are the statistics from New Mexico."

Mr. KELLY. Senator, I would be glad to do that.

I would like to project another problem that I think we will be confronted with, the States that have obtained an implied consent law.

My background in the safety field, 8 years of it, has been in charge of drivers' licenses in the State of New Mexico. I can foresee that we can, in fact, provide necessary enforcement and construct a lion's share of the drinking drivers in the State, and we can revoke their licenses. I don't see this as being too big a problem.

But a big problem that we have always been confronted with, and I know this bill would not give us any relief from, and that is to actually take the drivers off the road after they have been revoked.

Now, it is my personal opinion without benefit of fact, that if we have 5,000 drivers suspended or revoked, that probably 4,200 or 4,300 of these drivers are still driving to some degree or another.

I have been driving in the State of New Mexico I imagine about 35 years. I have never shown my driver's license, to my knowledge, inside of the city limits, but when I get out on the open highway, where I am subject to roadblocks of the State police, I do have to show the driver's license.

So to police this problem, in my opinion, there will have to be a lot of support provided to the local law enforcement officers to enforce driving while under suspension or revocation, and this will have to be done in the neighborhood, because you cannot wait until they get out on the freeway to determine whose license has been revoked.

But it is going to be a big problem, and we may be disappointed in the results of the implied consent law.

Senator BAYH. I suppose that in this respect it is like any other law. It depends on the ability to enforce it, and to show those who violate it what will happen to them. I think it is worth a try, though.

Mr. KELLY. We are for it, and I will give you a report.

Senator BAYH. Senator Jordan.

Senator JORDAN. On these research problems that we spoke of, about testing for alcoholic content of the blood of people who were killed, I think we are multiplying a lot of our problems, and it is not necessary, at all.

I don't think it takes any more whisky to get a fellow drunk in New Mexico than it does in North Carolina—well, maybe a little bit. But I think once you determine that, you can determine that for the whole of the United States.

So we are spending a lot of money. Everybody is making a test on how much alcohol should be allowed in the blood test, whether to take his license away from him or fine him, or do what we think ought to be done.

It seems to me this information could be made available, and should be made available, and I think it is advisable, if people ask for it.

Mr. KELLY. I could not agree more, Senator. I think it is money being spent, and this is a personal opinion, with 403 funds to test problems that we have known to be problems for many, many years, and the results are on file, maybe not as sophisticated type of study as some of the projects that have been studied the last year or so by the Bureau, but in any event, our record and experience itself reflects much of this information.

I would like to see some of this 403 money actually put into such things, as, oh, traffic safety management courses, perhaps in a university or college in each region, National Highway Safety Bureau region in the United States, where we can train people how to coordinate a safety program and to get a reservoir of expertise into this system.

Now, today, to be a safety director, all you have to do is get the job, then some 15 or 20 years later, perhaps, you are a safety director. But we need to cut this time of experience down, and we can cut it down if we could use this 403 money to help in other areas, and not spend it on researching these problems that we know are bad.

Senator JORDAN. We know a lot of things that we are just running

through over and over again. Of course, you have got to have a lot of administrators in Washington to run these programs.

Mr. KELLY. We appreciate that.

Senator JORDAN. And every time you change administration, you know, you have got to put a lot more on, and farm out a few.

Mr. KELLY. We don't want to change the rules of that ball game.

Senator BAYH. Senator Gurney.

Senator GURNEY. Senator Bayh expressed interest in getting the statistics on your experience with these drunken driving programs. I certainly share his interest in that.

Pursuing that line of questioning a little further, have you been able to get any feel in New Mexico as to whether the implementation of this Highway Safety Act has cut down on the accident rate, and, if so, where it has cut down, and how the program has been effective?

Mr. KELLY. Thus far, in the State of New Mexico, we have not reduced our accident experience.

I might add, Senator, nor have we tried for immediate results with this additional money that is being made available to us. What we have been doing the last 2 years in the State is to establish a solid foundation to build a program on.

We are spending most of our efforts toward the establishment of an automated record system in the State, with the theory that if you don't know what the problem is, and you cannot find out the results of this problem immediately, you certainly cannot solve the problem.

So most of our effort in our State has been more along the lines of a long-range program, rather than direct end results.

Senator GURNEY. What you are saying, really, is that the program is in its infancy still, and you really don't know what the results are going to be.

Mr. KELLY. Yes, sir. But I am convinced again speaking of old records, that there are records in many colleges and universities, and National Safety Council, International Chiefs of Police, and so on, where a unified approach with all the facets of this thing going together will reduce accidents.

I think that fact has been established, and it is on that theory, and that understanding, that we are working in New Mexico, to formulate a system or an approach where we can go out in 16 different directions at one time, and put all the lids on these kettles at once.

Now, heretofore, not having an adequate amount of money and personnel, we could push it down over here, and let something go over here, and then it crops up here, and it is back here. We seem to be chasing this problem all over the countryside, so we need this unified approach, and one effort is just about as good as another, as long as it is unified and the approach is made constantly and permanently.

Senator GURNEY. I am sure what you say makes a lot of sense. All this has occurred to me, too.

If you look at these accident statistics, back to this drunken driving thing again, it shows that 25,000 out of the 55,000 deaths each year are from this one source.

All that points out is that if you could get rid of that problem, you would solve your problem of accident deaths at least about 60 percent.

I am simply saying that I would think from this program, from the input into it, and also the study in the area of accident mistakes and close attention to how successful and how unsuccessful it is being, we can perhaps learn where we can put the greatest emphasis in getting on top of the problem.

This is really what I am getting at, and I'm wondering if the States are looking at it from that point of view.

Mr. KELLY. Very definitely, in the State of New Mexico. Our record speaks for most all of our actions, such as our records are.

Now, without benefit of adequate records, many things we have been doing out of our hip pocket because they seemed like the thing to do. This we would like to eliminate, Senator, and we plan to.

Our records in New Mexico reflect, as I have mentioned, drinking driving is a big problem. As a result of our records, we got an implied-consent law passed.

Another one of our big problems in the State of New Mexico, as records reflect, is the emergency medical service. In some areas of our State we have one ambulance serving an area of 103 miles, and if a person is involved in an accident, he is anywhere from 4 to 7 hours away from a hospital.

Our big problem is to get medical assistance out to the scene of the accident quickly, and cut down the time of lying out on the highway someplace, and we have taken great steps in that direction—not with a functional program, but we feel that by this time next year we will have a functional program in that area.

Senator GURNEY. Incidentally, I noticed that six of your 23 legislative proposals did not pass the legislature. What were those six?

Mr. KELLY. Strange as it might seem, we have no State department that is 100 percent responsible for medical services, so we wanted to establish the department of health and social services to take on this responsibility, and administer the safety program. That one failed.

We had another bill to authorize the health department to prescribe minimum training requirements for ambulance drivers and attendants, and this would include a certain amount of emergency room facilities, and that one flunked its course.

Half of our ambulance service in the State of New Mexico is being provided by morticians. The other half is being provided by private concerns, who are certificated under the corporation commission.

We wanted all of the ambulance services to come under the jurisdiction of a State corporation commission insofar as their permits are concerned, and that one flunked.

We had a bill introduced to establish a one-tenth of 1 percent alcohol level to determine the degree of intoxication, and we failed on that one.

But the easy ones failed. I don't remember the other two. The ones we thought we were going to have problems with, we made it.

Senator GURNEY. Maybe the title 18W is as unpopular in New Mexico as it is down in Florida.

Mr. KELLY. It could have been.

Senator GURNEY. That is all, Mr. Chairman.

Senator BAYH. Thank you very much. We appreciate your coming to be with us, and keep up the good work in New Mexico.

Our next witness is Mr. Daniel J. Hanson, deputy executive vice president of the American Road Builders' Association.

STATEMENT OF DANIEL J. HANSON, DEPUTY EXECUTIVE VICE
PRESIDENT, AMERICAN ROAD BUILDERS' ASSOCIATION

Mr. HANSON. Mr. Chairman and members of the committee, my name is Daniel J. Hanson, and I am deputy executive vice president of the American Road Builders' Association.

Our national federation has a total membership of over 5,700 individuals and firms representing all segments of the highway industry and the highway engineering profession. Included in this membership are representatives of governmental highway agencies at the Federal, State, and local levels.

First, let me compliment the chairman and this committee for the timeliness of this hearing. It is now 33 months since the enactment of the Highway Safety Act of 1966. Congress demonstrated great leadership in establishing this program in September 1966, and thereby launching a major attack on one of our most critical domestic problems.

The American Road Builders' Association is vitally concerned with the entire program of the National Highway Safety Bureau. As strong advocates of an efficient highway transportation system, we are interested in any and all measures that can be taken to improve the safety, convenience, efficiency, and capacity of this network.

All feasible measures to improve highway safety rate high on the priority list of those activities supported by our organization.

Our principal and more direct interest in the program of the National Highway Safety Bureau is in connection with that portion of the program covered by standard 12, highway design, construction, and maintenance, and standard 13, traffic control devices.

In fact, it has been my personal pleasure to serve as a member of an advisory committee which developed the 70-page Highway Safety Program Manual, volume 13, "Traffic Control Devices."

Looking back at the history of the National Highway Safety Bureau in a broader context, it seems clear to us that valuable progress has been made to date.

The intended direction was spelled out quite clearly in President Johnson's transportation message to Congress on March 2, 1966. In that message, he said:

The weaknesses of our present highway safety program must be corrected.

Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing.

Existing safety programs are widely dispersed. Government and private efforts proceed separately, without effective coordination. There is no clear assignment of responsibility at the Federal level.

The allocation of our resources to highway safety is inadequate.

It is obvious that the last sentence of the President's message is still true. Nevertheless, the Highway Safety Act of 1966 was the congressional response to the President's message.

The Senate Committee on Public Works exerted highly constructive leadership in this respect, and Congress provided a sound legislative vehicle for the intended program.

The President emphasized the inadequacy of our knowledge about accident causation. The National Highway Safety Bureau has, quite properly, made it a first order of business to improve the understand-

ing of accident causation. The report published last year on the relationship between alcohol and highway safety is a prime example.

This report is much more than a rehash of the available literature. It is a genuine breakthrough in identifying the extent to which driving hazards are increased by heavy drinkers. Alcoholism is a major piece of this problem. Much of the work of the National Highway Safety Bureau is that of examining the separate pieces of the problem and fitting them into their proper context.

Much has been said and written about establishing priorities in the highway safety program. What programs will give us the best payoff in terms of lives saved and accident reduction? We are still a long way from having a complete answer to that question.

However, as already indicated in this hearing by the representatives of the Federal Highway Administration, we are making progress. We are getting closer to establishing priorities which will pay us the largest dividends on a cost-effectiveness basis.

This is an exceedingly complex matter. In the case of alcoholism, for example, we know that many lives would be saved if the problem drinker could be kept off the roads. However, to date, we have not found any quick or simple way to achieve this goal.

More than a dozen States still need to adopt implied consent statutes or chemical test provisions in order to comply with standard 8—"Alcohol in Relation to Highway Safety."

As a member of the District of Columbia Citizen's Traffic Board, I hasten to report that our Nation's capital is still one of the jurisdictions without an implied consent law. Hopefully, Congress will correct this serious deficiency during this legislative session, since we know that the use of alcohol by drivers and pedestrians is a factor in one-half of the highway deaths.

Instead of disclosing a quick and simple solution to this problem, detailed studies seem, instead, to uncover new and discouraging ramifications of this problem. For instance, what is the effect of marijuana and other drugs which are increasing in popularity with young people and which are not detected by conventional alcohol detection devices?

Mr. Chairman, I certainly do not pose as an authority on alcohol or drugs. Nevertheless, I mention this particular problem only as an example of the many difficult routes and paths which must be followed in researching accident causation.

It has been a very popular theme in safety education, for many years, to point out that most accidents are caused by driver error. This is quite true, in the sense that a driver who functions perfectly will generally be able to overcome the hazards that confront him. He will make allowance for the narrow bridge, the sharp curve, and the slippery pavement surface.

If he does not function perfectly, and runs off the road, the law-enforcement officer investigating the accident is likely to report that the driver was "driving too fast for conditions," or something of that sort.

Obviously, many accidents attributed to driver error could have been avoided if the highway facility provided a greater margin for error.

Why is this greater margin for error not provided? Mr. Chairman,

it is hardly necessary to state the reasons, especially to this well-informed committee. We do know how to build safer roads.

There are several obstacles, the chief of which is the cost factor. With a total highway system of some 3.7 million miles the cost of bringing all of these roads and streets up to adequate standards can be measured in the multibillions of dollars. This is obviously the overriding problem.

For example, in March of last year, the American Association of State Highway officials made an inventory of structures 30 years old or older which are maintained by the State Highway Departments. Over 62,500 structures were found to be in this category, of which almost 9,000 were one-lane bridges, and over 10,000 two-lane structures have traffic lanes less than 10 feet wide. Bringing these structures up to modern-day safety standards alone represents a multi-billion dollar investment.

In March of this year, the U.S. Department of Transportation authorized a joint report of the Federal Highway Administration and the Federal Railroad Administration, entitled "Highway-Railway Grade Crossing Safety Program."

Fatalities in highway-railroad grade crossing accidents exceed those in aviation accidents, and there has been a gradual upward trend in the casualty curve since 1958. Federal-aid highway program expenditures on grade crossing safety during the last 7 years has been averaging less than \$200 million annually.

We have a national total of 225,000 at grade crossings, and fewer than 45,000 of these are eligible for Federal-aid improvements.

During the 5-year period, 1963 through 1967, some 3,580 grade separations and other crossing protection improvements were financed by Federal Aid Highway-Railway projects.

Larger expenditures of funds are obviously required in this area, if a program of grade separations and improved grade crossing protection is to have any substantial accident reduction benefits.

The second problem, extremely important but much less serious than the lack of adequate funds, is that of insuring that new roads and streets are, in fact, properly designed to be safe.

Engineers are not immune to human error. They can be too reliant on design standards which have become obsolete. On the other hand, they can also come up with a bright new idea that looks good on the drawing board, but does not work out in practice. In the area of geometric design, in particular, a reasonable degree of uniformity is desirable.

Still another need closely related to the problem of adequate funding is that of insuring that available funds are applied in such a way as to derive maximum benefits. In other words, priorities must be established. Use of cost-benefit ratios and sound economic judgment are essential if we are to buy the maximum amount of safety from our highway dollars.

In all of these problem areas, the Federal aid highway program has been extremely helpful. In the first instance, the funding problem, the Federal Highway Trust Fund has been instrumental in providing the necessary financial support for a continuing, substantial program.

In the area of design standards, the Bureau of Public Roads in close

cooperation with the State highway departments, has done a commendable job in developing and promoting adequate minimum standards. A high degree of desirable uniformity has taken place in the application of standards.

Nevertheless, we have encountered some special problems in the application of these uniform standards to roads serving very low traffic volumes with accompanying low average speeds.

Our nationwide highway system includes many thousands of miles of roads which are purely local in character, and which are administered by county governments. In many cases, these roads are needed only to provide access to farms and ranches.

There is no question that these roads need to be made safe. However, the cost of bringing these roads up to previously announced standards, when computed on the basis of vehicle-miles of travel, is enormous.

A one-lane bridge is a hazard wherever it exists. However, if a road is used by only 50 vehicles a day, it may be unreasonable to put a high priority on the replacement of that bridge.

In such cases, the sound judgment of responsible local officials, when based on engineering criteria, should prevail, and Federal standards should recognize that fact.

There should be better lines of communication established between the Federal and local levels of government. In this regard we suggest that a stronger utilization of the Board of County Engineer Advisors to the Bureau of Public Roads be instituted.

Finally, the Federal aid highway system has been of extreme value in guiding the prudent application of available funds.

The Interstate System, for example, is designed to accommodate a very high volume of traffic on a relatively small mileage. It is estimated that more than 20 percent of all traffic will be handled on the 42,500-mile system when completed. This will make maximum utilization of this limited network, and it would be far more expensive to move this same volume of traffic on a larger number of parallel routes.

I do not wish to labor the point, Mr. Chairman. I am saying, simply, that the Federal aid highway program has been highly important in making highways safer, and that it can continue to do so, and that adequate financing is the key to this program.

The Interstate System is also the safety program that, above all others, is paying off in a tangible, demonstrable way. The safety improvements derived from new highway construction can be measured by before-and-after studies, route comparisons, and other statistical means. For example:

A report compiled by the Federal Highway Administration's Bureau of Public Roads discloses that during 1967, 2.89 persons were killed for each 100 million vehicle miles of travel on Interstate highways, compared with 5.66 on other roads.

Travel on the Interstate Highway System continues to be substantially safer than on other roads and streets in the Nation. In fact, in 1967, the fatality rate on the Interstate System was approximately one-half that on other roads.

In October 1968, the then Secretary of Transportation, Alan S. Boyd, issued a report to Congress entitled "Estimate of the Cost of Carrying Out the Provisions of the Highway Safety Act of 1966." Major findings in this report included:

1. Total annual needs for State and local highway safety programs, as estimated by the States, are \$2.5 billion in 1968, and will grow to \$4.5 billion by 1976.

2. State and local governments spent \$1.9 billion in 1967 on highway safety, and are expected to continue providing more than 50 percent of safety program needs over the next 10 years.

As indicated earlier, highway safety program standards 12 and 13 deal with highway design, construction, and maintenance, and traffic control devices, respectively. The expenditures and needs for these areas alone represent multibillion-dollar investments. In this regard, the October 1968, Department of Transportation report states as follows:

Eligible expenditures within the States for Highway Design, Construction, and Maintenance during 1967 amounted to \$37.5 million. Expenditures at the State level totaled \$21.4 million, and at the local level were \$16.1 million. Project needs eligible for funding under this standard are estimated at \$133.4 million annually in 1976.

Section 402 (g) of Title 23, U.S.C. prohibits the expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways). Funding for highway design and construction on the approved Federal-Aid Highway System is available to States under the Federal-Aid Highway program financed from the Highway Trust Fund.

Accordingly, such ineligible costs estimated at \$21,542 million are excluded from the needs presented.

Traffic Control expenditures in the States amounted to \$39.9 million in 1967. The breakdown was \$19.3 million at the State level and \$20.6 million at the local level. Expenditures by State and local governments for inventory, planning, and evaluation of existing conditions are estimated to rise to \$122.3 million annually in 1976.

Estimated capital investment and maintenance costs of \$2,461 million are excluded specifically from funding under provisions of Section 402 of Title 23, U.S.C., and this amount has been deleted from State projections.

Therefore, the estimated capital expenditures for highway construction and traffic control devices to comply with highway safety program standards 12 and 13 represents \$24 billion between now and 1976. This represents a capital investment of \$3 billion per year Federal aid funds, just to fully comply with these two standards.

Viewing the highway safety program and the highway construction program as separate entities is undesirable. These two efforts go hand-in-hand. Therefore, we cannot see the logic in penalizing a progressive State highway department by withholding highway construction funds if the State fails to comply with one of the other 15 safety standards.

Perhaps this is a minor objection, in view of the earlier statement by the Federal Highway Administrator that he expects all States will be in compliance with the requirements of the highway safety program by the end of this year.

We have the greatest confidence in Secretary Volpe's administration of this program, and we are sure he will use the utmost judgment before assessing a 10-percent penalty on the use of any State's Federal-aid highway funds.

Nevertheless, we do feel the present penalty clause affecting the State highway departments is somewhat inconsistent with the overall goals that are desired through the 1966 Highway Safety Act.

Perhaps the key question to which we should respond here today is whether the formation of the National Highway Safety Bureau has helped improve the safety characteristics of highway facilities.

In this respect, the National Highway Safety Bureau has been extremely valuable in relating the safety benefits of modern highways to the overall safety picture.

Furthermore, the National Highway Safety Bureau program standards 12 and 13 and identification and surveillance of accident locations program standard 9 are very useful tools in calling attention to specific areas that should be given high priority attention.

The fact remains, however, that Federal guidance in highway construction is essentially the role of the Bureau of Public Roads. The Bureau of Public Roads must concern itself with all design criteria, including the safety factor.

In the final analysis, the Bureau of Public Roads has the responsibility for the administration of the Federal-aid highway program.

Philosophically, we have some misgivings about the dilution of this responsibility inherent in giving another agency the responsibility of issuing construction program standards related to safety.

However, it is our observation that the coordination between the sister bureaus within the Federal Highway Administration, under the able leadership of Frank Turner, has been good. A workable relationship has developed and is continuing to evolve into a stronger attack on one of our Nation's greatest domestic problems.

Thank you for the opportunity of expressing the American Road Builders' Association's view on this timely subject today.

Just to summarize, I pose as no expert on alcohol and drugs, and I could pass over that entire subject rather quickly, except that I would like to make one point about the problem here in the District of Columbia.

As a member of the Mayor's Citizens Traffic Board, I am personally a little bit chagrined that the District of Columbia is one of 10 jurisdictions that still does not have an implied consent law. Hopefully, Congress will be able to correct this situation this year.

As you well know, this is a matter that has been presented to congressional committees in the past, but for one reason or another has not yet passed. All of the members of the citizens traffic board here in the District do hope that we will have an implied consent law this year.

As the deputy executive vice president of the American Road Builders' Association, it is my pleasure to represent our 5,700 members, both individuals and firms, which includes a very large number of governmental representatives and engineers, primarily, at the Federal, State, and local levels.

We are very quick to compliment this committee on its leadership in the enactment of the Highway Safety Act of 1966, and also in holding these hearings at this time, some 33 months after the passage of that act.

We are concerned with all elements of the highway program, and the highway safety program. However, I would like to direct my specific attention today to two of the safety standards with which we are more involved than the others.

The first is standard 12, highway construction, design, and maintenance, and second standard 13, traffic control devices.

In fact, it was my pleasure to serve on one of the National Highway Safety Bureau committees in the development of standard 13, which

is now encompassed in a 70-page manual. This is a very fine document and has received good acceptance to date.

Much has been said and written about establishing priorities in the highway safety program, and I think it is essential that we do. What programs are going to give us the most payoff in terms of lives saved and accident reduction? Unfortunately, we are still a long way from having the answer to that question!

However, as indicated yesterday by both Secretary Volpe and Federal Highway Administrator Frank Turner, we are making some progress in this direction. We are getting much closer to establishing the high priorities which will give us the most benefits received for the dollars spent on a cost-effectiveness basis.

It has always been a very popular theme in safety education to point out that accidents are caused by driver error. This is quite true, in the sense that a driver who functions perfectly will generally be able to overcome the hazards. On the other hand, if he is functioning imperfectly and runs off the road, the investigating law enforcement officer will probably report driving too fast for conditions as the primary cause.

Obviously, a lot of these accidents attributed to driver error could have been avoided if all the highway facilities in this country did provide a greater margin for such errors.

Senator JORDAN. May I butt in?

Mr. HANSON. Yes, sir.

Senator JORDAN. What do you mean, "margin for error"?

Mr. HANSON. For example, the problem of the narrow bridges, the problem of trees that are too close to the roadway, country roads that have steep side slopes where a driver makes a mistake, and does not have enough room in which to recover from that mistake. He usually hits something like a fixed object.

Senator JORDAN. That is the answer I wanted at that point.

Senator BAYH. Or another driver makes a mistake, not necessarily one involved in the accident.

Senator JORDAN. That is coming back to the construction of highways, and getting the bad spots out of them.

Badly banked curves is one illustration. Is that not correct?

Mr. HANSON. Yes, sir.

Senator JORDAN. And it is hard to stay on them at any speed.

Mr. HANSON. There are thousands and thousands of these situations, as in a couple of examples I would like to cite quickly.

First, the bridge situation: The American Association of State Highway Officials has just completed a survey, less than a year old, where they have inventories of all structures that are 30 years of age or over. These are structures on State highway systems only.

There are 62,500 such structures; 9,000 of these are still one-lane bridges, and over 10,000 are two-lane structures with traffic lanes less than 10 feet wide.

There is no room for any margin of error in these situations. It is estimated that in order to bring these structures alone up to modern-day safety standards we are talking about a multibillion-dollar highway construction, reconstruction, and bridge replacement program.

Likewise, another example is railroad grade crossings. Just this year, in March 1969, the Department of Transportation, through the

joint cooperation of the Federal Highway Administration and Federal Railway Administration, made a report on the problem of grade crossings in this country.

There are over 225,000 at grade railroad crossings existing in this country today. Less than 45,000 of these are eligible for Federal aid funds.

Nevertheless, a program has been developed by the two joint agencies of the Department of Transportation. They have started a safety program. During the 5-year period 1963 through 1967, they have made improvements at 3,580 grade separations and crossings.

But you can quickly see that this is less than 10 percent of the 45,000 that are eligible for some improvement under Federal aid program. It is therefore obvious that larger expenditures of funds are definitely needed in this area.

During the 5-year period I mentioned, the Department of Transportation and Federal Highway Administration have allocated an average of less than \$200 million annually for this program. This is a very small amount in consideration of the total job that has to be done.

You mentioned that sometimes we do have curves, Senator Jordan, that are not quite up to par. It is true that in the past we have made some design errors. In my opinion, some of these mistakes have been made mainly because of reliance on standards that are outdated. We have also come up with some bright ideas on the drawing board that looked awfully good on paper. However, some of these ideas did not pan out too well when applied in the field. I think we can say in the area of geometric design, in particular, and in the construction of high-speed facilities, a certain degree of uniformity is highly desirable.

For example, if you travel on an Interstate or high-speed facility, on almost all occasions when you want to leave that facility you make that maneuver by veering off or leaving on the right-hand side. If all of a sudden you encounter another situation where you have to leave the facility on the left, which is a very unusual situation, but it does exist, you often get into trouble. For example, less than a half-mile from this very building, over on Southwest Freeway, if you run into the left hand off situation you may encounter difficulty because of the unusual nature of that type of design.

So it is highly desirable to have some degree of uniformity in design standards.

Senator JORDAN. Mr. Chairman, may I ask the witness a question at this point?

Senator BAYH. Yes, sir.

Senator JORDAN. Do you consider that highway directional signs are adequate? For instance, there are some on the highway between Washington and Richmond, Interstate 95, for which you almost have to stop to see where you are going to turn. I think you would know where they are if you have driven over those roads.

They are grossly inadequate for reading far enough down the road to know that you are going to turn. Then you find yourself cutting across the traffic, trying to get into your lane.

Is that not one of our problems that could be remedied rather cheaply in comparison to the amount of money that we are talking about in building highways and bridges and railroad crossings, and so forth?

Mr. HANSON. Senator, I have a very good mental picture of the road you mention, and as a former practicing traffic engineer, I have to assume some of the responsibility for some inadequacies in the signs.

One of the problems that we have encountered with this new system of high-speed Interstate Highways is the fact that we have probably tried to tell too many people too many different things at the same time. It has been very difficult for us to put up multiple message signs that fully accomplish their purpose.

Where we have done this; for example, at the junction of the Capital Beltway and Interstate 95, where I-95 and I-495 meet, people are required to make too many decisions in too short a distance.

At 70 miles an hour, you are traveling 105 feet per second, and if you have to make a series of decisions one after the other, you are obviously in difficulty.

I think the points that the Federal Highway Administrator, Frank Turner, made yesterday on this very subject are very good. Moving back some of the advance signs, simplifying some of the messages, and again being consistent and being uniform in the application of these standards and the messages is essential. When you encounter the first sign, you should be able to anticipate the second sign at another one-half mile or a mile, and then expect the third sign another given distance down the road.

We could do a tremendous amount of good in the safety field with a relatively small investment in improving the signing in this country. I agree with you wholeheartedly in this regard, Senator Jordan.

Senator JORDAN. There is a sign coming up to Memorial Bridge. There are three directions on a sign this big, and the one you want to see is on the bottom.

Mr. HANSON. Mr. Turner, I think, made this same point yesterday. The thing that would amaze all of us, is if we took down some of the overhead signing that covers; for example, the entire bridge structure, and we put these signs on the ground and look at them, their size is tremendous.

But when you get these signs up in the sky, and you have the problem of reading multiple messages, this has defeated the basic purpose of good signing. When you have three messages to read at 70 miles an hour, you have an extremely difficult time, unless the word letters are exceptionally large.

So we traffic engineers have a long way to go in this area, and we could add a lot to the safety program through improved signing.

Senator JORDAN. Some of them are hard to read at night, too. They don't lend themselves to night driving, and you have an awful lot of traffic at night.

Mr. HANSON. In this particular area, Senator, this is a situation where we do not need any more research. We know certain types of products will provide proper illumination of signs at nighttime, whether it be one process or another, externally or internally illuminated.

There are a number of manufacturers who have ventured far into this field, and we can come up with good quality signing that you can see just as well at night as you do in the daytime. But in a lot of

places, such signs are not in place to date—mainly because of cost. That is really one of the problems, and I can cover it very quickly.

Senator JORDAN. I have observed the same thing.

Mr. HANSON. Standard 13, traffic control devices, relates to the very subject you are speaking of, Senator. For example, \$40 million was spent for studies and inventories in connection with standard 13 in 1967.

The estimate is that when we finish the program of complying with standard 13, that the annual costs would run to \$122 million annually in 1976.

Now, in addition to that, and I think this figure is important, there is an estimated capital investment in installation and maintenance costs of \$2.5 billion. These expenditures are excluded specifically from funding under the highway safety program because they provide for construction and installation of traffic control devices. This is covered in section 402(g) of the Highway Act, which prohibits the expenditure of funds for highway construction, maintenance, or design.

These costs, that is the \$2.5 billion, will come out of the highway trust fund money.

As you can see, \$2.5 billion represents half of our entire program in a single year. So one of the problems is determining the priorities and making improvements as quickly as possible at the high accident-prone locations. With this type of program I think we can accomplish many safety improvements in a reasonable period of time.

One or two other points, if I could.

Very quickly, we feel that in a lot of cases we are not over-designing roads, but there are some situations that require sound application of judgment.

For example, with 3.7 million miles of roads, we recognize that many of these roads are local roads. Some roads only go to a farm or ranch, or provide some very local service. There is no question these roads need to be improved. Likewise, a one-lane bridge, wherever it exists, in North Carolina or New Mexico, or any place else, is a hazard. However, if the road is only used by 50 vehicles a day, may be the priority of replacing that bridge need not be of the highest magnitude.

In order to improve this relationship of assigning priorities, we would like to suggest that a stronger utilization be made of the board of county engineers advisors to the Bureau of Public Roads. We have over 1,350 county engineers who belong to the American Road Builders' Association. Very little of their talents are currently being put to use in this safety field.

They would like to be helpful. Many have volunteered to serve on advisory safety boards and commissions. There is the existing board of county engineers advisors that could do a lot more in coordinating the relationships between the high design standards that are absolutely essential for the Interstate System and the somewhat lower standards which might be acceptable purely on local roads.

We need greater continuity in the work of our local road officials. This is more an administrative matter than legislative, but some kind of a system whereby this group of talented people; namely, the county engineers, could have a bigger piece of the action is highly desirable.

The Interstate System—and I would like to speak on this for a

moment, and I would like to quote the report that the Bureau of Public Roads has just put out.

On the basis of 1967 fatal accident statistics, 2.89 persons were killed for each 100 million vehicle miles on Interstate Highways, compared with 5.66 on all other roads.

In other words, the fatality rate on the Interstate System is approximately one-half what it is on every other road.

Yesterday, Secretary Volpe used a relationship that I think is significant. He said that for every 5 miles of interstate we open to traffic, we save one life per year for each year.

We have over 28,000 miles of interstate mileage open to traffic today. That means that this year we will save 5,600 lives, just by having this system open.

Now, would it not logically follow that the best thing that we could do in an area where we already know we can get a large pay-off in tangible, demonstrated ways, would be to complete the Interstate System at the earliest possible date?

We would suggest that it would be the best single thing we could do for highway safety. However, if we look at the figures and look at the projections of costs, and we recognize the system now encompasses 45,200 miles, we are faced with a situation where it is going to take another 7½ years to complete the Interstate System. At the rate we have been going, we have been opening 2,000 miles of interstate each year.

Now, you can quickly figure out what that might cost us in lives. It is a sizable number of lives that will almost automatically be lost because these roads are not open.

Senator BAYH. If I might interrupt just to pose one question which I asked a previous witness: In light of the statistics that you just gave, what is your opinion concerning the philosophy of using or holding back highway construction funds and money as an economic stimulant or depressant, as far as our economy is concerned?

Mr. HANSON. Mr. Chairman, we deplore the policy of—not only diverting, but setting aside or forestalling the use of these funds for their proper use, for a number of reasons.

First of all, the one we just talked about, highway safety, is most important. Second, it affects the operation of a very important and very sizable program. Once you turn the faucet off in the highway program, it is very difficult to gear up again to that level. It takes many, many months to come back to the level at which you were proceeding.

For a number of reasons, internally and externally, it involves contractors, engineers, consultants and everybody who is in the picture. This practice of closing down or tapering off, or, as one of the administrative officials has said, running a yo-yo type highway program, is extremely undesirable, and we highly deplore the practice.

Senator BAYH. Thank you.

Mr. HANSON. There are a couple of points that I would like to make relating to cost.

One of the reasons we have to keep this program going is because of the costs that are obviously involved for other projects that have not received adequate attention.

For example, we can look at the October 1968 report of the Department of Transportation. If we estimate what the States have told DOT

and the Secretary are needed for highway construction and traffic control devices in order to comply with the standards, we come up with an almost astronomical figure of \$24 billion between now and 1976. That represents \$3 billion per year of projects that are not highway safety research projects. These are highway construction and traffic control projects, such as signs, markings, traffic signal devices, street widening, road improvements, and so on. These improvements are related in our safety requirements that the States are required to complete, and \$3 billion a year is the estimate that the States have submitted, and has been accepted by the Department of Transportation.

That would indicate that the present level of funding of approximately \$5 billion a year for the total highway construction program eligible under Federal aid is obviously going to be grossly inadequate in future years.

Now regarding the penalty clause, and I think this is a very important point, we heard Frank Turner say yesterday that he was very optimistic that the States would be able to comply with the act by the end of this year.

Likewise, we have the greatest confidence in Secretary Volpe's administration of this program in a reasonable way. We know that he is going to use the utmost judgment before assessing a 10-percent penalty on any of the State highway Federal aid programs. However, this is somewhat like the Senators' manager, Ted Williams, using a club as Secretary Volpe said they might have to do, using this club to hit Frank Howard over the head because the lead-off batter has struck out.

We are in effect penalizing the highway program that we know pays dividends in safety, because some other phase of the safety program, whether it be implied consent, vehicle inspection, or some other phase is dragging behind.

For example, if you take California, at \$45 million, Illinois at \$28 million, New York at \$28 million, Texas at \$27.5 million, and Pennsylvania at \$26 million, just those five States, and you penalize them 1 year 10 percent of their highway apportionment, you have \$155 million in penalty money. I assume this money is going to gather dust in the bank.

Now, we can build a lot of safe highways in this country with \$155 million. Regardless of the intent, we feel very strongly that the present penalty clause directly affecting the State highway departments is somewhat inconsistent with the overall goals that were desired when the Act was passed, and the overall goals that are obviously desired today.

Maybe, in closing, the question we ought to respond to is, how has the National Safety Bureau functioned? Have they improved our safety characteristics of our highway facilities since the act was passed 33 months ago.

Obviously, the answer to that question is "Yes!" The National Safety Bureau has done a fine job in relating safety benefits of modern highways to the overall safety picture.

The 16 standards that we have talked about do give us, for the first time, a very broad approach to this No. 1 domestic problem. When you take standard 12 design construction and maintenance, standard 13 traffic control devices, and standard 9, which is the iden-

tification and the surveillance of accident locations, these are very valuable tools in calling attention to the highest priority needs and to the specific areas we have to give attention to first.

We recognize that the figures I have cited, astronomical as they seem, need to be done some day. This "some day" will not be next year, or 2 years from now, and all of those needs that have been indicated undoubtedly will not be completed by 1976.

However, we hope that through the good work of the Highway Safety Bureau, these priorities can be established so we can attack the basic problems first.

The fact remains, however, that the Federal guidance to the highway program is really a role that should properly be performed by the Bureau of Public Roads. The Bureau must concern itself with the design criteria and all of the other factors relating to safety, and when you come down to it in the final analysis, it is the Bureau of Public Roads which has the responsibility for the administration of the Federal-aid highway program.

So philosophically, we do have some misgivings about the dilution of this responsibility, which is inherent in giving another agency the responsibility of issuing some construction program standards.

However, we have watched very closely the coordination that has developed between these two sister agencies and the Federal Highway Administration. It is our keen observation that, under the very able leadership of Frank Turner, our new Administrator, and Ralph Bartelsmeyer, Director of the Bureau of Public Roads, that this cooperation and this coordination has been very good. This has developed into a good working relationship. The program that you heard about yesterday can, I believe, evolve into a much stronger attack on what I think we all agree is our Nation's No. 1 domestic problem. Providing, as Governor Pyle indicated yesterday, that adequate financing is made available by the Congress.

Mr. Chairman, thank you for the opportunity to express the views of the American Road Builders' Association.

Senator BAYH. Thank you, Mr. Hanson.

Senator Jordan, do you have any questions?

Senator JORDAN. Just a comment.

I thoroughly enjoyed your testimony, and I think I agree with all of it.

My firm belief is that a major, urgent responsibility is to build more highways of the Interstate System type.

Going back to the unfinished part of 95 and 85, which come up through Virginia, I was asking Senator Spong here one day over a year ago, "When are you going to finish 85 and 95? You have been on it a long time."

He came back with the answer. He said, "1971."

I said, "Heck, there isn't but 32 miles of it."

Well, the reason is because they have had to spread the money too thin. It is no fault of Virginia's whatsoever.

We have got the same thing in North Carolina. I believe the incomplete part is all under contract now, but it will be another year or two before it is finished. But that probably is one of the heaviest traveled roads in the United States.

And I think our major emphasis has got to be on building more highways, and some of these other things can take their place in line, because it is proved that they have not saved many lives. As you said, the rate of death on your Interstate highways is convincing proof that that is the proper place to spend the money first.

Mr. HANSON. We agree with you wholeheartedly, Senator.

The interstate program must continue at a guaranteed level, so that our highway departments can gear up for that program and maintain that program. We are currently opening 2,000 miles of interstate highways per year.

But in our opinion, that really is not enough. If we could gear up, and we could complete 2,500 or 2,700 miles of interstate highway a year, we could save another 1,400 to 1,500 lives per year each year that those roads are open to traffic.

So this is a program that has demonstrated the results, already. The fatality rate is one-half on the Interstate System of all other systems, and I think that the earliest possible completion of that program does have the highest priority benefits to highway safety.

Senator JORDAN. One thing that you mentioned on these rural roads is that you have a limited number of people on them, and maybe a one-way bridge would suffice at the time. But the minute you pave a section of road it soon becomes built up and you need a wide road there, and a wide bridge, too.

We have a lot of these mud roads. Nobody lives on them because they cannot get on them.

Mr. HANSON. I think we have learned our lesson. We probably were a little bit too conservative in the early days in constructing some of these projects.

As you indicate, we built a one-lane road with one-lane bridges. I think we have progressed in current-day practices where traffic volume projections for the next 20 years are used in connection with new construction projects.

We in a lot of cases are building facilities, excepting the freeways in the District, that will eventually carry, much more traffic than when they are opened, but there is a lot more that could be done.

We should build the structures, so that we can add extra traffic lanes on the inside of the throughway at a later date. If you only build the one lane bridge now, you are usually stuck with that bridge for a long time, and we have 9,000 of those bridges today.

Senator BAYH. Thank you very much, sir.

Our last and final witness this morning is Dean Van Gorden. Mr. Van Gorden, we thank you for being so patient. You may proceed.

STATEMENT OF DEAN VAN GORDEN, HIGHWAY SAFETY COORDINATOR, OFFICE OF GOV. WARREN P. KNOWLES, STATE OF WISCONSIN

Mr. VAN GORDEN. Thank you, Mr. Chairman. Senator Bayh and Senator Jordan, I appreciate the opportunity to appear before you and I also appreciate your patience and the courtesy of waiting to hear the last speaker of the day.

I am very pleased that you invited me to be here today before you, representing the State of Wisconsin and Gov. Warren P. Knowles.

I would like to concentrate my remarks to two intrinsically related areas. One is the setting forth of progress as a result of the Highway Safety Act of 1966. The other is that of the problems related to the act which have arisen and which must be overcome to bring about meaningful and effective solutions to highway safety problems.

Vince Lombardi came to Washington some months ago. His appearance on the sports scene in the Nation's Capital has excited football followers to believe that the magic of this gridiron mentor can be applied with the same success to the Redskins as it was applied to the Green Bay Packers.

It strikes me that the Congress, in passing the historic Highway Safety Act of 1966, caused some in whatever capacities of employment in the cause of auto crash prevention—to believe that in this formula was the magic to produce miracles. It was expected almost overnight, to alleviate the enormous waste in human and material resources resulting from vehicular crashes on our streets and roads.

I am sure that Lombardi, master strategist that he is, by now has convinced his coaching staff and team players that there's a long road ahead—paved with hard work and dedicated cooperation—before his Redskins can bring a championship to Washington, D.C. Our Green Bay Packers will, however, be making every attempt to prevent this.

Similarly, while the Highway Safety Act of 1966 inspired safety workers throughout the country with new hope, we are not laboring under delusions. We know that the road to progress demands continuing, searching analysis of methods now being used to cope with problems in many spheres of activity—in national operations, in State operations, in local operations.

Initially, with passage of the Safety Act, it was felt in many quarters that since the Federal Government now had spelled out its concern for protecting our citizens—and made provision for funding new activities—pressures on State and local governments would be eased. Somehow, Uncle Sam would do the problem solving, program development, and project determination. This, of course, has not been the case as it was not intended to be. This is one of the strong points of this program. It remains a State and local program assisted by the Federal Government.

What the Highway Safety Act did provide was a stimulus to act. It made it possible for States to draw upon funds for planning and administering comprehensive statewide traffic safety programs. The act made it possible for States and for local political subdivisions to secure aid in funding for projects which were before only on the drawing board or in some cases, not even considered.

It took some months before the Governors, their representatives, and others could properly digest the full significance of the act and create comprehensive highway safety plans in which new and expanded methods could be utilized to attack State and local problems—with some degree of assurance that the newer strategies and techniques might really prove effective.

It was recognized by the Congress that one of the keys to a successful comprehensive highway safety program is local involvement.

In Wisconsin, we have utilized numerous sources to develop guides which are designed to aid local units of government desiring to participate in and receive the benefits of the Highway Safety Act. We submit to you copies of these publications which we have created and furnished to local political subdivisions in Wisconsin:

A guide for local government.—This provides an outline of Federal and local involvement in the Highway Safety Act of 1966. It is a starting point for understanding and involvement in the benefits of the Highway Safety Act of 1966.

Assessment forms.—These aid in the evaluation process of existing local highway safety programs.

Ajax County.—This is a prototype comprehensive plan to aid local communities in documenting their individual planning efforts.

Project manual.—This is a guide to project development and submission for Federal funding assistance. Each of these publications have been distributed to the Governor's representatives to utilize in any way that might prove helpful to them.

Our Governor has requested appointment of a highway safety coordinator in each of 72 counties and two cities of the first class. To date we have 70 such coordinators.

Additionally, it has been requested that each coordinator have benefit of a highway safety advisory commission, composed of professional personnel from the varied fields of highway safety and leading influential citizens to represent the public. The role of the commission is to assist the coordinator and agencies in the evaluating of their local programs, identify those deficiencies, establish priorities and develop projects aimed at correcting those deficiencies.

Utilizing the organizational methodology described so far, we have launched our program from a sound foundation. Our 1967 and 1968 funds have been totally obligated on highway safety projects that we believe will contribute to traffic crash reduction.

The 1967 Wisconsin apportionment, on which there was an obligating limitation of \$503,000, was obligated as follows: \$233,000—46 percent for State projects—\$270,000—54 percent for the benefit of political subdivisions. This was prior to actual local involvement.

The 1968 Wisconsin apportionment, with a limiting of obligation of \$1,350,000 was obligated in the following manner: \$600,000—44.5 percent for State projects—\$750,000—55.5 percent actually by the political subdivisions since January of 1969.

It has taken time, but we are beginning to see involvement and progress by local agencies and are pleased.

Since October last year, Wisconsin traffic deaths—month by month—have been lower than for the comparable months of the preceding year. While you gentlemen in the Congress along with acknowledged safety authorities in both Government and the private sector, know that a reduction of the deaths is not the best—and by no means the only—indicator of progress in highway safety, the reduction or increase of road fatalities is the yardstick by which the press and, therefore, the people measure highway safety success or failure.

Over the coming months and years we can expect much greater involvement and a need for additional funds to assist them in their crash-education programs.

I have mentioned some of our areas of progress. Now I would like to mention some of the problem areas as we see them. We are being idealistic if we assume that through the use of 1-day seminars, of which we have conducted several in Wisconsin as of this date, and the distribution of program manuals telling what must be done to implement a comprehensive highway safety program, to assume that the know-how for implementation is immediately at hand.

There is an urgent need for highway safety education of those persons at all levels of government, local, State, and Federal, who are required to plan, develop, and implement the provisions of the Highway Safety Act. We need formal education through our junior colleges and universities, at the present time and in the future, to provide directional leadership, implementation, and evaluation skills.

We have even greater need for immediate in-service-type training for those personnel working in the various programs on a day-to-day basis. We cannot assume that because a county highway commissioner, a sheriff, a driver educator, et cetera, has worked in his field for a number of years, that he knows all of the latest developments even in his profession, let alone related highway safety areas. Short courses through our university extension divisions, technical colleges, operating agencies, et cetera, in each of the respective program areas are essential now.

Courses in comprehensive highway safety program development are also necessary immediately to broaden capabilities of those persons assigned to the planning, development, liaison and administration functions—highway safety coordinators or program managers—at all levels of government with special emphasis on local government. It is essential that they are subjected to the broad spectrum of the highway safety needs rather than continuing with “tunnelvision” in their specific areas of present responsibility and interest.

State and Federal personnel must be exposed to local operations and needs and not become so entrenched in the goals of their individual agencies that they do not recognize those needs of local government and the problems confronting them.

The authorization of \$267 million with passage of the act was a good beginning, but it is the question of usage of that money which is critical to the program's success. One of the initial problems resulted when Congress made both planning and administration funds and implementation funds available at the same time. Highway safety is a crash problem. It should not be a crash program. The result was inadequate planning at the Federal and State levels, and generally speaking, no planning at the local level prior to pressures for obligation 1967 appropriated funds by July 1, 1968.

This has been partially corrected, and we can expect accelerated program development in the future based on sound planning.

If one would review the highway safety legislative accomplishments of the States as a whole since the enactment of the Federal Highway Safety Act of 1966, it would soon be recognized that there is a strong resistance to pass much of the necessary legislation required by the Federal highway safety standards.

Legislators are reluctant to subject themselves and the citizens of their State to much of this legislation. We can draw three conclusions

in this: (1) Either the standards are unrealistic; or (2) they are not understood by those persons responsible for enactment of this legislation; or (3) there is a substantial resistance by State legislators of being forced into additional new programs by the Federal Government, or a combination of the three.

While the standards were developed by human beings utilizing the best knowledge available to them at the time, we can certainly assume that they are not perfect—but I believe that they are realistic and that implementation would aid in alleviating many of our highway crash problems. This is not to say that they should not be revised from time to time as new developments and knowledge are gained.

If lack of understanding is the problem, a breakdown in communications is obvious. If, with our modern technology to communicate, we can develop communication from earth to spaceships circling the moon, we certainly have the techniques available for proper communication even though the media must be different, between Federal and State legislative bodies and agencies.

If the third conclusion is the problem, and it may well be, then there must be assurance by the Congress that highway safety will not be a short-term program at the Federal level with a few dollars of "seed" money expended only to have it cut off in a short time, leaving the States to impose additional taxes on the already overburdened citizen to insure proper continuation. Particularly in my own State, this is one of the biggest obstacles preventing the passage of needed legislation. Citizens and legislators must be assured that the existing partnership will continue.

Senator BAYH. Excuse me. In light of the fact that your general statement has been submitted in full for the record, could I impose a question to you?

I have to be on the Senate floor at 1 o'clock. There has already been some criticism, and I understand other witnesses will appear tomorrow and later on in these hearings. On page 4 you discuss State projects and projects used for local subdivisions. Could you give us some examples of where the line is, the types of projects, and how they are differentiated?

Mr. VAN GORDEN. Well, driver education program, for example, we have what we call CESA district in Wisconsin made up of—there are probably 15 or 20 of our school districts. This is the political subdivision that we are utilizing to expand our driver education program.

We already require all of our students to have driver education or else not receive a license until age 18. But we need to expand the driver education program so that we use simulation, driving simulators. In other words, the multimedia approach to driver education rather than the old approach of letting a driver educator take the individual out of the highway for 6 hours and that is the end of it, because he can't expose him to enough of the problems in 6 hours, so he needs all this multimedia approach.

So a local project would be the purpose of simulation to development of multiple-car range.

Now Breath-O-Lizers, we have an extensive Breath-O-Lizer program in the State of Wisconsin utilizing 106 or 107 Breath-O-Lizers by 167 police agencies in the State. Breath-O-Lizers that we purchased were political subdivision programs.

I mean for the "benefit of." This was one of the programs that we did last year.

We are, therefore, utilizing Breath-O-Lizers as our means of blood alcohol testing in Wisconsin. We are doing surveys of the need for traffic control devices and this is a local political subdivision program. The motor vehicle program that I mentioned.

I could go on and on through the 13 various program areas.

Senator BAYH. Do you have instances where the local community has come up with individual programs that aren't implemented in a statewide program?

Mr. VAN GORDEN. Well, our total plan, I mentioned I would be pleased to give you at the end of this. What I will do, I will leave one of these with you. In there it calls for a total State plan. Then the political subdivisions develop their plan based upon evaluating their existing program, identifying their deficiencies, then setting their own priorities for implementation of those deficiencies so their plan must fall within the State plan. In other words, it must meet the criteria set forth in the State plan.

Senator BAYH. Thank you.

The possibility of failing to obligate all of the available funds by June 30 has aroused critics of the highway safety program to suggest more fund limitations. This would be disastrous to the program. "Tooling up" the program has taken many States longer than was originally anticipated, and this has resulted in what superficially appears to be an inability to obligate funds.

The length of time for tooling up has partly resulted from the fact that many local officials lack a comprehensive background in highway safety problems covering the 12 local standard areas. Coupled with this is the lack of Federal publications in sufficient number for distribution to local officials.

It is encouraging that the Congress, in passing the Highway Safety Act of 1966, recognizes that the program just could not succeed without strong local involvement. Now there exists the question of how this involvement can be generated and maintained. One way is insuring that the National Highway Safety Bureau take action quickly on projects submitted, so that enthusiasm genuinely generated does not die a slow and painful death waiting. Streamlining administrative procedures to expedite project approval would be extremely beneficial to the program at all levels.

For local political subdivisions there is probably nothing more disheartening or detrimental to future program development than after having evaluated their program, identified their deficiencies, determined methods for correcting deficiencies, developed local projects to implement correction of these deficiencies, and obtained approval from the necessary local governing committees and bodies, to then have the project delayed unreasonably at either the State or Federal level.

Present planning and administration policy prevents the sufficient expenditure of planning and administration funds at the local level. It is therefore necessary that personnel with existing full-time governmental positions such as sheriffs, county highway commissioners, county clerks, county board chairmen, et cetera, be appointed as coordinators and liaison personnel between the State offices of highway

safety coordination and local units of government and agencies within their jurisdiction. Because of an already overloaded workday, this often leaves little time for highway safety program management.

Traffic commissions and councils have been established to give technical guidance in planning for the 12 standard program areas in which local government will be involved; again, generally speaking, this is with no funds for even expenses. Some see this as nothing more than an additional chore. Planning, program development, and administration, based upon fiscal austerity, is conducive to very shallow and frequently ineffective results.

Consideration should be given to providing block grants to States, based upon approved highway safety programs, similar to the block grants now being made available through the omnibus crime bill. This would free the officials here in Washington to spend more time in program development rather than engage so much time in detailed study of hundreds of local projects. It would also free regional personnel from tedious project review and provide time for them to work more closely with States in program development and evaluation.

Another area of concern is the obvious lack of coordination between departments at the Federal level such as between the Departments of Transportation; Health, Education, and Welfare; and Justice, and the Federal Communications Commission. Each of these has a role to play in highway safety.

For instance, the problem of the drinking driver does not originate as a highway safety problem, but certainly becomes one as a byproduct of the actions of heavy drinkers and alcoholics. The relevant question is, "What causes us to have several million heavy drinkers and alcoholics?" We have to ask not only what can we do for them as problem drivers, but what can we do for them as problem people. Driver counseling can often prove effective in helping many drinkers with their driving problems, but this is not adequate for alcoholics or other drivers with severe drinking problems. This is where a joint effort is needed by several units of government to create a coordinated effort which can produce optimal results.

Another recent development of common interest would be the area that overlaps between highway safety programs in the Department of Justice as a result of the Omnibus Crime Control and Safe Streets Act of 1968. I am sure you can visualize the problem confronting States where under one act, planning is done at the local level without benefit of Federal funds, and in the other, planning is financed at both the State and local level with 90-percent Federal and 10-percent State or local funding.

Additionally, in the action phase, funding in one program requires approval at local, State, regional, and Washington level, while in the other program, block grants are apportioned to the States with approval necessary only at the local and State level. Add to that the fact that both programs provide training, communications, and equipment purchases for police agencies plus involving the Department of Health, Education, and Welfare and the Federal Communications Commission. You can clearly see the need for coordination.

It must be recognized by the Congress, the Department of Transportation, and the National Highway Safety Bureau that present levels

of highway safety program implementation, deficiencies, needs, priorities, et cetera, vary from State to State just as State personnel must recognize that these same things also vary in political subdivisions within a State. Policy and procedure must therefore take into consideration the fact of variation. Thus, priorities should not be established at one level for all subdivisions.

Before any hard and fast policy is established nationally in carrying out provisions of the Highway Safety Act, the State coordination people—and also the regional representatives of the National Highway Safety Bureau itself—should be given the opportunity to learn of such policies and to submit their reactions and ideas. From this give and take, the final policy can emerge, and the Bureau will have smoothed the way to acceptance of the policy. This procedure would reduce drastically the amount of criticism which might otherwise arise.

Another problem relates to the complexity of our highway safety problems and the need for involvement of a variety of disciplines. The National Highway Safety Bureau should be encouraged to provide direction and guidance in the area of public information and support. To date no standards have been developed in this highly important area. The need to encourage citizen understanding and involvement in highway safety programs together with a need for a strengthening of proper driving attitude and behavioral patterns by our general driving public is essential.

The Highway Safety Act of 1966 requires that the Governor of each State be responsible for the administration of the act and coordination of the State's safety activities. This was done to insure that the act did not become another forgotten piece of legislation. To insure continued attention and a balanced program, each Governor was charged with this responsibility.

We are fortunate in Wisconsin in that the office of highway safety coordination is part of the Governor's office and the coordinator reports directly to the chief executive. Colleagues in some other States are not quite so fortunate as, at times, they are a stepchild of an operating agency with the built-in danger of emphasizing those programs which the operating agency regulates to the detriment of a well-balanced total comprehensive plan. I do not mean to intimate this is always true, but is certainly a factor that should be considered.

I am confident that our organizational structure in Wisconsin was a valuable tool in aiding us immeasurably in the rapid development of our approved comprehensive plan, and in coordination of all highway safety activities. Consideration should be given by Congress and the National Highway Safety Bureau to encourage that each State maintain the coordination and administration of this program in the Governor's office.

To know how effective the program is, sound evaluation of our program is imperative, and thus it is important that criteria be developed.

With 16 different standard areas now, it is irrelevant to try to judge all our efforts on the traditionally used "death rate per 100 million vehicle miles." Each printed standard requires evaluation by the States, and the National Highway Safety Bureau should assume the leadership in developing criteria for this purpose.

There has been a tendency to judge a State's performance on the basis

of how much money has been obligated how quickly, rather than the results of the obligation. This is unfortunate at best.

For years, highway safety people and others from all walks of life have pointed out the fallacy of continuing to manufacture automobiles that go faster and faster. This is in the face of an ever-growing vehicle crash problem where excessive speed is often a contributing factor. A vehicle capable of 150 miles per hour is ludicrous with speed limits of 65 to 75 and we generally all are aware of it.

No one including the manufacturer or the National Highway Safety Bureau has as yet been willing to meet this problem head on. It must be met and solved, but it requires a good hard look at our values. Hypocrisy is not unknown in the industry. In sales campaigns safety features are usually only superficially promoted. The prospective customer is often lured with the promise of jackrabbit starts and high speed. The implicit assumption is that it's "cool."

As a nation, we can only develop and instill proper driving attitudes and behavior through proper values.

The automobile, oil, rubber, and other related industries, through the use of national television, radio, newspapers, and magazines together, have the capability of developing proper driving attitudes and behaviors in our driving and prospective driving public. They must strongly be urged to accept the challenge.

Senator BAYH. Do you have anything else specifically that you would like to expand on?

Mr. VAN GORDEN. May I turn to the last page then, which is my summary?

SUMMARY

1. Consideration should be given to providing highway safety "block grants" to States after approval of a comprehensive highway safety plan.

2. Appropriations for planning and administration at the local level should be provided—90 percent Federal and 10 percent local ratio should be considered.

I related this in the paper to the Omnibus Crime Bill and Safe Streets Act, the fact that we have two programs going on simultaneously with one type of funding in one program to those same local governments as compared to another type of funding in another program to the same local unit of government.

It is very confusing to them and very difficult for the administrators because they have got two types of programs affecting the same agencies.

I think there ought to be coordination of this.

Senator BAYH. You wouldn't want this program to be taken back to the 50-50 program, would you?

Mr. VAN GORDEN. No, definitely not. In fact the 90-10 that I am talking about only relates to additional funds that I am suggesting for planning and administration at the local level. As far as the 50-50 funding for action type programs, I see no problem at all, but we do need better planning. You know we can't settle for planning that consists of thumbing through a catalog and having a police agency saying "It would sure be nice to have one of those things in our department."

It has to be based on deficiencies. Not this very, very shallow planning.

3. Closer coordination between Federal Departments with overlapping programs should be provided.

4. The position of the National Highway Safety Bureau within the Department of Transportation should be strengthened.

5. The appointment of a National Highway Safety Bureau Director to replace Dr. Haddon should be hastened.

6. The distribution of sufficient numbers of existing National Highway Safety Bureau publications to State and local governments should be provided. Additionally, new guides on "How to implement" and evaluate highway safety programs should be developed and distributed by the National Highway Safety Bureau.

7. A public education, information and support standard should be developed, and necessary funding for implementation provided.

8. Highway safety training programs for personnel at all levels of government should be initiated immediately.

9. Future priority establishment, after proper planning, should be established at the State and local level.

10. States must be assured that Federal funding involvement in highway safety is not short term.

11. State and local government, prior to issuance, should be given an opportunity to express views on new policy which will affect them substantially.

12. Strong executive office involvement should be encouraged to fulfill the intent of the act.

Senator BAYH. Thank you very much. I appreciate the time and the study you have given to this matter. Your comment will be helpful in understanding the perspective of one who has been involved in this on a day-to-day basis.

I wish we had more time to discuss these issues with you but I will study your full statement carefully, and I am sure the other members of the committee will also do so.

We will adjourn until tomorrow at 10 o'clock.

(Whereupon, at 1 p.m. the committee adjourned, to reconvene Thursday, June 26, 1969, at 10 a.m.)

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Senator Bazzel: Thank you very much. I appreciate the time and the study you have given to this matter. Our committee will be helpful in understanding the perspective of one who has been involved in this on a day-to-day basis.

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OVERSIGHT HEARINGS ON THE HIGHWAY SAFETY PROGRAM

THURSDAY, JUNE 26, 1969

U.S. SENATE,
SUBCOMMITTEE ON ROADS, OF THE
COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met at 10:05 a.m., in room 4200, New Senate Office Building, Senator B. Everett Jordan presiding.

Present: Senator Jordan.

Staff present: J. B. Huyett, Jr., assistant chief clerk and staff director.

Senator JORDAN. The subcommittee will please come to order.

This morning is a continuation of hearings to review the programs implementing the requirements of the Highway Safety Act of 1966, and S. 2399, a bill to provide a formula for apportionment of State and community highway safety funds for fiscal year 1970 and thereafter.

Mr. Healy, executive director, National League of Cities, also testifying for the U.S. Conference of Mayors, is our first witness. He is a fellow North Carolinian.

Mr. Healy, we are glad to have you with us this morning.

Mr. HEALY. Thank you, Senator.

I have with me Mr. Donald Alexander who is on the congressional liaison staff of the National League of Cities and who specializes in this field.

Senator JORDAN. Glad to have you, sir. Where are you from?

Mr. ALEXANDER. I am from Massachusetts originally, sir.

Senator JORDAN. Well, everybody can't be from North Carolina, can they?

All right, you may proceed as you wish.

STATEMENT OF PATRICK HEALY, EXECUTIVE DIRECTOR, NATIONAL LEAGUE OF CITIES; ACCOMPANIED BY DONALD ALEXANDER, CONGRESSIONAL LIAISON STAFF, NATIONAL LEAGUE OF CITIES

Mr. HEALY. Thank you.

Mr. Chairman, I appear here today on behalf of the National League of Cities and the U.S. Conference of Mayors representing over 14,600 member municipalities in all 50 States. I compliment this committee for the concern it has expressed and the leadership it has exerted in the highway safety field. The Nation's cities also are vitally concerned with highway safety and measures we can take to reduce the awful toll of death and destruction on our highways.

The principal focus of my appearance today is to express to you the deep concern of many city officials that the Highway Safety Act of 1966 has failed to have any significant positive impact at the local level, despite the fact that the program is now nearly 3 years old. Further, we do not believe that the highway safety program in its present form, and as currently administered, has any prospect of providing the assistance which local units need to solve their safety problems.

Local governments play a significant role in highway safety, particularly in urban areas, where for such key fields as traffic enforcement, highway maintenance, and traffic engineering, almost all responsibility rests with local units. Traffic safety programs involve billions of dollars in local expenditures each year. Because of their great stake in highway safety, local governments strongly supported the Congress in its approval of the Highway Safety Act of 1966, and have since worked to make this act an effective tool to reverse the upward trend of death and destruction on our highways.

A number of reasons may be cited for the lack of involvement of local units in the Federal safety program and its limited prospects for future benefit to local units.

First and most significant has been the reinterpretation of the Highway Safety Act by the National Highway Safety Bureau to frustrate the clear congressional intent that 40 percent of funds allocated to each State be reallocated for expenditure by political subdivisions. A recent report on the Highway Safety Act by the prestigious Insurance Institute of Highway Safety noted the failure in this area:

In these words:

The biggest hangup in implementing the Highway Safety Act is compliance with the requirement that political subdivisions receive 40 percent of a state's grant apportionment. Some states spend the political subdivision's money for them. Others laboriously divvy up the state's take into small portions and distribute them like stipends to a boy at college. Some state representatives are very passive about publicizing the 40 percent feature in the Highway Safety Act because of the relatively small amount of money involved and the complexity of it all.

Many local officials have expressed similar concerns to the National League of Cities and the U.S. Conference of Mayors. The act requires that State highway safety programs not be approved unless they:

Provide that at least 40 per centum of all Federal funds apportioned under this section to such State for any fiscal year will be expended by the political subdivisions of such State in carrying out local highway safety programs authorized in accordance with subparagraph (B) of this paragraph.

The National Highway Safety Bureau is currently accepting interpretation of this rather clear statement of congressional intent to mean "By or for the benefit of political subdivisions."

We have been told in meetings with officials of both the Highway Safety Bureau and the Office of Chief Counsel in the Federal Highway Administration that no final decision on interpretation of the "by the political subdivisions" provision had been reached, and there has been no published statement of the NHSB itself setting forth this "for the benefit of" interpretation. However, we have heard from a number of our cities and State leagues of municipalities that the "for the benefit of" interpretation is generally being accepted by the NHSB in de-

termining costs that may be counted as part of the 40-percent local share, and we have recently discovered a December 1967 opinion from the Office of Chief Counsel in the Federal Highway Administration which states that funds for the 40-percent local allocation need not be spent "by" local units if the expenditures are "for the benefit of" local units.

It is difficult to see how this interpretation has been arrived at, because, we believe, the legislative history on this point is quite explicit. The bill originally proposed as the Highway Safety Act of 1966—S. 3052, H.R. 13290—did not contain a provision assuring that the States would distribute funds to local units. To remedy this difficulty and provide for adequate local participation in the program, the National League of Cities and the National Association of Counties proposed an amendment which would have required that 50 percent of each State's allocation be used for expenditures by local units in local safety programs. This committee and its counterpart in the House carefully considered our suggestion and recognized the problem by adding provisions aimed at assuring adequate involvement of local governments. The House Public Works Committee added a provision requiring the States to allocate 25 percent of their highway safety apportionment for expenditure by political subdivisions. In the report accompanying their bill the House committee stated—and this is their language:

H.R. 13290 as reported also requires that at least 25 percent of the funds apportioned to a State under section 402 be spent by political subdivisions of the State in carrying out local highway safety programs.

This is a rather clear statement by the House committee that the percentage of State apportionment set aside for local units is to be spent by the local units and not spent by the State for programs the State deems of benefit to local units. The final language of the statute agreed to in conference between members of this committee and the House Public Works Committee is precisely the same language contained in the House Public Works Committee report, except that the percentage of dollars set aside by local units was raised from 25 to 40 percent in the conference agreement. Thus, no change of intent can be assumed because of any amendments to the language of the bill reported by the House Public Works Committee.

Despite the clear statutory direction and legislative history, many States are using the "for the benefit" device to avoid their responsibilities to local governments in the highway safety program. Instead of following the mandate of the act, States are spending money at the State level for essentially State programs which incidentally benefit local units. The cost of these programs with incidental benefit to local units is then being charged as part of the statutory local share. Such costs are being accepted by NHSB as in compliance with the 40-percent requirement.

That the States accept this advice as a general practice was clearly demonstrated in testimony before the House Public Works Committee last month when Mr. Paul Staffeld, assistant commissioner of the Minnesota Highway Department stated that he did not believe that

direct grants to political subdivisions were "practical" and that, as he stated:

Our experience over the past two years has led us to believe that direct grant allocations to political subdivisions is neither necessary nor desirable in order to achieve the 40 percent local use required by the Act.

Senator JORDAN. May I ask at this point, do you know why he made that statement?

Mr. HEALY. I have no idea, Senator. It is an amazing statement. As I say here, that may be his philosophy and that of the Highway Safety Bureau, but it is by no means a philosophy universally accepted, and it is one generally repugnant to municipal officials.

Senator JORDAN. The inference is that these local municipal subdivisions are not capable of spending this money efficiently, is that it?

Mr. HEALY. That is the inference I would put on it.

Senator JORDAN. Thank you.

Mr. HEALY. We recognize that the statutory requirements may impose some difficulties for the State in running the highway safety program, but it is not incumbent upon the State or the National Highway Safety Bureau to amend the statute at will to suit administrative convenience. Congress gave the States the responsibility under this statute to adequately involve local units.

In assuming this responsibility, the States must make tough decisions allocating money to those local projects that will achieve positive results in improving highway safety. If making the difficult choices required of the State in adequately complying with the 40 percent local share requirement is too cumbersome upon State administrative processes, the States might consider urging amendment of the statute to allow direct grants from the Federal Government to the local units so that the local units can be made a full partner in the Federal, State, and local effort to reduce traffic accidents.

A second, related difficulty with local involvement in the highway safety program is the fact that, despite the existence of the "for the benefit of" device some States still have failed to perform under its conditions. We understand that the staff of the National Highway Safety Bureau has prepared a chart which shows 19 States have allocated less than 40 percent of their apportioned funds for projects "by or for the benefit of" local government.

Many States have local share allocations, including funds "for the benefit of" local governments that amount to only between 20 and 35 percent of their total allocation, and one State, Massachusetts, has only allocated 14 percent of its funds for local projects.

Another difficulty with the program is that many States have failed to adequately inform local governments of ways in which they may participate under this program. This difficulty was noted in the Insurance Institute for highway safety reports and is supported by discussions which NLC and USCM have had with many local officials.

A final significant difficulty with this program is the administrative practices of the National Highway Safety Bureau, itself. Discussions both with local officials and State coordinators indicate that Federal requirements have often frustrated attempts of State and local governments to develop comprehensive and coordinated highway safety

improvement programs. Particular points of difficulty which have been related to us by State and local officials are as follows:

First, some officials believe that the Highway Safety Bureau, though it has established priorities, is attempting to assure that at least some dollars are spent on each highway safety standard in all States. The result of this is a dissipation of limited funds and frustration of State and local attempts to establish priorities for highway safety improvement.

Second, there is also concern that the priorities set by the National Highway Safety Bureau present a national view of issues but make no sense to particular States and local governments in solving individual highway safety problems. Only four of the seven priority items relate to local units. One State highway director has suggested that the best way to establish priority for local safety programs would be for local governments within a particular State to meet together and identify a composite of local needs in highway safety for that State.

Priority would then be assigned within those needs identified at the State level. We believe that such a program to establish local priorities would be more successful in developing a program relevant to individual local needs.

Third, though this is a State-run program, we are informed that some projects agreed upon by State and local governments have been disapproved at the Federal level because they were not sufficiently fancy or "innovative." The fact that both the State and local government in their project application were able to demonstrate that the project would very likely result in a significant accident reduction was not enough.

Fourth, another complaint we have received, and one corroborated by the Insurance Institute for Highway Safety study, is that both the Federal Government and the States tend to favor program approaches which give small amounts of money to many projects rather than concentrating limited dollars on a few high potential projects which could have significant impact in improving highway safety.

We recognize that problems have been created for both the NHTSB and the States because of the low level of funding for the program, but we also believe that this is a situation which will persist in the immediate future because of heavy demands upon Federal revenues.

Thus, the mechanisms for involving local governments effectively in the highway safety program must be reexamined. Limited funding alone should not prevent a positive role for local government in order to realize the goals for local participation set by this committee and the Congress.

The National League of Cities, the U.S. Conference of Mayors, and the National Association of Counties have developed a proposal which, we believe, will lead to more positive involvement of local governments in the highway safety effort through concentration of funds on a few projects at the local level in each State. These projects would be ones which demonstrated particularly high promise of making an impact on highway safety problems. There would only be a few of these projects in each State, and they would be funded at a sufficient level to carry them out effectively.

The witnesses of the National Association of Counties will discuss

our joint local government proposal in greater detail. Let me just say again that this proposal has our full endorsement as a device to assure positive local participation in the highway safety effort at the present limited funding levels.

I thank you gentlemen for your attention. I will be happy to answer any questions you may have.

Senator JORDAN. Thank you, Mr. Healy.

That is a good insight into the problems that face us in this piece of legislation.

Do you know the percentage of accidents that happen within the city limits, as compared to the number—I would say fatal accidents because they are listed and available—on the highways? Of course, every highway goes through somebody's county.

But, a great many of them, the dual highways are skirting all the cities. Of course, there are a lot of accidents on them also, and on county roads, too, for that matter. Do you have any information on it?

Mr. HEALY. I don't have them here at my fingertips, but I know that the number of accidents are greater, the proportion is greater inside the municipal corporate limits than outside, and the amount of property damage is greater, but the fatalities are greater outside the incorporated limits. That is because of the high speeds outside.

Senator JORDAN. That was the best information I had on that. That is correct. You have stoplights in the cities and a lot of turns, and I suppose the cities are better policed in their smaller area than the highways can be.

I know there are a lot of wrecks in town with high property damage but not as many fatal wrecks. It is a problem that has to be dealt with in both areas, however, as you point out in your testimony here this morning.

I don't think I have any other questions. One of the things that disturbs me about a great deal of the legislation passed in the Congress that I have had something to do with, is that you pass legislation and then it is not followed by the agency responsible for carrying it out.

As I said yesterday, I am getting sick of guidelines. It is wrong and it has got to be corrected.

Mr. HEALY. Yes, sir.

Senator JORDAN. Thank you, Mr. Healy.

Mr. HEALY. Thank you, Senator.

Senator JORDAN. Here is a question that was just called to my attention. Do you know what attempt local officials, I imagine county officials, have made to bring this before Government agencies to see if they can get some relief from that standpoint?

Mr. HEALY. I do not know what effort has been made; no, sir, State by State. Our own efforts have been confined to the attempts to work it out with the National Highway Safety Bureau. We have not attempted to go down into the States and try to work it out there, but we can document the efforts and the meetings we have had and the correspondence we have had with the National Highway Safety Bureau on those.

Senator JORDAN. I knew that you would have those. I was just wondering if the city officials have complained to State governments and

agencies about the small percentage of support they are getting of amounts allocated to the State. That certainly could be of some help to them, I imagine.

Mr. HEALY. I could give you some specific examples that we have been informed about where local officials have attempted to work this out with their governments and their State officials but have been frustrated in those efforts. I can name Pennsylvania and Arizona as two that we know about.

I could get that information for you, Senator, and introduce it into the record if you would like to have it.

Senator JORDAN. I think it would be valuable to have any information that you can supply or suggestions that you think would remedy this situation that which does not suit the people you represent. We would like to have it.

Anything would be welcome to make this bill more workable.

Mr. HEALY. With your permission we will make a quick survey and get that into the record.

Senator JORDAN. All right. Fine. Thank you very much. We appreciate your being with us.

Mr. HEALY. Thank you, sir.

Senator JORDAN. Our next witness is Mr. Carlton C. Robinson, vice president, Institute of Traffic Engineers.

STATEMENT OF CARLTON C. ROBINSON, VICE PRESIDENT, INSTITUTE OF TRAFFIC ENGINEERS; ACCOMPANIED BY BURTON W. MARSH, EXECUTIVE DIRECTOR

Senator JORDAN. Mr. Robinson, we are glad to have you with us. You may proceed as you wish.

Mr. ROBINSON. I am Carlton C. Robinson, vice president of the Institute of Traffic Engineers. The institute is honored by your request that it present views on the effectiveness of the Highway Safety Act of 1966 on behalf of its 3,500 engineer members.

Thirty-four months is not a long time. The National Highway Safety Bureau has been understaffed, and the program as a whole has been underfinanced and greatly underpublicized. Nevertheless, substantial progress has been made, even though much evidence is in the form of promise rather than performance to date.

We are encouraged, for example, by projects such as one in Iowa to establish an accident reference system to allow accurate identification of accident locations and assist in providing the basic traffic data needed for accident analysis. There are similar projects in Indiana and Maine.

The Federal Government and the States and, to a lesser extent, the local jurisdictions have been made to recognize traffic safety as a major, many-faceted program with a single objective. The sensible and sensitive manner in which this act has been implemented by the Federal Highway Administration has brought the various agencies and disciplines into a cooperative working team and this is already paying off. We see evidence in terms of renewed effort to improve traffic record systems and to make information available across agency lines.

There are very encouraging examples, as one in Ohio, in which a much improved traffic record system was jointly financed by funds from

the Highway Safety Act and the Law Enforcement Assistance Act, administered by the Department of Justice.

This example makes an important point: traffic safety activity is not nor should it be, the sole province of the National Highway Safety Bureau. Our members, many of whom work for local government, see traffic safety as a legitimate and important objective under the neighborhood improvement and model cities programs of the Department of Housing and Urban Development.

We feel that the Public Health Service and the National Institutes of Health should have a continuing interest in traffic safety. And most importantly we firmly support the concept that provision of adequate, properly designed, and competently operated highway facilities is an absolute key essential upon which all other traffic safety activities depend.

We wish to commend the Bureau of Public Roads for its emphasis on safety in new highway design and upon its fostering of the spot improvement program to review accident experience and make needed safety improvements on existing Federal-aid highways.

The TOPICS program, which received much warranted financing under the 1968 Federal-Aid Highway Act, is another activity having vital safety significance. This program is getting nicely underway with, for example, six projects in North Carolina and 12 in the State of Florida.

This close interdependence of the highway improvement and highway safety objectives and programs of the Federal Government supports the wisdom of Congress in assigning the National Highway Safety Bureau to the Federal Highway Administration.

We believe that it should stay there and, in fact, see a need for even closer integration of the highway safety and highway improvement programs, particularly in the areas of research and development.

The burden of our testimony is, thus, that the Highway Safety Act of 1966 has been effective within the limits of its financing, and that its administration has been soundly patterned on proven provisions of title 23, United States Code, and should be continued in that pattern. We are, however, both appalled and puzzled that the administration has not filled the office of Director of the National Highway Safety Bureau.

This failure seems strangely out of character when we consider the excellent leaders appointed to other top positions in the Department of Transportation. After all, one of the principal things the National Highway Safety Bureau can and must provide is leadership—something which cannot come from empty desks or “acting” directors.

We were asked also to point out areas which, from our point of view, require more effective implementation in the future. Our comments fall into five categories; not necessarily in priority:

1. Local government involvement—there needs to be much more.
2. Manpower development—critical shortages of trained traffic engineering personnel must be corrected.
3. Research—there are problems in the research and development area which deserve attention, coordination, and application.

4. Effective driver communication—this has two parts:

- (a) Uniform high-quality traffic control devices; and
- (b) Modern highway communication systems.

5. Money—the Nation's motorists deserve the greater safety which will come with proper financing.

Category 1—local government involvement.

It is a truism that national programs give needed guidance, statewide programs provide for practical administration, but local programs reach the people. The 40-percent provision in section 402 of the 1966 act is entirely appropriate—that is where the problems are—and doubly so since local governments are hard pressed for funds for many needed programs.

It is also true that not all local units of government are staffed or organized to take advantage of the safety program. Understandable though this may be, we feel that the situation should be changed as rapidly as feasible. The National Highway Safety Bureau and the States must step up efforts to publicize the program to fully inform and involve local officials. Truly local programs, developed by local people in response to local needs and priorities, should have full access to the allocated 40 percent.

There is heartening indication that our cities and counties are increasingly accepting their traffic safety responsibilities. As one example, the local governments in the Albuquerque, N. Mex., metropolitan area have banded together to measure their needs, develop and implement a traffic safety program, and measure the results. Such local initiative deserves support and encouragement and widespread publicity as a demonstration of the best aspects of a Federal-State-local partnership.

Category 2—manpower development: All of the good intentions, Federal programs, and new moneys for traffic safety will come to naught if there aren't trained people to do the work. In the traffic engineering field, this is exactly the case.

A recent national study showed a need for 3,494 traffic engineers to implement the Federal safety standards for accident surveillance. Another 3,277 are needed for improved traffic control devices and an additional 3,092 highway safety design engineers (many of them traffic engineers) for safety design.

This total of over 9,000 compares with the present Institute membership of 3,500, and this is only a glimpse at the total picture. The \$200 million TOPICS program—which becomes \$400 million when matched—relies on traffic engineers, requiring that they be added to local staffs as a prerequisite for funding.

The comprehensive urban transportation planning program required under the 1962 Federal Aid Highway Act relies to a large degree on traffic engineers. Urban redevelopment and neighborhood improvement programs need traffic engineers as do the design concept teams working to better meld highways into the urban environment.

Where are these professionally trained specialists going to come from? The answer is many sources: We will rob Peter to pay Paul; we will upgrade engineers and train technicians through in-service and quickie programs; but, fundamentally, this shortage can only be filled through a truly vast expansion of the training opportunities in traffic engineering.

Dozens of schools offer this training and could be helping to meet the shortage. There aren't many students in these courses because, in today's competitive market for brain power, the highway field is out-gunned by the atomic energy and space and the water pollution people who draw from the same potential student pool. They draw from that pool with fellowships—federally funded fellowships—and research assistantships and they get the people.

The Institute of Traffic Engineers is very proud that, through the support of concerned industries such as 3M Co., we are able to offer a fellowship program. This year's program is four fellowships. We received 67 applications for those four fellowships. Other programs supported by the automotive, petroleum, insurance and related industries offer about 20 fellowships annually.

The need for trained traffic engineers measures in the thousands. The current supply of new people to fill this need amounts to a drop in the bucket.

This is a problem, gentlemen, which deserves your serious consideration.

Senator Alan Bible of Nevada, in 1966, introduced a bill to initiate a modest program building up to 300 annual fellowships in this area. It was amalgamated into the Highway Safety Act of 1966 which, as a result, contains authorization for "research fellowships." In the absence of more specific congressional direction and with the current limitation of funds, no such program has been initiated.

Fellowships are long-range solutions but traffic safety is a long-range problem. We strongly urge that you consider reviving and specifically authorizing the fellowship program put forward in Senate bill 2915, second session, 89th Congress.

CATEGORY 3—RESEARCH AND DEVELOPMENT

The Federal Highway Administration and its precursor, the Bureau of Public Roads, has a strong research tradition. That research has developed much of the knowledge of traffic phenomena which we rely on today.

As a result of the Highway Safety Act of 1966, the Administration now has two research arms—the National Highway Safety Institute and the Office of Research of Bureau of Public Roads. The advent of the 1966 act had another effect: it encouraged the Department of Health, Education, and Welfare to cut back its very powerful program in traffic accident prevention research. Here is an anomaly. More congressional attention to traffic safety research has resulted, at least in some areas, in a reduction in traffic safety research.

Let me cite an example. The Public Health Service has drastically reduced its support of research and development in driving simulation—a method to study human reactions to the risks of a highway driving situation in a laboratory without endangering human life and before costly engineering projects are built.

Bureau of Public Roads and highway officials see the need for developing such a device to study new traffic control and design schemes. National Highway Safety Bureau has an obvious interest in its application in such areas as driver licensing and effects of alcohol.

But, somehow, these interests have not coalesced and the result has been less, not more, research in this area.

We need more research on drivers, driver motivation and driver reactions to the highway situation, not less. Only through such knowledge can the highway and traffic engineer design an environment in which drivers can operate safely. Driver characteristics are traffic engineering design criteria because drivers are an integral part of the driver-vehicle-highway system we are operating.

It is interesting to note that we have design criteria for steel and concrete. Materials that don't meet these criteria aren't used in the system and the design is predicated on that basis.

We have a "design truck" which serves the same purpose. Trucks that are wider or heavier or of longer turning radius aren't permitted on the system and, again, the engineer can proceed with economically sound decisions on that basis.

But we don't yet have a "design driver"—one with a set of minimum characteristics which the engineered environment must satisfy. What is the "design driver's" eyesight, his reaction time, his attention span? What is his blood alcohol concentration? Is he taking antihistamines which dull his reactions? The concept of a "design driver" is the missing link. If society wants highways which can be driven safely with, say, 20-50 vision, they can be designed and built as long as society will pay the bill.

The reason that the "design driver" does not exist is that we don't know enough about the driver—not just his vision but his prior knowledge and his strengths and weaknesses in every aspect of the driving task.

Just as the "design truck" coordinates all aspects of geometric design, and design stresses are the common denominator of structural decisions, so the "design driver" can become the integrating element in traffic safety—common to engineering, enforcement, licensing, driver education, and vehicle design.

Setting these criteria requires research. It requires things like driving simulators and the involvement of physicians and psychologists and "human factors" specialists and traffic engineers and many others. It requires a concerted research philosophy and leadership made possible by the Highway Safety Act of 1966 but not yet produced.

CATEGORY 4—HIGHWAY COMMUNICATIONS

Traffic control devices are the basic element of our highway communication system of traffic control devices. They are the vocabulary which provides indispensable guidance and mandates to the driver.

The Institute of Traffic Engineers is one "parent" of the national joint committee on Uniform Traffic Control Devices along with the National League of Cities, National Association of Counties, American Association of State Highway Officials, and National Committee on Uniform Traffic Laws and Ordinances.

This committee, since 1935, has been charged with setting standards for traffic control devices used in this country. The force and effect of these standards was, initially, one of voluntary compliance by independent jurisdictions but the importance of these standards has

grown, and, since 1966, the Federal Highway Administrator (acting for the Secretary) has had the authority to and has applied these standards to all public roads in the country.

There can be only one standard vocabulary if vital communication to the driver is to be effective. The institute fully supports the cooperative, interdisciplinary development of these standards, their interpretation and their periodic updating solely through the National Joint Committee on Uniform Traffic Control Devices—applicable to all administrative systems of highways.

That committee, as a result of several years of study and debate developed an updated system of traffic control devices. It builds on the basic of present standards but uses, for instance, a significantly larger number of symbols and colors. The system is consistent with that in use in Canada and that developed by the Organization of American States. If adopted, we will have a uniform system of traffic control devices throughout the entire Western Hemisphere.

These updated standards are now in final draft stage. We believe that they will be adopted in final form early in 1970. The question is, what then? State highways and Federal-aid roads can be quickly brought up to the new standards since most devices won't change and the State highway departments have road user funds available to make the needed improvements if they will.

But what of the city streets and county roads which make up 75 percent of the total road systems. These roads are not eligible for assistance under the Federal-aid highway program. They, similarly, are ineligible for aid under the 1966 Highway Safety Act as the wording of section 402, paragraph (g), is currently interpreted.

Many devices on these roads don't now meet the 1961 standards and it is not too uncommon to see in use obsolete devices such as yellow stop signs which were dropped from the uniform system 15 or more years ago.

The institute does not believe that the motoring public should be deprived of a consistent modernized and upgraded traffic control system for an interminable "transition" period. Accordingly, we urge that the Federal Highway Administration be instructed to give the upgrading of traffic control devices a high priority, including the provision of Federal funds earmarked for this purpose.

The second aspect of improving highway communication is the need to bring about an orderly development of an on-line electronic system which can link the highway system manager with the drivers of vehicles. Only highways, among modern transportation media, still rely on signs and surface markings.

Think of our airlines or rail systems or shipping lines operating safely or efficiently if they relied only on visual signals. The previous Federal Highway Administrator called an electronic communication system "the next major advance in highway transportation." The institute supports this view and encourages the Federal Highway Administration to continue an aggressive research and development program in this area in cooperation with State and local officials.

Other communication improvements are also needed. Some years ago, the Institute of Traffic Engineers convened a group of professionals from many affected disciplines to study a means of improving the signaling capacity of the driver of one vehicle to that of another.

We were and remain convinced that inadequate rear signaling devices on vehicles are a contributing factor to the mounting trend in rear-end collisions. This group concluded that rear signal devices on cars and trucks which differentiate between the running light and the brake light by color would make a positive contribution to safety and to stable traffic flow at high volumes. We would encourage the National Highway Safety Bureau to expedite implementing this valuable safety feature.

CATEGORY 5—MONEY

It is obvious from the preceding testimony that the Institute supports increasing the funds available under the Highway Safety Act of 1966. If local programs are to be meaningfully and equitably financed the total must be large enough to be subdivided among the several thousand States, counties, and cities and still provide even the smallest with a meaningful amount.

If research is to be stepped up, money is the key. A significant fellowship program requires dollars; an aggressive program to upgrade traffic control devices will depend on funds; and so forth. The institute does not have a specific total to recommend since our area of competence does not include driver education, medical services or other significant program areas; however, it calls to your attention that accident losses are conservatively estimated at 1 cent per vehicle mile, which, multiplied by one trillion vehicle miles per year, totals \$10 billion in annual losses from accidents.

This tragic toll, which is only partially measured in dollars, looms large in comparison to the \$65 million appropriated in 1969 or the \$75 million requested by the administration for fiscal 1970. You can't hunt elephants with peashooters.

The population-basis proposed in S. 2399 appears a reasonable one for apportioning funds among the States. However, the one-fourth-percent minimum would, if applied to the administration request of \$75 million would provide the low population States with \$187,500. We believe that this is grossly insufficient to provide the necessary incentive and assistance to a meaningful program.

As a final point, traffic engineering has made and will continue to make major contributions to traffic safety. Improvements in the environment through traffic engineering techniques are among the quickest, surest, and most cost-effective methods of accident reduction.

The institute believes that minimum standards for traffic engineering services should be included among the future standards promulgated by the National Highway Safety Bureau just as are police traffic services. We further believe that traffic engineering programs should receive the emphasis and financial support necessary to fully exploit their potential contribution to safety on America's highways.

In summary, basically the institute is pleased with the results of the 1966 Highway Safety Act. There has been encouraging progress in the things that have to be done first:

Establishment of administrative procedures and lines of communication, and traffic record systems. We feel that this program has been well handled by the Federal Highway Administration and we believe that it should continue to be handled under the Federal Highway Ad-

ministration; that, if anything, the highway development and highway safety programs should be brought closer together rather than administratively separated as has been proposed by some earlier witnesses.

We firmly support the concept that the provision of adequate, properly designed, competently operated highway facilities are the absolute key essential to a highway safety program, and all other elements of the program depend on an adequate highway system.

Senator JORDAN. At this point what do you mean by facilities?

Mr. ROBINSON. The highways, themselves, the physical environment built with the taxpayer's money, their construction, their maintenance and their proper operation, that without these the other programs, as worthy as they may be, can't succeed.

Senator JORDAN. Thank you.

Mr. ROBINSON. We would like very much to commend at this time the efforts of the Bureau of Public Roads to put greater emphasis on safety in the design of new highways, upon the spot improvement programs that they have fostered, and on the TOPICS program, which is channeling a great deal of deserved funds into improvements of urban arterials, and incidentally, Senator Jordan, your State is one of the leaders in taking advantage of this TOPICS program with six different cities in North Carolina taking advantage of this funding.

Senator JORDAN. Greensboro is one of them; isn't it?

Mr. ROBINSON. Greensboro is one, High Point is another, and I begin to run out of the list, but there are six, underway.

Senator JORDAN. Yes, I knew about those because Greensboro had a very, very bad traffic hazard in the highway at one spot. I think they named it "Death Valley," which was about right, but they have completely corrected that. That was done after quite a long study to determine how to handle it.

That is not easy to do sometimes when you have a lot of roads converging in a city. But that is certainly the first answer to it.

Mr. ROBINSON. The TOPICS program, although it is funded separately, under title 23, is in every sense a safety program and as I am sure you are aware it is funded at \$200 million a year which, when matched by the State money, is approximately \$400 million a year. That is money very well spent for safety.

Senator JORDAN. That is right.

Mr. ROBINSON. We would urge, Senator, that the Safety Bureau staffing be completed, including naming a new director. After all, one of the principal things that the National Highway Safety Bureau can do is provide leadership, and you can't provide leadership with empty desks, and you can't provide leadership with acting directors.

We would certainly urge the administration to complete the staffing of the Federal Highway Administration. The other offices have all been filled. This is the one remaining major office that is empty.

Our suggestions for further improvements in implementing the 1966 act fall into five categories, and the first of these is the one which Mr. Healy spoke to earlier: local government involvement. We feel that the 40 percent provision of section 402 of the 1966 act was an entirely appropriate provision because the local jurisdictions are where the problems are, and the local governments are the ones shortest of funds.

The National Highway Safety Bureau and the States must step up their efforts to publicize the program to fully inform and fully involve local officials.

We feel that truly local programs, developed by local officials in response to local needs and local priorities, is what Congress intended, and that these programs should have full access to the 40 percent of the funds which you so wisely provided.

Our second concern is in the area of manpower development and we feel that this is a very major problem. There has been a recent study under contract with the National Highway Safety Bureau which indicates a need for 9,000 trained traffic engineers to implement the safety program at the State level only.

This doesn't count local needs or the needs of the TOPICS program that I mentioned earlier, or the needs of the urban planning programs which are required under an earlier Federal Aid Highway Act.

These people just don't exist, and all the upgrading and all the retraining and all the robbing Peter to pay Paul that we can do is not going to fill this gap unless we vastly increase the supply of new people coming into this field.

In today's competitive market for brain power, the highway field is being outgunned by atomic energy and space and water pollution, by programs that draw from the same central manpower pool as does the highway program. These other areas draw from this pool with fellowships and they draw from this pool with federally financed fellowships and research assistantships, and they get the people.

During 1966 Senator Alan Bible, of Nevada, introduced a bill to initiate a modest fellowship program in the area of highway transportation engineering. That program was amalgamated into the Highway Safety Act of 1966 which, as a result, contains a provision for research fellowships, but in the absence of more specific congressional direction and with the current limited funds, no such program has been initiated.

Fellowships are a long-range solution, but traffic safety is a long-range problem and we strongly urge that you consider reviving and specifically authorizing the fellowship program put forward in Senate bill 2915 of the second session of the 89th Congress.

In the area of research, the third of the areas we have pinpointed, the Institute sees the need for much greater attention to basic research, research on the driver and how the driver reacts to a highway situation.

As a result of the Highway Safety Act of 1966, the Federal Highway Administration has two research arms: The National Highway Safety Institute and the Office of Research of the Bureau of Public Roads.

The advent of the 1966 act had another effect. It encouraged the Department of Health, Education, and Welfare to cut back its very powerful program in traffic accident prevention research, and here is an anomaly.

The great public attention and congressional attention in 1966 on traffic safety research has resulted, at least in some areas, in a reduction in the amount of traffic safety research.

The Institute of Traffic Engineers hopes that a concerted research philosophy and a strong research leadership will evolve under the

Highway Safety Act. We would like to see this research center on a problem of defining the "design driver."

It is interesting to note that we have design standards for steel and concrete. Steel and concrete that don't meet those standards aren't used in our program and we can make our design designations on this basis.

We have in the field something called a "design truck" and any truck that is wider, longer or has a different turning radius, isn't allowed to use the system. Again the engineer can use this design basis to make economically sound decisions.

We don't have a design driver, one with some set of minimum characteristics which the engineered environment must satisfy.

What is this design driver's eyesight, or reaction time, or attention span? What is his blood alcohol concentration? Is he taking antihistamines which dull his reaction? This concept of the design driver is the missing link. If society wants highways that can be driven by people with say 20-50 vision, such highways can be constructed as long as the public is willing to pay the bill.

The reason that this design driver doesn't exist is that we don't know enough about the driver, not just his vision, but his prior knowledge and his strengths and weaknesses in every aspect of the driving task. Just as the "design truck" coordinates all aspects of geometric design, and design stresses are the common denominator of structural decisions, so the "design driver" can be the integrating element in traffic safety, common to engineering, enforcement, licensing, to driver education, to vehicle design.

Setting these criteria requires research. We feel that this research should get much stronger attention than it has in the last 34 months under the Highway Safety Act.

"Highway communications" is our next category, and traffic control devices are the first item. A newly revised system of signs and markings which uses more symbols and more colors has been developed.

It is a good system. It will help make our highways safer and more convenient. It takes the best aspects of what we have used in this country, the advances that have been made in Europe, the devices used in Canada and the system that has been proposed by the Organization of American States, and put these all together into an improved system of traffic control devices.

I know this committee has in the last few days discussed this problem of traffic signing several times and it is a serious problem. We believe that these improved safety devices can be adopted for use next year, but the question is what then?

The State highways and the Federal aid roads can be quickly brought up to the new standards since most of the devices wouldn't change, and the State highway departments have road user funds available to make the needed improvements if they will.

But, what of the city streets and the county roads which make up 75 percent of the total roads system on which these accidents that you were discussing with Mr. Healy a moment ago occur? These roads are not eligible for assistance under the Federal-aid highway program.

Similarly, they are ineligible for aid under the 1966 Highway Safety Act as the wording of section 402(G) is currently interpreted. Many

of the traffic control devices on these city and county roads don't now meet the 1961 standard.

It is not at all uncommon to see obsolete devices like a yellow and black stop sign that was dropped from the uniform system 15 years ago still in use on these local systems.

The institute does not believe that the motoring public should be deprived of a consistent, modernized, and upgraded system, for some internal transition period. Accordingly we urge that the Federal Highway Administration be instructed to give the upgrading of traffic control devices a high priority, including the provision of Federal funds earmarked for this purpose.

Signs and signals are important, but they are limited. As has already been discussed in these hearings, it is hard to give all the motorists all the information they need all the time with a roadside sign.

We badly need a modern communication system to help the driver use the highway system safely. Only highways among all of the modern transportation media still rely on fixed signs and surface markings to convey information.

Just think of our airlines or rail systems or shipping lines operating either safely or efficiently if they relied only on visual signals. The previous Federal Highway Administrator called an electronic communications system the next major advance in highway transportation. The institute supports this view and we encourage the Federal Highway Administration to undertake an aggressive research and development program in this area in cooperation with the State and local officials.

Other communication improvements are also needed. Some years ago the Institute of Traffic Engineers called together a group of professionals concerned with this matter, to discuss improving the signaling capacity of one driver in one vehicle to another driver in another vehicle.

That group concluded that improving the rear signaling devices on cars and trucks would make a positive contribution to safety and stable flow at high volume. We would very much encourage the National Highway Safety Bureau to expedite implementing of an improved vehicle signaling system on the cars on our highways today.

Senator JORDAN. I am sure you are familiar with some of the signaling devices that are on schoolbuses. You do have the light, but some of them also have stop sign arms at both front and rear which you are sure to see because of their movement. Sometimes you get so fixed at just watching taillights in front of you that one of them doesn't register on your mind. Not because you weren't paying attention, but because you got used to seeing one object.

Mr. ROBINSON. One of our principal concerns, Senator, has been that the human eye is capable of making a number of different discriminations; it can tell two colors very, very quickly. It can tell two sizes with less precision and less speed, and it can tell two intensities of light with even less precision and less speed.

Now, one of the most critical pieces of signaling information that a driver gives to the driver behind him is "I am putting on my brakes," and yet, under our present system in American automobiles, that signal

is transmitted to him as a change in intensity. The color stays the same, the sizes stay the same.

We feel that the increase in rear-end collisions, which is a very serious part of the total accident problem, is related at least in part to the driver's difficulty in picking up this key signal from the cars ahead and there is research that well demonstrates this.

I don't want to leave the impression that we are not aware of the changes and improvements that have been made by the automobile industry and at the urging of the Safety Bureau. Electric turn signaling devices are a vast improvement over the older arm signals.

The emergency flasher that has been required for stopped vehicles along the highway is a very important improvement. The changes that the Interstate Commerce Commission has made in their rulings on slow moving trucks have all been improvements.

We suggest that there can be a further improvement and that the National Highway Safety Bureau has both the authority and the obligation to pursue that vigorously.

One of the points we were asked to discuss was the question of the allocation of funds among the States. We feel that the population basis which is proposed in S. 2399 appears to be a reasonable one, perhaps not the only one, but a reasonable one for this appropriation.

However, we are concerned that the quarter-percent minimum for the smaller States would, if it were applied to the administration request for \$75 million in authorization, provide a low population State with something in the order of \$185,000.

We believe that this money which must be divided among the counties and the cities is grossly insufficient to provide the necessary incentives and assistance in a meaningful program.

Although we recognize this hearing is not dealing with the appropriations, we would like to note that a conservative estimate of the total accident cost to the American public is a penny for every vehicle-mile that they drive.

We drive a trillion miles a year in this country and that adds up to \$10 billion worth of loss per year. We do not feel that \$75 million is an adequate response to that problem.

As a final point, traffic engineering has made and will continue to make major contributions to traffic safety. Improvements in environments through traffic engineering are among the quickest and surest and most cost-effective means we have of accident reduction.

The Institute believes that minimum standards for traffic engineering services should be included among the future standard promulgated by the National Highway Safety Bureau. We further believe that traffic engineering programs should receive the emphasis and the financial support necessary to fully exploit their potential contribution to safety on America's highways.

Thank you very much, Senator, for the privilege of testifying.

Senator JORDAN. Thank you very much. We appreciate your testimony.

Would you think that the most important thing is in building more adequate safe highways? I believe that is the major thing we have got to do before a great many of these other things can be licked.

Now, of course, I know about the county roads and I know about the city streets. One reason that the cities don't have the money is be-

cause the State drains it off from them and the Federal Government drains it off from the States. They are having a hard time staying in business as it is.

But once our Federal highway system is completed, that is the interstate system—and it never will be completed as far as that is concerned because people are multiplying faster than our road system is keeping up at the present time—it should make a vast amount of money available and perhaps we could start diverting this to the counties.

Take Highway 70 which, as you know, goes from the west coast to the east coast and comes through North Carolina. Route 40 goes through Tennessee. Interstate 85 goes down through Virginia and North Carolina and South Carolina on through Georgia.

We have got an unfinished stretch right now and so has Virginia, both under construction, however. When they are completed that will permit a lot more money to be put in other areas where there is a tremendous amount of traffic. Highway 301, for instance, and Highway 1, which goes all the way into Florida.

Mr. ROBINSON. Yes. The Institute had the privilege of testifying before this committee a year ago in regard to some of these problems you are alluding to now, of what our national policy should be after the Interstate System is completed.

The essence of our view then, and it remains the same, is that the first step is to take a look at the 3.6 million miles of highways, public roads, in this country for the function that they are actually performing and to rerelease our administrative system of highways to the functional role that they are playing. The Institute believes that Federal programs should concentrate the funds on those highways which are serving the Federal interest, and we felt then and do now that there is a need for a metropolitan system of highways in addition to the interstate which is on the broad scale of the whole Nation. The Institute believes that our major metropolitan areas, where so much of our population now resides, would be best served by delineating a metropolitan system of highways and concentrating funds on those.

Not to the exclusion of continuing to improve the Interstate System, because as you point out, the cars are still coming and some of those Interstate Highways are going to need upgrading in a few years, but to concentrate in the metropolitan areas much of the funds that will be available in future years.

Senator JORDAN. Well there is a great deal that can be done just on your good older highways that have been the standbys. You see you can't ever close a highway because people live on it. You can't ever close a highway, is that correct?

Mr. ROBINSON. That is correct and Senator, earlier in my testimony, I made passing reference to the spot improvement program which the States and Bureau of Public Roads have been going forward with.

It is my understanding that approximately a billion dollars has been spent over the last 4 years on the spot improvement program doing just what you are suggesting, going back on our basically good but older highways and making these needed physical improvements for safety. That is a very fine program and we need to have it continued.

Senator JORDAN. I, of course, know more about highways in North Carolina and considerably about Virginia because I drive through Virginia on my way home. They are coming along very well, too. Money is needed to complete the system that they are working on.

But in North Carolina they have been going back for several years over the State road staking out bad curves, real bad curves where there is a known incidence of accidents and fatal wrecks, eliminating some narrow bridges, and doing a great many other things that are vastly improving the safety of those roads.

Give a man a car that goes 100 miles an hour and he is not going to run 15 miles because a sign says there is a bad curve.

Mr. ROBINSON. Senator, the States you have mentioned are two of those in this country that have an accident record system which permits them to do just what you have been describing, determining from this actual accident experience where the problems are, and assigning them a proper priority for improvement.

One of the major benefits under the Highway Safety Act to date has been this emphasis in other States on upgrading their record system so that they will know where the accidents are and can go out and make needed improvements. These two States, North Carolina and Virginia, are fine examples of ones that already were doing this, and you are seeing the results in some of the spot improvements you have just described.

Senator JORDAN. Thank you very much. I appreciate your testimony. We will put everything you have got in the record and I am sure the other members will read it. I have enjoyed hearing it.

Mr. ROBINSON. Thank you.

**STATEMENT OF J. SAM WINTERS, CHAIRMAN OF THE EXECUTIVE
SUBCOMMITTEE OF THE NATIONAL HIGHWAY SAFETY AD-
VISORY COMMITTEE**

Senator JORDAN. Our next witness is Mr. J. Sam Winters, who is chairman of the executive subcommittee of the National Highway Safety Advisory Committee.

Mr. Winters, we are glad to have you with us.

Mr. WINTERS. Thank you, Senator. I am glad to be here.

Senator JORDAN. You may proceed with your testimony.

Mr. WINTERS. Mr. Chairman, I am J. Sam Winters of Austin, Tex., and I am privileged to have been asked to appear before the committee as a member of the National Highway Safety Advisory Committee and chairman of its executive subcommittee.

The committee was established by the Highway Safety Act of 1966, and its members are proud to have played a role in the initial implementation of that act, which is the subject of these hearings.

As stated by the advisory committee in its first communication with Secretary Volpe, there is much that the Federal Government, in partnership with the State and local governments, can point to with pride about the initial 2 years of the program; on the other hand, the problem is growing steadily in magnitude, far exceeding the limited resources available to counter the disasters on our highways.

I think we should bear in mind at all times that current estimates indicate that at least 240,000 highway crash fatalities will occur in the

next 4 years in this country. In the same time period, the advisory committee foresees 15 million injuries, or about 10,000 injuries a day, unless we step up the pace of our activities.

As you know, the National Highway Safety Advisory Committee is composed of the Secretary of Transportation, the Federal Highway Administrator and 35 members appointed by the President. There are 33 members of the committee appointed by the President who are serving at this time.

The term of 11 of the members expired on March 15, 1969, and they are still holding office pending appointment of their successors.

Secretary Boyd appointed several standing subcommittees to facilitate the work of the advisory committee. These subcommittees are: priorities and goals; public support; research; and standards and manual. The chairmen and vice chairmen of these subcommittees constitute the executive subcommittee which I was asked to Chair.

On March 6 of this year, the executive subcommittee met with Secretary Volpe to express our deep interest and concern with regard to highway safety and to offer our cooperation with him in working in the area. Perhaps Secretary Volpe will wish to reorganize the committee along different lines and we expressed our desire to cooperate with him in this respect to carry out the mandate of the Congress.

At the March 6 meeting Secretary Volpe asked that we make recommendation to him as to the appropriate placement of the highway safety program within the Department of Transportation. I appointed an ad hoc subcommittee composed of Mr. T. Lawrence Jones of New York, president of the American Insurance Association and former deputy director of the Bureau of Public Roads, General Richard E. McLaughlin, registrar of motor vehicles of the State of Massachusetts, and Mrs. James E. Malloy, commissioner of motor vehicles of the State of Vermont, and designated Mr. Jones as chairman.

These gentlemen prepared an extremely comprehensive report which was circulated to the entire advisory committee. The report, as well as all comments thereon from the members of the advisory committee, were forwarded to Secretary Volpe.

In short, the report recommended that all highway, vehicle and motor carrier safety operations be placed within a new arm of the Department reporting directly to the Secretary or through an Assistant Secretary for Transportation Safety. I would be happy to make a copy of this report and the comments of the advisory committee thereon available to you if you so desire.

I have a copy of the letter of transmittal and that report here with the comments on it.

Senator JORDAN. We would be glad to have it for the committee files, and we will certainly use it in reaching conclusions on this point.

Mr. WINTERS. Yes, sir.

The Secretary also requested that the advisory committee address itself to two other important issues. One deals with what standard areas should receive more attention than others, given a limitation on revenues, and the other addressed itself as to what can be done to strengthen programs aimed at the critical role of alcohol.

I believe that the role of alcohol, Senator, is one of the most important issues in highway safety, from the research that has been devel-

oped and the things that we have learned at a recent day that we did not know before.

Senator JORDAN. Would you concur in the statement that has been made, that too much money is being spent on trying to determine how much alcohol it takes to make a fellow drunk? It seems to me that once that has been done on a couple of dozen people, you know.

But nearly every State in the Union has been conducting research on that, and I think that is already known.

Mr. WINTERS. Yes, sir; I think it is. But I think the thing that has been revealed, which we didn't know as much about before, is the real problem drinker who is the real menace on the highways. And I think that the Bureau, and our committee, so far as we can go, need to explore ways of keeping those people off the highways.

It has been suggested by some that doctors even be required to report to the Department of Public Safety known alcoholics, as they do other persons, such as epileptics, and I think the State of Pennsylvania already has such a law.

I don't know offhand the statistics, Senator, but it is the real problem drinker, not the social drinker, so-called, but the real problem drinker that is the one who is involved in these accidents.

Senator JORDAN. Of course, a problem drinker is a man who has caused a wreck.

Now, if you take his license away from him—in some States it is 6 months, sometimes a year; second offense, it is forever—it seems that has been the best method devised yet.

I used to have a mechanic at the mill. He got drunk every weekend and wound up in jail, but he always said, "Now, Mr. Jordan, if you just get me out of jail I will never take another drop." And he didn't, until Monday.

But you do know those people, and somehow or other they will have to be kept off the highway.

Mr. WINTERS. I don't know how it is in North Carolina, but in Texas we have a problem of keeping them off the highway even after we revoke the license.

Senator JORDAN. That is true. I don't think there is a week that somebody hasn't been arrested without a driver's license because it has been taken away.

Mr. WINTERS. That is right, sir. I appeared before a committee in the Senate and House in the Texas Legislature and they asked me what I would suggest, and I said, "Pick up the tags on the car. Regardless of whose car it is, just pick up the tags." But the legislature is going to have to pass a law authorizing the Department of Public Safety to do it.

Senator JORDAN. Of course, this is a vast problem because they steal automobiles every day, as you well know, and they are involved in wrecks because they are trying to get away, so it is not a matter of the tags. The fellow who owns the car loses the tags and his car to boot.

Mr. WINTERS. Every time you open up these matters you get into a new can of worms.

These matters have been referred to the appropriate subcommittees for study and recommendation and work is going forward at this time.

Section 404 of the Highway Safety Act of 1966 provides that the National Highway Safety Advisory Committee shall advise, consult with, and make recommendations to, the Secretary on matters relating to the activities and functions of the Department in the field of highway safety.

It is authorized to (1) review research projects on programs submitted to or recommended by it in the field of highway safety and recommend to the Secretary, for prosecution, any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause and prevention of highway accidents; and (2) review, prior to issuance, standards proposed to be issued by the Secretary under the provision of section 402(a) and to make recommendations thereon.

The advisory committee has done its best to carry out the mandate of Congress. The committee reviewed and made its recommendations with respect to 16 standards issued by the Secretary. These are standards dealing with periodic motor vehicle inspection, motor vehicle registration, motorcycle safety, driver education, driver licensing, codes and laws, traffic courts, alcohol in relation to highway safety, identification and surveillance of accident locations, traffic records, emergency medical services, highway design, construction and maintenance, traffic control devices, pedestrian safety, police traffic services, and debris hazard control, and cleanup.

In addition, last year the advisory committee recommended that the National Highway Safety Bureau begin preparation of draft standards for future discussion with the advisory committee in the areas of schoolbus safety and crash investigations.

It further recommended a thorough review by the Secretary of the extent to which accepted safety features of highway design and construction are actually being used. It also recommended that the Department and the States cooperate with a new private sector movement seeking to implement the standards at the local level. This new private sector movement consists of many private organizations interested in highway safety public support.

This year, in conjunction with the National Motor Vehicle Safety Advisory Council, a companion body to the advisory committee in the Department dealing with motor vehicle safety programs, the advisory committee wrote to the Governors of each State, as well as to major segments of the private sector, asking consideration of setting as a goal for the two programs that the number of highway crash fatalities per 100 million vehicle miles be reduced by one-half by 1980.

This would save at least 25,000 lives each year. We are receiving extremely constructive replies to this letter and would be glad to share them with you. I have with me a condensation of the replies which we have received, which may be of interest to this committee.

Senator JORDAN. We would be glad to have that also. May we keep that?

Mr. WINTERS. Yes, sir.

The program has sparked considerable activity on the State level throughout the country. Without strong Federal help this fire of enthusiasm will flicker and die.

At this point, I would like to express my appreciation for the vigorous, dedicated and imaginative leadership that Dr. William Haddon, Jr., rendered the highway safety program as Director of the National Highway Safety Bureau, and I look forward to working with his successor to be appointed by the President. Hopefully, this will occur in a short time.

Unless strong leadership is provided, it would be difficult for the program to meet the level of success contemplated by the Congress.

In October 1968, the Secretary reported to the Congress on the estimate of cost of carrying out the provisions of the Highway Safety Act of 1966. It is noted in the report that the total safety program needs for implementing the standards in each program area in 1968 were \$2.5 billion and grow to \$4.5 billion annually in 1976.

The report indicates that unfunded requirements estimated by the States grow from \$500 million annually in 1968 to \$1.9 billion in 1976. By comparison, the Department of Transportation Appropriation Act of 1969 limited obligations for State highway safety programs to less than \$64 million during the fiscal year 1969.

This report also notes that the Congress has authorized \$30 million for fiscal year 1970 and \$37.5 million for fiscal year 1971 for highway safety research and development programs under section 403 of the act.

Quite obviously, the effectiveness of this program will depend to a large extent on the adequacy of funds that are available for implementation. We must remember that we are trying to save lives, and unfortunately the standard for living must conform to the means.

The Advisory Committee is deeply concerned that it appears that inadequate funds will be available to do the job contemplated and sorely needed.

The success of the program will also depend to a large extent upon the willingness of the States to implement the program. For much of this, reliance must be placed in the private sector. The private sector has indicated a strong desire to be helpful in this important area; and the Public Support Committee, of which I am chairman, has met with the private sector; and the Advisory Committee has tendered its help to the extent appropriate.

A study looking toward the improvement of public education for highway safety is being conducted at this time at the suggestion of the Advisory Committee. The public, which all of us represent, wants a new day in highway safety and I believe that we now have the determination and cooperation which can bring that day about.

We must dig out the facts, search for new answers, and constantly keep our eyes on the goal of reducing deaths and injuries on our highways and roads.

Thank you, Mr. Chairman and members of the committee.

Senator JORDAN. Thank you very much.

Mr. WINTERS. Mr. Chairman, I do have a list of the committees, the terms, and list of the subcommittees, if this subcommittee would like to have it.

Senator JORDAN. We would be glad to have it.

(The document referred to follows:)

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

STANDING SUBCOMMITTEES

Priorities and goals

Gen. Richard E. McLaughlin,
chairman
Carlisle Knowlton, vice chairman
Harold J. Gibbons
Stafford Grady

Gov. Richard J. Hughes
(Russel H. Mullen)
Joseph F. Kerigan
James C. Moore
Prof. Jeffery O'Connell

Public Support

J. Sam Winters, chairman
T. Lawrence Jones, vice chairman
W. W. Dumas
Hon. Norman R. Howard

James F. McManus, Jr.
Maurice Templesman
Mrs. Norma O. Walker

Research

Dr. Norvin C. Kiefer, chairman
DeWitt C. Greer, vice chairman
Prof. Carl Auerbach
Frank N. Barker

Judge Mattie Belle Davis
Harry Heltzer
Ray F. Reavley
Kenneth A. Riggs

Standards and Manual

James E. Malloy, chairman
William H. Morris, vice chairman
Hon. James M. Hare
George Kachlein
Armlon Leonard

Hon. James A. Maloney
Hon. Ralph R. Roston
Burkett A. Rennolds
Hon. Kenneth A. Roberts

Executive

J. Sam Winters, chairman
DeWitt C. Greer
Mr. T. Lawrence Jones
Dr. Norvin C. Kiefer

Carlisle Knowlton
James E. Malloy
Gen. Richard E. McLaughlin
William H. Morris

Term expires March 15, 1969

Bernard L. Boutin, Director, Corporate Information and Engineering Support Services, Sanders Associates, Inc., 95 Canal Street, Nashua, N.H. 03060.
Harold J. Gibbons, Vice President, International Brotherhood of Teamsters, 300 South Grand Boulevard, St. Louis, Mo. 63103.
DeWitt C. Greer, Chairman, Texas Highway Commission, Texas Highway Department, Austin, Tex. 78701.
Hon. James M. Hare, Secretary of State of Michigan, Lansing, Mich. 48933.
Hon. Norman R. Howard, Oregon House of Representatives, 5230 Southeast 37th Avenue, Portland, Ore. 97202.
Joseph F. Kerigan, Vice President and Group Executive, Chrysler Corp., Post Office Box 1377, Detroit, Mich. 48321.
Dr. Norvin C. Kiefer, Chief Medical Director, Equitable Life Assurance Society, 1285 Avenue of the Americas, New York, N.Y. 10019.
Richard E. McLaughlin, Registrar of Motor Vehicles, 100 Nashua Street, Boston, Mass. 02114. Note: Mark mail "Personal, Room 8."
Jeffrey O'Connell, Professor of Law, University of Illinois, Champaign, Ill. 61820.
Ray F. Reavley, Executive Secretary, Montana Automotive Wholesalers Association, 2307 10th Avenue South, Great Falls, Mont. 59401.
Mrs. Norma O. Walker, 309 Uvalda Street, Aurora, Colo. 80010.

Term expires March 15, 1970

Hon. Mattie Belle Davis, Judge of the Metropolitan Court, Metropolitan Dade County, 1351 Northwest 12th Street, Miami, Fla. 33125.

- Harry Heltzer, President, 3M Co., 2501 Hudson Road, St. Paul, Minn. 55119.
 Hon. Richard J. Hughes, Governor of New Jersey, Trenton, N.J. 08625.
 T. Lawrence Jones, President, American Insurance Association, 85 John Street, New York, N.Y. 10038.
 Carlisle Knowlton, Director, Traffic and Transportation, U.S. Plywood-Champion Papers, Inc., Knightsbridge, Hamilton, Ohio 45011.
 James E. Malloy, Commissioner of Motor Vehicles of Vermont, State Office Building, Montpelier, Vt. 05602.
 William H. Morris, Associate Director, Illinois Law Enforcement Commission, 525 West Jefferson Street, Springfield, Ill. 62702.
 Hon. Kenneth A. Roberts, 1026 17th Street, N.W., Washington, D.C. 20036.
 Maurice Templesman, Leon Templesman & Son, 529 5th Avenue, New York, N.Y. 98721.
 Hon. Jesse M. Unruh, Speaker of the Assembly of the State of California, Assembly Box 65, State Capitol, Sacramento, Calif. 95814.
 J. Sam Winters, Clark, Thomas, Harris, Denius & Winters, Post Office Box 1148, Austin, Tex. 78701.

Term expires March 15, 1971

- Carl Auerbach, Professor of Law, University of Minnesota, Minneapolis, Minn. 55455.
 Frank N. Barker, Assistant Chief Engineer, Sante Fe Railway, 80 East Jackson Boulevard, Chicago, Ill. 60604.
 W. W. Dumas, Mayor-President, City of Baton Rouge and Parish, Post Office Box 1471, Baton Rouge, La.
 Stafford Grady, President, First Western Bank & Trust Co., 548 South Spring Street, Los Angeles, Calif. 90013.
 George Kachlein, Executive Vice President, American Automobile Association, 1712 G Street, N.W., Washington, D.C. 20006.
 Armlon Leonard, Chairman of the Board, Leonard Bros. Trucking Co., Biscayne Annex, Box 602, Miami, Fla. 33152.
 Hon. James A. Maloney, State Attorney General, Post Office Box 2246, Santa Fe, N. Mex. 87501.
 James F. McManus, Jr., Director, Chicago Automobile Trade Association, 6711 South Western Avenue, Chicago, Ill. 60636.
 James C. Moore, President, Jim Moore Cadillac-Olds, 2222 Main Street, Columbia, S.C. 29201.
 Hon. Ralph R. Poston, Florida State Senate, 3103 Northwest 20th Street, Miami, Fla. 33127.
 Burkett A. Reynolds, Executive Vice President, Lines East, Continental Trailways Inc., 315 Continental Avenue, Dallas, Tex. 75207.
 Kenneth A. Riggs, Coroner, Merced County, 1838 M Street, Merced, Calif. 95340.

Senator JORDAN. Do you believe that periodic motor vehicle inspection is worth the cost that is involved? It varies grossly from State to State, as you well know. Some States don't even have it.

North Carolina tried it for a while and then dropped it because it was unreasonable in the form first adopted—the way it was operated—you couldn't get your car inspected. You had to stand in this line 2 or 3 days to wait your turn, and the people just wouldn't do it.

It has been put back now in different form. An inspection license is issued to filling stations and garages to make inspections. So far as I know they are doing a very good job, but we don't have condition spot checks of cars on the road, as we do to check for driver's license.

Every once in a while you run into the highway patrol having the road blocked off to check your driver's license, and I think that is a good idea. But they don't check the automobile. In our State every year you have to have your car inspected. Sometimes that is a good idea and sometimes it isn't, because your brakes can fail an hour after you leave the station.

Would you recommend there be some spot checking of automobiles?

Mr. WINTERS. Yes, sir. Of course, we are all creatures of our own environment, what we are most familiar with. It is difficult for me to understand why in some areas they have any trouble with this car inspection. In my home State we have had this motor vehicle inspection in the law for many, many years. I understand that it works extremely well.

There was a lot of debate about it when it was originally enacted, but it has actually been tightened up since that time. In Texas, we do it, as you suggested, at certain licensed garages and they, in turn are inspected by the department of public safety. We don't have the bottleneck at these places that they apparently do in some other jurisdictions.

I know California seems to have a great deal of difficulty in getting such a law enacted. At least, they did.

I think spot checks are also very helpful. I know in our State the highway patrol are instructed that when things get a little idle, instead of getting a cup of coffee, they stop cars on the highway—and in fact they stopped me on the highway. I pulled up. He wanted to see my driver's license, wanted to check my brake lights and headlights, which he did, to see if they were working.

They do this all over the State.

Senator JORDAN. I think that is valuable because if a driver knows that he is liable to be stopped any time, he is more apt to have his vehicle in shape. If you have got a headlight out, you are not going to go very far before a patrolman picks you up, because that is very evident, or the light over your licence plate, or the tail-light.

Mr. WINTERS. I think it doesn't do anything but require minimum safety. It does keep a lot of unsafe jalopies and wrecks off the highways.

Senator JORDAN. Some of them you can see coming without stopping to look for them. Of course, I think everybody who knows anything about safety knows that disobedience of the law is where our main problem is right now. We know that excess alcohol makes it unsafe for you to drive a car, but—I drive to work here every morning and go home every night, and I find there are other hazards. If you leave a gap 6 feet long in traffic, somebody is going to drive into it

I haven't been hit but once, and not very hard that time, but I constantly have to brake to keep from running over somebody. It's a marvel to me we don't have a lot more wrecks, but that is against the law, running so close to another automobile, particularly on the highway—and that isn't enforced as much as it should be.

Most of the trucks, now, are operated extremely well. Truckers seem to do better than passenger car drivers. They have a training program that is carried out, and they patrol their own trucks, too. But at times the trucks get too close together, and you can't get around three or four in a row as well as you could the one, and that is where the people take chances.

But again, that is disobeying a law that is already on the books.

Most States, I believe now, and I think this is a valuable thing, are requiring children as they become of age to go to a drivers' school before they can get a driver's license.

Mr. WINTERS. Yes, sir, they are.

Senator JORDAN. And that is a valuable thing in my opinion, because whether they could drive or not they used to just start driving at age 16.

Mr. WINTERS. I got my license when I was 14 years old by just going down to the courthouse and getting it, and I haven't taken a test yet.

Senator JORDAN. Well, you are still here. That is the part that is lucky. But that was true. A lot of those things are being tightened up drastically, which is going to help the situation.

But disobedience of the law is still our biggest problem. I don't think there are many roads in the United States that are not properly designated as to speed in that particular area. Some residential areas have it as low as 15, and in my opinion that is too low.

Mr. WINTERS. Nobody is going to do that.

Senator JORDAN. But at the same time, some of them have 30, and I think that is reasonable. But if people don't obey them, all the safety legislation we can pass isn't going to do any good.

I think it comes back to the enforcement by the States. But disobedience of the law is not confined to the automobile, as you well know.

Mr. WINTERS. I am well aware of that, sir.

Senator JORDAN. But that doesn't mean we can't keep working on it and trying to do a better job on it. I think the testimony we have gotten from you and these other people is going to help a great deal. I appreciate your being with us.

Mr. WINTERS. Thank you, sir.

Senator JORDAN. Our next witness is Mr. William L. Mainland. Would you introduce your people who are with you, Mr. Mainland, and any titles they might have, for the record?

Mr. MAINLAND. Yes, Senator. I will do so in the course of my testimony.

Senator JORDAN. All right. You may proceed.

STATEMENT OF WILLIAM L. MAINLAND, MEMBER OF THE BOARD OF COUNTY SUPERVISORS OF OAKLAND COUNTY, MICH., AND CHAIRMAN OF THE SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS; ACCOMPANIED BY BRUCE B. MADSON, MANAGING DIRECTOR, TRAFFIC IMPROVEMENT ASSOCIATION OF OAKLAND COUNTY; AND RALPH TABOR, NATIONAL ASSOCIATION OF COUNTIES

Mr. MAINLAND. Mr. Chairman and members of the subcommittee, my name is William L. Mainland and I am a member of the Board of County Supervisors of Oakland County, Mich. I also am chairman of the Southeast Michigan Council of Governments, which consists of the six counties and 45 municipalities of the Detroit metropolitan area. I am appearing here on behalf of the National Association of Counties.

Also accompanying me are: Bruce Madson, Traffic Improvement Association of Oakland County, and Ralph Tabor of the National Association of Counties. Mr. Madson has a statement describing our

program in Oakland County. We would appreciate it if he could present this statement at the conclusion of this brief statement on my part.

Senator JORDAN. Do you want to present it for the record or do you want to do it orally?

Mr. MADSON. We will present it orally if time permits, sir.

Senator JORDAN. All right.

Mr. MAINLAND. We want to compliment this committee on the concern it has expressed and the leadership it has exerted in the highway safety program. We particularly compliment this committee on the decision to hold wide ranging legislative review hearings at this time.

Local governments currently are spending billions of dollars each year in support of highway safety. Counties have responsibility for the maintenance, traffic engineering and improvement of over 2 million miles of roads and streets. This is almost 60 percent of all the roads in the country.

In addition, most of the responsibility for traffic enforcement, traffic courts, driver education and emergency medical services rests with local governments. Because of these responsibilities, counties have vigorously supported the national highway safety program from the start.

This program is intended to focus national attention on one of our most critical problems and to assist us with important seed money in finding new and innovative solutions at the local level.

We are fully sympathetic with the problems of the National Highway Safety Bureau and the States in implementing this program. The Bureau has been operating, in our judgment, under severe financial and staffing limitations. Because of the limited financial resources we believe it is time to reevaluate the immediate program goals.

Later in my testimony, I will outline a proposal which would redirect the emphasis of the program at the local level to make better use of available funds.

Before setting out our proposal to redirect the program at the local level, we want to express our concern about the use being made of Federal highway safety funds at the State and local level. We believe the National Highway Safety Act of 1966 is very clear in requiring that 40 percent of the funds be expended by local governments for carrying out local highway safety programs.

The National Association of Counties and the National League of Cities had proposed this amendment to the 1966 act to insure adequate local participation in the program. This committee agreed with our suggestion and in reporting out the bill (S. 3052) made clear its legislative intent.

Somehow or another the Chief Counsel of the Federal Highway Administration interpreted the act to allow the 40 percent funds to be expended by the States on projects which would benefit political subdivisions. Many States are using the "for the benefit of" interpretation to avoid allocation of the 40 percent funds to local governments.

We strongly recommend that this committee reaffirm and clarify its position that 40 percent of the funds should be expended by local governments for carrying out local highway safety programs.

We also want to express some concern about the tendency of both the Bureau and the States to favor approaches which give small amounts of money to many projects rather than concentrating resources on a few projects which could have significant impact in improving highway safety.

Several States have distributed funds to local subdivisions on the basis of population with no thought as to where the needs are greatest or where the investment can have the greatest impact. In many instances, the overhead costs on a small project are almost the same as the costs of a substantially larger project.

Administrative costs could be kept down with fewer, bigger projects. Many of these small projects are not large enough nor of long enough duration to give a real test of results. We look to this program not just to provide dollars, but for new remedies for our problems through experimental programs, demonstrations and effective evaluations of these new approaches. The program is not doing this at the present time.

Gentlemen, we have come to the conclusion that the thrust and direction of the highway safety program at the local level has to be changed.

We are very concerned about the effect of limited funding and the limited impact of this program on the long-term public support of highway safety and financing of this program. Unless the public can see some tangible results of highway safety programs, we fear people will come to believe that nothing can be done to prevent highway accidents. They will just accept it that 55,000 deaths, 60,000 deaths, 65,000 deaths a year is part of our way of life.

As much as we decry the lack of highway safety funds, we believe we have to face up to it that Federal funds will not be increased over present appropriation levels during the next couple of years. In fact, considerable persuasion probably will be required to even maintain appropriations at the current \$63.8 million obligation level. As you know, only \$75 million and \$100 million have been authorized for 1971 and 1972.

However, we believe that, even with the present limited Federal funding, the program can be redirected at the local level to better realize the intent and goals of this committee and the Congress. But to do so, available funds have to be focused on fewer projects where definite measurable results can be obtained.

The National League of Cities, the U.S. Conference of Mayors, and the National Association of Counties are in full agreement on the following proposal:

1. We recommend that all highway safety funds continue to go through the States on the current allocation formula. Sixty percent of these funds should continue to be expended at State discretion on statewide programs in accordance with the approved State plan.

2. We recommend that during the next 2 years, the other 40 percent now earmarked for local projects, be used to fund only a few projects in each State to demonstrate the effectiveness of at least one of the highway safety standards applicable to local governments. Each project should be funded over a long enough period and at an amount necessary to adequately develop a particular standard for that community.

The cost of the project could be jointly developed by the State and the local government. The number of local projects in each State could be determined by the amount of funds allocated to each State, but we would not envision more than 150 to 200 total projects over the whole Nation.

3. We recommend that the projects be initiated either by a local government or a State with a continuation of present approval procedures. Federal surveillance should be limited to insuring each project is funded adequately and of sufficient duration to obtain effective results.

We believe Federal involvement in selecting communities and projects should be kept to a minimum, leaving as much discretion as possible to State and local officials. Cooperation and coordination between the States and the Highway Safety Bureau would be necessary to provide a mix of projects covering the applicable standards in large and small cities and urban and rural counties.

4. We recommend that the Highway Safety Bureau provide assistance to the local governments and States in monitoring each project so the results can be measured and made available to other communities.

5. We consider this proposal to be a limited demonstration program and we recommend that it only apply to the next 2 years. At the end of the 2-year period Congress should evaluate the experience and together we should determine how the 40 percent local share can be best utilized to support local highway safety activity.

Under current appropriation levels it would involve approximately \$24 million a year. We believe this proposal could provide the most effective use of available, limited funds and could build the kind of public support so badly needed for highway safety.

In summary, we believe that the main advantages of this proposal are:

1. It maintains the congressional decision for a statewide, State-administered program.

2. It maintains the ability of State and local governments to work together in developing innovative solutions within the limits of local capacities and conditions.

3. It concentrates limited resources on projects which can produce reliable, measurable results.

4. It provides demonstrated approaches and results to other local governments and States in developing highway safety programs.

5. It provides the Congress with a basis for determining future program priorities.

In addition, we believe there should be a limited demonstration program for the development of model comprehensive community safety programs. We think this could best be done through the use of section 403 research and development funds.

Specifically, we recommend that \$5 million be authorized under section 403 during fiscal year 1970 to finance one comprehensive countywide program and one comprehensive city program. The program could perhaps be expanded in 1971 to include two more communities.

We believe such a program would complement our other recommendations. We need a demonstration of what can be done by a com-

munity to develop a complete highway safety program when they have sufficient funds. A report should be made to Congress at the end of the 2-year period with an evaluation of the effectiveness of the model community program.

We are proud of the program we have developed in Oakland County, Mich. It perhaps is not a model comprehensive highway safety program, but we have done a great deal to bring together all the elements involved in a comprehensive program. Most of our efforts have been financed by the people of Oakland County. We think the committee will find our experience very interesting.

I would like to have Bruce Madson describe Oakland County's program.

Senator JORDAN. Thank you very much, Mr. Mainland.

Is that project you discuss in there confined solely to the county, Oakland County?

Mr. MADSON. Yes, sir.

Senator JORDAN. Let me ask you this question: With this program how much have you reduced your accident rate?

Mr. MADSON. The accident rate since 1964 has remained stable despite an increase of about 5 percent in population and about 6 percent in motor vehicle miles traveled and motor vehicles registered annually.

So we feel that we have made on a rate basis, considerable progress with what we have done in Oakland County.

Senator JORDAN. Thank you very much. You may proceed with your statement.

Mr. MADSON. Thank you very much, sir.

In 1964, over 200 persons were killed in traffic accidents in Oakland County. Over 15,000 persons were injured. This represented close to 10 percent of the State's total traffic casualties that year.

A substantial increase in traffic accidents and fatalities—such as that which we experienced—has, many times in many places, resulted in an aroused, concerned public. All too often, hastily established organizations have emerged to deal with the problem. As a result, the programs and solutions that are developed are frequently based upon little or no knowledge of the real traffic problems and needs.

Senator JORDAN. May I ask a question, so I understand better your testimony?

What cities are in Oakland County?

Mr. MADSON. Pontiac is the county seat and largest city, Royal Oak, Birmingham, Southfield, and Oakland County's borders are contiguous with Wayne County and the city of Detroit.

Senator JORDAN. What is the population of your county?

Mr. MADSON. The midyear estimate, as I recall, was about 900,000. It is a sizable county.

Senator JORDAN. Yes, that is a big county.

Mr. MADSON. Yes, sir.

We wanted to make certain that we wouldn't make the same mistakes that some other counties made in dealing with this problem, so we set out, in what has been described by traffic authorities as a unique approach, to identify Oakland County's specific traffic problems as a prelude to program development.

The chancellor of Oakland University, the chairman of the Oakland County Board of Supervisors, representatives of the Oakland

County Road Commission, and about 20 outstanding community leaders and public officials worked with traffic experts from Michigan State University to develop and carry out a comprehensive survey to tell us how well we were doing in the various aspects of traffic accident prevention.

Over 200 citizens and public officials volunteered to serve on the seven separate study groups which were formed. Their efforts resulted in a summary report which contains 92 specific traffic safety recommendations.

One priority recommendation called for the establishment of the Traffic Improvement Association of Oakland County—to be staffed with professionals who would devote full time to meeting other well-documented needs outlined in the report.

That first recommendation was met with the establishment of the TIA in 1967.

There are a number of priorities to which the TIA is currently directing its attention. We have placed these into four major categories of need and I would like to briefly outline what TIA has done and plans to do to fill the gaps in each.

Documented need No. 1:

From the beginning, we recognized a need for a system or procedure which would allow for better identification of accident causes at specific locations and on a countywide basis; and for a means by which communities could evaluate their own accident prevention efforts.

To meet this need:

The TIA last year established a countywide traffic data center for processing and using accident data. According to a representative of the National Highway Safety Bureau who visited us a few weeks ago, the TIA data center is the only one of its kind in the Nation and it was singled out, in a nationally distributed publication, as an outstanding demonstration model.

Staff of the TIA are now working with State and local authorities to develop a system which will enable traffic authorities to measure and improve upon their own accident prevention efforts.

In the immediate months ahead:

TIA will complete a current program of expansion of the traffic data center to provide for the addition of physical and operating characteristics of roads. It will also include traffic violation data for enforcement planning.

The TIA is also now launching a program of what is called roadway identification and surveillance. This will provide for a continuing and systematic watch of the county's entire street and highway network, so that accident problems related to highway design and traffic engineering can be promptly identified.

When completed this will be the most totally integrated traffic system in the country.

Senator JORDAN. What would be?

Mr. MADSON. The TIA. It is a system which will provide for the systematic watch of the county's entire street and road network and will allow us to relate problems of highway design to traffic accidents.

We can begin to see problem areas that are building up on certain types of facilities in certain locations, and with the detailed kind of

printout that we can get through our system, we will be able to hopefully see what corrective measures must be taken.

Senator JORDAN. I understand. It goes back to the construction project and maintenance of a certain project and buildup of residents in a certain area and so on.

Mr. MADSON. Yes, sir, and traffic engineering needs.

Senator JORDAN. I thought at first you meant watching the cars. You can't get enough people to watch all the cars.

Mr. MADSON. No, sir.

Documented need No. 2: A second major area of attention is directed to need for "increased public awareness of the seriousness of the traffic accident situation and greater understanding and support for local traffic programs."

To meet this need TIA helped establish and worked with an organization called CAR—Citizens for Adequate Roads—in a campaign to create public support for urgently needed road and traffic engineering improvements.

A number of communications approaches were employed in a campaign to better acquaint the public with the importance of driver education and the problems confronting those now carrying out this function.

TIA has just concluded an intensive program of public education for safety belt use. This in-depth, "saturation" program has also served as a national demonstration model. Scientifically designed "before" and "after" surveys have been conducted which will tell us just how effective this program has been.

In the immediate months ahead TIA will undertake a comprehensive and realistic campaign in the area of alcohol and driving.

We will also develop and conduct a program to acquaint Oakland County citizens with the function of traffic engineering and its unique role in accident prevention.

Documented Need No. 3: Oakland County is comprised of 63 separate governments and municipalities in which we find 38 police departments, 25 local courts, 39 high schools and a sizable number of professional associations, civic and service clubs, and other private organizations. Helping to provide greater coordination and uniformity in the traffic safety work of these groups is the third major area of attention of the TIA.

To meet this need: TIA has established a county-wide association for over 300 high school driver education instructors in the county.

An association of authorities having traffic engineering responsibilities has also been formed.

In the immediate months ahead: The TIA will initiate a series of regularly scheduled county-wide conferences of traffic officials. During these conferences we intend to disseminate information on such items as pertinent traffic research findings, latest operating techniques and procedures, new resource materials, traffic legislation, and the availability of funds and direct assistance from national and State traffic agencies.

TIA is also assisting in the establishment of a coordinating unit of police traffic command personnel and has been invited to work with the existing Oakland County organization of district and municipal courts on traffic court matters.

Documented need No. 4: Among the traffic officials and leading citizens of Oakland County who surveyed our traffic improvement needs, there was unanimous agreement that many things could be done to help upgrade the level of performance of traffic agencies throughout the county.

To meet this need: Last fall TIA initiated a 40-hour course in the fundamentals of community traffic control for persons having traffic engineering responsibilities.

TIA assisted local officials by serving as a traffic resource center through which technical data, materials and publications were distributed.

The staff of the TIA worked with field representatives of the Northwestern University Traffic Institute in developing a course in traffic records which has served as a prototype for similar courses now being presented throughout the country.

Four week-long courses in accident investigation were also offered through the federally supported Traffic Data Center.

In the immediate months ahead: Four additional courses in accident investigation, one in traffic records management, and two in advanced traffic engineering will be offered through the auspices of the TIA.

A direct line to the computerized driver record file of the Secretary of State is now being considered in order to provide district and municipal courts with immediate driver record information.

I should like to explain that the Traffic Improvement Association of Oakland County is not an official, or even quasi-official agency of any level of government. It is a nonprofit, nonpolitical, self-governing citizen supported organization.

However, the Oakland County Board of Supervisors and other county officials have provided and are providing support for the TIA in many ways. Our county board of auditors worked very closely with TIA staff in setting up bookkeeping and other office procedures during its formative months.

We have provided technical assistance to representation on various TIA committees. TIA's 28-man board of directors includes the chairman and one member of our board of supervisors. We have made our highly sophisticated computer services available to TIA—at cost—for the operations of their traffic data center.

And our board of supervisors, along with the Oakland County Road Commission, has provided financial support to the TIA. I hasten to add, however, that the majority of TIA income is derived from private business and industry in our area.

We are pleased to provide these kinds of support for we are convinced that this is an investment which has a proven rate of return to the citizens of our county.

A review of the persons serving on the TIA Board of Directors—and, indeed, on the several program committees—will show that we have achieved an unusually effective melding of citizen interest and professional activity. We enjoy the active support of a number of the most influential business and community leaders of our county. And, the manager of the TIA has reported that traffic officials of our county are, in his experienced estimation, exceptionally cooperative.

We are confident that this distinguished "citizen-government" will continue and thus assure the success of the major programs which

TIA has planned for the future to diminish human and economic loss in Oakland County.

Thank you, Senator.

Senator JORDAN. Thank you very much. That is a very interesting and, I am sure, helpful piece of testimony. You brought out several things there, but certainly one of the things that you are attempting to do and are doing, or hope to do better, is to disseminate the information to the different areas in your county.

Your county is not exactly a normal county, compared with the United States as a whole, because you have some major cities in that county.

Mr. MADSON. We have, indeed.

Senator JORDAN. And you are surrounded by some major citizens. But one of the things that happens in every county that I know of, is that they don't disseminate the information back and forth, and you have one plan in this municipality and another in another one. That means, of course, that a driver may be subject to differing regulations in separate jurisdictions in the same county. Coordination could be very helpful there.

Mr. MADSON. This is one of the greatest problems outlined in the particular report that you have. We found many officials were operating in isolation and their efforts were very, very fragmented.

Senator JORDAN. Uniform enforcement of law is an important thing, and that is certainly not uniform, by any means. A great deal depends upon the mood of the judge. And we have all sorts of different types of courts in different areas. You have the mayor's courts in some and you have county courts and you have magistrates and many different kinds in various parts of the country.

Mr. MAINLAND. Senator, if I may suggest, our Michigan courts have been most recently restructured, effective as of January 1. Our old justice of the peace courts are a thing of the past.

We operate basically on the three patterns, circuit court, the probate court, and the district court. And the district courts have the burden of traffic enforcement responsibility.

May I also add in relation to the exchange of information that I as an Oakland County supervisor am sharing the dual responsibility of chairmanship for the council of government for the area which includes Detroit and the entire metropolitan area with a population in excess of 4.5 million. We are of comparatively recent origin, only having existed in organized form for some 16 months.

We look forward to an extension of the benefits that the leadership, the exploration in this area which Oakland County has provided throughout the entire six-county area, their knowledge, their experience, data they have developed, becomes immediately available to all of our neighbors in a cooperative association.

Senator JORDAN. I am sure that is going to be a big help.

I presume that your officials report major traffic accidents, not just an ordinary little speeding violation, to the national organization or to the States and so forth.

I know that ours in North Carolina are reported to Virginia and South Carolina. I don't know just to what degree they are. I know that certain violations are reported.

If you lose your license in North Carolina, Virginia and South Carolina are notified immediately. That way the suspended driver cannot go to one of those States to get a license.

So, the dissemination of information to the areas around it is very valuable and helpful.

Mr. MAINLAND. Indeed.

Senator JORDAN. Thank you very much.

Mr. MAINLAND. Thank you, Senator, on behalf of Mr. Madson and myself.

Senator JORDAN. I would like to ask you one question.

What are you doing to get the drunk drivers off the highways?

Mr. MAINLAND. Cancellation of their driver's license. It is an after-the-fact situation rather than detection in advance, unfortunately.

I listened to the evidence of others and I don't know whether civil rights and the infringement thereon, in terms of relieving them of their plates or license in advance of the commission of a felony, would be legal or not, but it is a serious problem.

Senator JORDAN. What test do you use when you apprehend a driver and you say he is drinking? A breath-o-lizer?

Mr. MADSON. Yes. I might say that Michigan just passed the implied consent law. The level is now at 0.15 as it is in many States, and once again, through a federally supported program, there has been an extensive amount of training of officers throughout the State in the use of the breath-o-lizer, and the purchase of many, many breath-o-lizer units, with the result that enforcement for driving while under the influence has been stepped up considerably in the State of Michigan.

Senator JORDAN. It is a question that is being studied naturally all over the country. The degree and amount it takes to cause you to be legally judged as intoxicated, I think, varies from State to State, and as you and I both know, it varies a great deal with the person, too.

I have seen some people it didn't take very much to knock plumb out, and I have seen some that you could fill plumb full and you wouldn't know they had one. That is really true. I have seen people who could drink all day. It just sort of got them "bombed" but they didn't get any worse.

Thank you very much, gentlemen. Your testimony has been very valuable to us, and the information you are leaving with us.

Senator JORDAN. Our last witness today is Mr. Boyd H. Gibbons, Jr., Governor's Highway Safety Coordinator for the State of Arizona. Mr. Gibbons, you are from a great State.

STATEMENT OF BOYD H. GIBBONS, JR., GOVERNOR'S HIGHWAY SAFETY COORDINATOR, STATE OF ARIZONA

Mr. GIBBONS. Thank you very much. I am a great admirer of yours and I want to commend you for your activity in the field of highway safety in the State that you represent.

Senator JORDAN. Thank you very much, sir.

Mr. GIBBONS. Mr. Chairman and members of the roads subcommittee, in behalf of Gov. Jack Williams, I wish to express our apprecia-

tion for your invitation and this opportunity to appear before you concerning the National Highway Safety Act.

Driving a motor vehicle in the United States under today's traffic conditions is becoming more and more complex. When you consider that 103 million drivers were licensed last year to drive in their State and our country, that 98.9 million vehicles were registered—which means one vehicle for every two of our population in the United States—and these motor vehicles were driven an estimated 1 trillion miles, a crisis has nearly been reached.

Unless we stop the carnage on our highways and streets, bring about driver responsibility and safety discipline, the end result will be an unforgivable moral chaos in America and an impossible-to-live-with economic cost.

When the Congress passed the Highway Safety Act in August of 1966, you obviously felt the crisis had been reached with 49,000 people killed on our highways and streets in 1965. In 2 short years, this has increased 13 percent and injuries are up over 15 percent in spite of the Highway Safety Act.

As Senators, you have the right to expect reductions in crashes, deaths, and injuries because of the Highway Safety Act. In reality, however, it is a complicated thing to explain the apparent lack of progress, and basically, the problem is growing faster than we can keep up with it.

In the few minutes allotted to me, and I will be very brief, I hope to specifically point out the frustrations of a Governor and his highway safety coordinator in attempting to implement the act—and I am frustrated and terribly concerned with our seeming inability to motivate our citizens toward traffic safety and to get them personally involved. My remarks, therefore, will basically be concerned with the "people" problem.

The problem is fourfold: The first, lack of knowledge. Eighty-five percent of our drivers and pedestrians in the Nation have never heard of the Highway Safety Act, in our estimation. They do not know what it is, what it does to them, what it does for them, or why it came about.

MORE PUBLICITY IS NEEDED

The second, lack of responsibility. Driver inattention is the underlying cause of all crashes, injuries, and deaths on our highways and streets. We need to make pilots of our drivers, so they will pilot, not drive, their vehicles, with all of the attention to the safety procedures before getting in their automobile, after getting in, prior to starting the engine, during operation, and when parking—procedures an airplane pilot is required to rigidly follow in order to hold his Federal FAA license.

The third, lack of training. Driving education, training and retraining should be a fundamental requirement of all licensing of motor vehicle operators. I am sorry to say, sir, we are a nation of ignorants, when you consider 80 percent of our drivers 45 and older, never having had any kind of driving education or training—many having taught themselves to drive, or a family member emotionally shouting instructions of what or what not to do.

It is estimated from 30 to 50 percent of drivers from 30 to 45 years of age are similarly ignorant of proper operating procedures, rules of the road, defensive driving techniques and driver attitude. Is it any wonder we reached 14 million crashes involving 25 million drivers last year, who killed 55,500 on our highways and streets, injured 4,560,000 at a cost of \$14.24 billion?

Can we morally or economically justify this unforgiveable and unnecessary carnage?

The fourth lack of involvement. Every driver and pedestrian in the United States of America (and that means practically all of us) must adopt a personal code of traffic safety.

Let me ask the Honorable Senators in this room—do you have such a code? Do you have a fear of driving and a respect for your car (as does a pilot with his airplane)? Don't you just jump in your car and go—most frequently without a cursory examination to see if brake fluid may have drained on the ground and you are without brakes, or someone wanted the left rear wheel and tire on your car more than you, and while removing it, was frightened away with all of the lugs in his pocket and the wheel about to spin off, and does, on the 20th revolution, causing you to crash?

In Arizona last year, 697 of our fellow-citizens were traffic fatalities, 28,080 were injured and required hospitalization and there were 44,573 crashes that were reported (this figure can probably be doubled, as it is estimated an equal number go unreported).

This is a disgrace, a real disgrace, and we are not proud of the fact that Arizona had the fifth worst record among the 50 States. Yes, we have some very unusual problems—the sixth largest State with (and would like for you to think of this for a minute) 113,000 square miles, but with 60 percent of the population living within 4½ percent of the land area; add to this the fact that we have nearly 100,000 Indians in seven tribes on 16 reservations: augment this condition with two major transcontinental highways, traversing the length of the State, east and west, and our location as a corridor State receiving thousands of drivers who, 9 hours later, after working 8 hours in California, are tiredly trying to stretch one more day with “Grandma” in Albuquerque by driving all night—and you have some idea of what I mean by unusual problems.

I have tried to rapidly spell out some of the “people problems,” but as national legislators, you must understand the complexities of this multifaceted conglomeration we so simply term “highway safety.”

How can we explain the paradox of the National Safety Council's holiday death predictions with a very minimal margin of error? It appears that these predictions are goals that unconcerned drivers try to make become facts—at least these predictions are amazingly accurate and apparently do not impress the majority of drivers that they could become a statistic unless they adopt a personal code of traffic safety.

The common gripe of the Governor's Highway Safety Coordinators—the Governor's representatives, as they are frequently called—is that news media will not give us adequate traffic safety coverage, or certainly motorists would become aware of the dangers of driving a vehicle.

For example, last year there were 14,000 violent crimes on our streets. Our citizens became aroused, our police in many areas were pulled off of traffic and put on crime because the news media reported these incidents in a manner that aroused the public to demand that crime in our streets be stopped. But four times as many people died even more violent deaths in vehicle crashes, and the general public, including special categories who should be concerned because they are trained and motivated in safety under the canons of their profession (such as medical doctors and engineers) apparently disregarded their potential fate—death on the highway. How do we cope with this paradox?

I want to take my shoe off and show you something. I think you should know that you have got to practice safety, you have got to live it, and I show you my shoe and I give to the staff here a kit. This, sir, is something to save my life. Do you know what it is?

Sir, that is a reflective plate that can be seen as far as a thousand feet away in the headlights at night of a car that might be approaching me, or when I am walking away from it on a dark street as a pedestrian in rural Arizona.

I have here a kit that all of our staff people use, and we are trying to get everyone in our State to use it. This is a dangle tag that flashes if you put it on a thread on the front of your garment. Pieces of tape that can be put down the side or ironed on the back of a coat would protect an elderly lady or protect the drunks who may be staggering around, who, incidentally, are a large percentage of these pedestrians.

Senator JORDAN. With that on your shoe, how can they see that?

Mr. GIBBONS. When you walk, sir, away or toward it, the lights at the level they are in the car will shoot down and pick that up, and it will show just like a gleam.

The demonstration is amazingly effective, and I highly recommend it for a "traffic safety ambassador" to use to demonstrate his belief in the legislation that you passed thus adopting a personal traffic safety code and setting an example for others to follow.

Senator JORDAN. I thought at first you would have to be lying down for it to be seen.

Mr. GIBBONS. No; you don't, and we don't want that.

Senator JORDAN. Well, that certainly could be very helpful to the individual who walks along the highways.

Mr. GIBBONS. We have had a lot of good luck with this, and we are working on it and we think it can become one of the most important pieces of demonstration in this job of marketing highway safety.

Senator JORDAN. That would be for pedestrians walking along the side of the highway.

Mr. GIBBONS. Wherever they might be.

Of course, it would not show if you were walking across the highway.

Senator JORDAN. But all of those objects you have got there, you would have to be walking to be of any use to you.

Mr. GIBBONS. Yes, sir. You could be walking on the sidewalk, about to cross the street and as you know rural Americans frequently wear dark clothing, and the tapes or dangle tag shine up in any lights of a car approaching with an inattentive driver—remember, this is the big reason—and it is a protection for a pedestrian who might be in-

toxicated or who is busily talking, not considering his fate that might be resting upon these reflective devices.

Senator JORDAN. I don't know what the percentage is, but a great many people are killed every day who are just simply walking down the highway.

Mr. GIBBONS. It is a very high percentage, sir. In our State, of our total pedestrian deaths, we estimated that better than 18 percent of them were of the nature that were walking on rural highways at night and were not seen because of poor lighting conditions.

Senator JORDAN. Or blinded by oncoming cars.

Mr. GIBBONS. Yes, sir.

Senator JORDAN. Thank you. You may proceed.

Mr. GIBBONS. I wanted to mention that these reflective plates, this dangle tag, and these iron-on strips of tape are just another means in which we are trying to involve people to become traffic safety ambassadors.

Your problem as national legislators and ours as Governor's highway safety coordinators are not dissimilar, nor unrelated. But there is no simple Ralph Nader answer. I didn't come here to waste your time or mine, and I would be failing you, my Governor, our Arizona citizens and myself, if I cannot make you see the difficult marketing job we all have in selling safety to our fellow Americans for their own good, whether they like it or not.

Yes, we need more section 402 funds in Arizona, as do other States with special problems, but I believe there are States which may have more than they need, at least more than they are using, and the reasons for this discrepancy for States like Arizona are the population and public lands formula, which does not take into consideration the several pertinent geographic-policing imponderables that cannot be formulated.

Yes, the National Highway Safety Bureau is understaffed and is trying to serve the 50 States the best they can—but they should reduce the maze of paper shuffling and pass a major portion of the policy and contract decisions to the regional National Highway Safety Bureau offices which, I am happy to say, at the time this was written, is being done, and there seems to be a much better activity.

Dr. Haddon and his staff deserved praise and commendation for their long hours of effort, sense of dedication and attempts at meeting the work load. There is a need, however, of complete reorganization, a doing away with "only one man signs all papers and makes all decisions" type of administration, to one of a press-acceptance of the program that has a head man who spends his time motivating and selling safety to all elements of our Nation, delegates authority to others so decisions can be made without delay for the States, who have the major responsibility for implementing this national (not Federal) program. The States can do it within their own geopolitical philosophy and set up within the guidelines. This is right and proper and it can be done.

In summary, you might properly ask what are my credentials. Well, I have a few qualifications, having been an early-day driving teacher for hundreds of our customers who purchased cars for the first time in the 1920's and 1930's, when I was an automobile dealer.

I was one of the first dealer-representatives on the original inter-industry highway safety committee, now known as the Auto Industries

Highway Safety Committee, under Bud Darlington's leadership, and a long-time member of the Board of the Greater Los Angeles Chapter of the National Safety Council.

But I am no safety expert and I sincerely doubt that there are any real highway and traffic safety experts with all of the education and qualifications that are needed to implement the varied and controversial safety standards in the Highway Safety Act.

That is a fifth problem, the lack of properly educated, trained, and motivated highway safety specialists in the 17 or more areas of highway safety management. Incidentally, this was touched on by one of the people testifying today, but I show you a book here that has to do with a program that is being put on by the American Association of Junior Colleges.

The American Association of Junior Colleges is now developing a diversity of education from short courses and associated and technological degrees, to post doctoral programs—all designed for personnel who may desire a career in the highway safety management field.

There is a desperate need, right now, for traffic specialists and technicians in motor vehicle administration, police traffic services, traffic engineering, driver and traffic safety educators and, of course, commercial highway transportation.

The competencies, concepts, and skills needed to be developed through education, cover a variety of areas from driver license examiners, driver violation analyzers, and so forth, to financial responsibility administrators, developing managers who can handle the legal and philosophical aspects of motor vehicle administration and producing, through junior colleges and universities, courses that will properly educate and motivate highway safety coordinators like myself.

Some of us will soon be "over the hill," but our work is just beginning. There is a crying need for educated, knowledgeable highway and traffic safety coordinators. Our expertise must ever expand and the jobs are forever, as we are now, and ever shall be, a nation on wheels.

And now we have come full circle on the "people problem." And where are we in highway safety? We are nowhere—we are everywhere—we have a little bit here—and nothing going there. But the actual fact is that implementing the Highway Safety Act is a complex and monumental job and time is of the essence.

The objective of your legislation was to effectively stop the carnage by involving all elements—Federal Government, State government, local government, and each and every citizen. Your understanding of the "people problem" of the Highway Safety Act is vital to our success in selling it to them and involving them personally.

Getting this involvement cannot be accomplished on a one-step-at-a-time basis, but can only be accomplished from a total systems concept, means the typing together of all elements, to effect a solution.

My suggestion is "motivation by example." As we have tried to point out, you are the policymakers and we are the task force. The policymakers must also demonstrate their belief in the policies they have established by truly adopting a personal code of traffic safety.

Likewise, we as the salesmen (the task force) for your policies, must similarly set an example for others (our customers) to follow.

If we can literally set the example by combining our efforts as a team in becoming traffic safety ambassadors in fact rather than theory, we will stop the destruction of our most vital resource, the citizens of America.

Thank you very much. I am sorry I went overtime.

Senator JORDAN. That is all right. I have enjoyed your testimony and appreciate it very much.

Mr. GIBBONS. I would like to comment, sir, on the remarks made about Arizona's 40 percent participation. One of the big problems is lack of proper communication.

It is true that we have not many physical local government projects. We have a few but nearly 60 percent of our total expenditures to date have been for the local political subdivisions.

Pedestrian safety is one. I can point out our traffic records program—some \$97,000 is aimed basically at getting all of the cities and the counties together in a program on records.

Now, the reason you put this legislation through the State, Governor, was, you said, "You must have a comprehensive highway safety program," and we are therefore implementing a "comprehensive program" that we have written in concert with the cities and the counties.

But in our State, sir, we have 68 cities, and 57 of them have a population of 10,000 and less and they don't have engineers, they don't have the sophistication, professionalism, to do the jobs that are necessary to develop such a program and to implement it.

They cannot put a man on who will be a highway safety coordinator to develop their program, so what are we doing in Arizona?

We are developing a project which we hope will be able to motivate and assist local governments wherein we will put an engineer on board that will go out from the highway department to all of these different communities and help them develop such a program.

Why do I say that? Because it just happens that a large percentage of engineering all the services that are being offered of this nature to the small cities and counties are being done by the highway department anyway, because they don't have the engineers and sophistication.

They also, sir, don't have the pressures of their constituents to need and desire these programs. Now, in Phoenix, Tucson, and our two major counties, Maricopa and Pima, we have a very good program and we have local participation. So I wanted to bring this out.

I concur with what was given here, the presentation by the National Association of Counties. I think this is needed, something of this nature. I hope you can give more 403 funds specifically to the States to develop local government research projects.

Frankly, I think we have researched ourselves as far as we need to at this stage of the game. Whatever moneys we have now, let's put a great effort into this job of selling individual safety. You can't sell anything unless you believe in it, demonstrate it, live it.

I am a salesman. What is wrong with our country is what has been wrong with it ever since I came aboard, and that is, we are a production nation and a very bad distribution Nation. We have never emphasized the importance of distribution and marketing products, we have always downgraded our salesmen, always belittled them. We never give credit to the fact that goods are moved by people who can sell, and who are sincere and enthusiastic.

We are past the stage of letting the carnage on our highways go any longer. We are so near being inundated with vehicles and Federal licensing, that in 6 to 8 years it is going to come because we will have one vehicle for every man, woman, and child in the United States on our roads, and that is 6 to 8 years away, they tell me.

We are going to have to take vigorous action. There are only two States in the United States, sir that say driving is a right. I am sorry to say our Supreme Court says driving is a right in our State. I disagree. Driving is a privilege, and you know it.

I am a pilot with 3,000 hours and I started flying when I was 44 years of age. I would no more think of jumping in my plane and going, than jumping off the roof of this building.

Why? Loss of my FAA license and the training and requirements for safety procedures.

The HSA legislation allows for the safety procedures. And you have given the States an opportunity to do this, but you haven't given us much money and you are not giving us much of an example that you believe in this.

If I am rude, I don't mean to be. Who is here today? The Chairman. Mr. Chairman, I don't think I have a right to criticize you any more than you have me, but this is a total systems job. We have got to live and believe in what we are trying to sell.

I believe in safety and I know you do. We have got to stop taking for granted that we can get home safely.

Senator JORDAN. You talk about the rest of this committee. They are right in the next room holding an executive meeting.

Mr. GIBBONS. I didn't mean to be rude.

Senator JORDAN. Well, they just cannot be at all the hearings going on.

Mr. GIBBONS. I realize that, but unfortunately, sir, whenever safety comes along in our State it is the last thing on the totem pole. The very last thing in many traffic courts is traffic safety. Why? Because we have accepted it that a drunk should get his license back because he has to work.

I say a drunk doesn't deserve his license back. If he killed my little boy, I wouldn't want him to have his license back. These may be tough things, but we have got to get tough, just as the tough license requirements for a pilot.

Senator JORDAN. I think you are right.

Mr. GIBBONS. Thank you, sir.

Senator JORDAN. Thank you very much for being with us and for your testimony.

Mr. GIBBONS. I hope my directness was not insulting.

Senator JORDAN. Oh, no.

Mr. GIBBONS. I believe in what I say. I think we can sell this, sir; I really do. I think we need some more money, but really what we need more than anything else is a campaign in which we all would become involved.

Senator JORDAN. I am sure you know the reason that young lady is sitting right there is to take down everything you say, and all the testimony has been taken for the record. So these other members will have access to the record, and I am sure they will all read it.

Mr. GIBBONS. Thank you. I hope, again, you understand my remarks were not meant to be rude. The point I was trying to make is that no program that I have ever had any connection with has as low a priority as safety, and I cannot understand this. I really can't

Traffic safety is something that we have got to build into people, because our life is built around a nation on wheels.

Senator JORDAN. Well, you know, I don't know who it was originated the saying that "the life you save may be your own," but people don't believe that.

Mr. GIBBONS. Yes, until it happens to them, until their little girl or boy is maimed or killed. The greatest salesmen we have are the people who have lost somebody, and that is a terrible philosophy for people in this Nation to allow to prevail. I think it can be changed. I really do.

Senator JORDAN. Thank you very much.

We will adjourn until July 1, at 10 o'clock.

(Whereupon, at 12:15 p.m., the hearing adjourned, to reconvene for further hearing at 10 a.m. on Tuesday, July 1, 1969.)

OVERSIGHT HEARINGS ON THE HIGHWAY SAFETY PROGRAM

TUESDAY, JULY 1, 1969

U.S. SENATE,
SUBCOMMITTEE ON ROADS
OF THE COMMITTEE ON PUBLIC WORKS,
Washington, D.C.

The subcommittee met at 10:05 a.m., in room 4200, New Senate Office Building, Senator Stephen M. Young presiding.

Present: Senators Young, Randolph, Cooper, Boggs, and Gurney.

Staff present: J. B. Huyett, Jr., assistant chief clerk and staff director.

Senator YOUNG. The committee will come to order. This is a continuation of hearings to review the programs supplementing the requirements of the Highway Safety Act of 1966 and S. 2399, a bill to provide a formula for apportionment of State and community highway safety funds for fiscal year 1970 and thereafter.

We have five witnesses listed, and we will commence taking the testimony.

We are glad to welcome those who are here and we will give you all the time you want to state the facts to us.

The first witness is Mr. Kachlein, executive vice president of the American Automobile Association.

STATEMENT OF GEORGE F. KACHLEIN, JR., EXECUTIVE VICE PRESIDENT, AMERICAN AUTOMOBILE ASSOCIATION

Senator YOUNG. Mr. Kachlein, we are glad to see you.

Mr. KACHLEIN. Thank you.

Gentlemen, I am George F. Kachlein, Jr., executive vice president of the American Automobile Association. We appear here today at the invitation of Chairman Randolph to offer our observations regarding the progress which has been made in the implementation of an effective highway safety program subsequent to passage of the Highway Safety Act of 1966.

We appreciate this opportunity to offer our suggestions and comments on the present status of the war against traffic accidents. Despite all the efforts over the years and despite the welcome addition of the Federal Government to this battle 3 years ago, we must admit lack of progress to this date.

For 10 years or more, the number of fatalities per 100 million miles driven has fluctuated narrowly between about five and six. Thus, as of today, we have not clearly found the way to force these figures downward.

A cause of this unfavorable state of affairs is, we sincerely believe, a lack of basic knowledge as to the causes of traffic accidents and, more especially, which measures are most effective in preventing highway crashes.

When testifying on Federal safety measures in 1966, we stressed the need for basic research in this area. We said then:

The need for basic research * * * is demonstrated by the fact that a traffic accident is the result of the interaction of a number of factors in an all too complex environment. When an accident occurs on a busy roadway, the policeman on duty must contend with such problems as medical care for the injured, maintain the flow of traffic, supervise the removal of debris, and prepare accident report forms. He has little time to be concerned with the psychological, physical, emotional, engineering and environmental factors that led to the accident and little training to aid him in identifying them. Without basic data, prepared or gathered by highly qualified individuals or even by teams of experts, true analysis is not possible.

We said that 3 years ago.

AAA clubs for some years now have been engaged in a traffic safety education program called "Bring 'em Back Alive!" which is aimed primarily at the long holiday weekends. As a part of this program, some clubs have conducted extensive investigations into the factors involved in fatal accidents during such periods. Their reports have been submitted to State authorities as an indication of directions prevention efforts should take to curb holiday fatalities.

In the main, these findings have served to buttress and underline some of the main causes that have long been known or suspected in traffic casualty statistics. Perhaps one of the most surprising findings was that so many of the holiday fatalities were drivers with a record of violations and accidents that should have ruled them off the road many years ago. All too many of the holiday fatalities result from drivers with records that showed them as bad actors in the traffic stream and who should not be allowed to drive.

We certainly do not claim that these reports constitute basic research, but it is an effort on the part of a private organization to probe more deeply into the great mystery of traffic crashes.

We would hope that the Federal Government, with its much greater resources, would aid studies in that area.

And yet we learn from the testimony of Dr. Robert Brenner, the acting head of the Federal Highway Safety Bureau, that less than 10 percent of all available money goes into what can properly be called basic research.

It was this need for basic research that was a factor in AAA support of the Highway Safety Act of 1966. We especially supported the objectives of the section authorizing the Secretary of Transportation to undertake research, testing, and development for motor vehicle safety standards. We told Congress then:

Sound and adequate safety standards cannot be established without [such] research.

And, in favoring the establishment of a national research center, we said:

The lack of basic information as to the causes of accidents has reached an intolerable point and the construction of the research facilities rates an emergency priority second to none—the longer we wait, the more lives we lose.

Now, 3 years after the original Federal safety legislation, we feel the time has come for a sober, unemotional re-examination of our highway safety program.

The first fact to be faced is that the National Highway Safety Bureau has set up standards for vehicle safety equipment and for State and local safety programs with little or no evidence of their effectiveness.

Though standards on vehicle safety and on State and local programs have been issued, the Bureau itself admits that the factual basis on which these standards were founded is largely nonexistent. In its report to Congress in October, 1968, on the need for a research facility, "requirements for Motor Vehicle and Highway Research and Test Facilities" the Department of Transportation said:

The needed information * * * on the immediate and underlying causes of accidents and the results of injuries, largely does not exist * * *. Little is known about the effectiveness of many countermeasures that have been tried, making it entirely possible that some ineffective measures are now in practice, while others that could save many lives are being overlooked.

Later, in the same report, it is stated: "The unavoidable reliance on subjective judgment, if not outright guesswork" is due to the lack of research attention and support.

Now, gentlemen, I respectfully submit that the time is long past when standards, which may cost users millions of dollars, should be based upon "outright guesswork."

We need to get at the roots of this problem. We need to know why accidents happen. We need to know which accident prevention measures work best. That is knowledge that we don't have today. We in the traffic safety field are like the blind leading the blind. We try this and we try that and some measures seem to work and some don't—but true leadership in pursuing effective traffic safety measures is today still sadly lacking.

Senator YOUNG. May I interrupt you, sir?

Mr. KACHLEIN. Yes, sir.

Senator YOUNG. Now, of course, that is a factually correct statement, but has not your organization been doing something about it for a number of years? Haven't you been trying to correct it? You knew the problems were there?

Mr. KACHLEIN. Yes; we have, very much, sir. We made a study through the Automobile Club of Southern California, the insurance adjusters, and had them go out and actually investigated the causes of the traffic accidents and came in with a detailed report. They were not doing a research report as a researcher trained for that, but this was the best we could offer, and the reason for it, sir, is that we do not have a national research center which is funded with sufficient funds to do a real in-depth job, and we think this is where the pressure should come.

Senator YOUNG. Probably I shouldn't have interrupted at this point, but you are an expert in your position. You must know, and we would be glad to have your judgment. I will not interrupt you further. What is your personal judgment right now as to the causes of most fatal accidents? What are the top causes?

Mr. KACHLEIN. There are two top causes: One is the person who time after time has had a serious traffic violation or been involved

in an accident. And while very often his driver's license has been taken away or suspended, he has been able to regain a temporary license because he can use it in his business or his profession, this is one cause.

The other cause, and it is quite certain from at least our investigation to date, is anywhere from 35 to 50 percent of the fatal accidents involve drinking problems. That is under the influence of liquor. And this is a very serious one. We have watched with a great deal of interest the experiment that is being carried on in England in which they are putting in a much more stringent type of requirement as far as breath-o-lizer tests and the like, and interestingly enough, the two automobile associations there—that is, the AA—the Automobile Association and the RAC—the Royal Automobile Club, who represent, I would say between them, 70 percent of the drivers, were opposed to it originally, now come out with a report that they feel that the type of breath-o-lizer test that they are using, together with the reasonable judgment that is being experienced with the police officers and the courts, is a good sound way of cutting down deaths on the highways.

Senator YOUNG. And of course, those two causes, I assume you will say that they are mixed together, because quite generally the driver who has had frequent clashes with the law and has used "pull" or prevailed upon a spineless traffic judge to change a charge from drunken driving to reckless driving or speeding and not take away his license, that he is a driver who also is a pretty two-fisted drinker as a rule. Isn't that right?

Mr. KACHLEIN. Mr. Chairman, yes; that could be so, but we also find that there are a number of them which do not involve driving under the influence of liquor who have been bad traffic violators and who should have been ruled off the road and are still driving on the road.

Sometimes there is a mixture of the two.

Senator YOUNG. And we have adequate traffic laws, but of course, we can't always give traffic judges and minor judges integrity, and stiff backbones either, can we?

Mr. KACHLEIN. Mr. Chairman, I think one thing is that the attitude of all of us has to change a bit. We must recognize the serious nature of this, and by pinpointing these causes, I think it does bring these things to light. So maybe we can change some of our concepts.

Senator YOUNG. You make a very wise statement there. You may proceed.

Mr. KACHLEIN. Let me give you some of the specific examples of the things we were just discussing. There is a standard that calls for re-examination of all drivers at least every 4 years. But the experience of the State of Pennsylvania indicates that physical reexamination is a waste of both time and effort. Results of this experiment was published some years ago. We are led to suspect that even the library research of the Federal Highway Safety Bureau has been inadequate.

Inadequate in this regard. On March 10, 1967, in our initial reaction to the proposed highway safety program standards, in reference to the driver licensing standard calling for 4-year reexamination periods of all drivers, we urged that "pilot projects be established under the research branch of the Bureau to determine the effectiveness or need of such repeated examination." So far, that has not been done.

Then there is the matter of motor vehicle inspection. On the face of it, this appears to be a good idea. But does it work? Does it really result in safer vehicles being on the road? Research conducted by the University of Arizona for the AAA Foundation for Traffic Safety indicates that it probably does not—yet were these findings included in the Highway Bureau's research into this problem?

We maintain that all present standards and certainly any future standards should be subjected to the most rigorous examination to make sure that they will result in the actual saving of lives.

This applies to motor vehicle safety equipment as well as program areas. For example, in all the material released about the requirement for headrests in cars, there is no reference to any studies based on actual use indicating the need for this device, its effectiveness, or any consideration of its deleterious effects such as the reduced field of vision caused by the headrests. The only comment made is that insurance companies were alarmed over their large costs resulting from whiplash claims. This can hardly be classified as scientific evidence.

And if any of you have purchased a new car recently and have attempted to drive with that headrest, you will know what I am talking about, and particularly those who are sitting behind you when they can't see what's going on ahead.

And it appears that we are soon to be confronted with the use of a safety balloon in all new cars to reduce injuries in the crash phase. This device, stored under the dash, is supposed to self-inflate only when the car strikes something with a certain amount of force.

Certainly the intent is laudable, but our understanding is that the automobile industry has worked on this type of device for more than 5 years but is not satisfied with it as yet.

There are no definitive original studies funded by the Bureau on alcohol, motor vehicle inspection, or driver reexamination. Moreover, the Insurance Institute for Highway Safety advises that States are doing little or nothing to measure the effectiveness of programs adopted under the Federal standards and adds:

Current spending for highways is largely an extension of the undisciplined past.

We believe there should be a reevaluation of priorities in the highway safety program standards. Congress insisted that the Bureau select their priorities and our feeling is that this was done with insufficient consideration. These priorities should, of course, take into consideration State needs, but they also should be determined by solid facts uncovered by original research to give direction as to which areas will provide the greatest results. Also the program standard areas should be constantly reevaluated and changed wherever research warrants such changes.

Despite our dissatisfaction with the dearth of basic research, the American Automobile Association is continuing to support the national highway safety program. In fact, we are one of 20 organizations allied in a program called STATES, and one of the six organizations that are putting the money up for it.

This is an acronym for safety through action to enlist support. The purpose is to gain wide public support for the highway safety program in the States. Clearly, this effort will have a better chance of success if it is based on solid facts.

Finally, Mr. Chairman, we strongly urge repeal of the penalty provision which calls for withholding 10 percent of Federal-aid highway funds from any State not implementing a highway safety program approved by the Secretary.

This money goes not only into building new roads engineered to modern standards, but also into the spot improvement program and into TOPICS—Traffic operations to provide increased capacity and safety—designed to unclog congestion and reduce accidents on city streets.

In all the mysteries surrounding traffic accidents, there are some things we know beyond a doubt. Better, improved highways save lives. Removing hazards saves lives. These facts are fully documented.

It follows then that withholding any portion of Federal-aid funds is an antisafety measure. This is bad legislation and should be wiped from the books.

I wish to thank you for giving me the opportunity of presenting these matters.

Senator YOUNG. Sir, you have made a very impressive statement here and we are very happy to have you as a witness.

Senator COOPER, have you some questions?

Senator COOPER. Yes. I would like to say also, that your statement has been very helpful.

Mr. KACHLEIN. Thank you, Senator.

Senator COOPER. I notice that you emphasize strongly the necessity for research. Your organization undoubtedly has done a great deal of research and you noted various areas in this field of highway safety.

What would you recommend should be done concerning research?

Mr. KACHLEIN. This is a very good question, sir, and I appreciate your posing it to us.

Senator COOPER. You know, of course, we have two agencies now. We have the National Highway Safety Agency. Then there is the National Highway Safety Advisory Committee. It is assumed this committee will make recommendations regarding the progress under this act. Do you believe they function adequately?

Mr. KACHLEIN. I am a member of the President's Advisory Committee. And I think you will see that I have objected to certain of the conclusions reached by them, but that is neither here nor there. I think the problem is pretty well stated when I said originally that many of the safety standards that have been proposed to the States have not been backed by sufficient research.

Now, how that becomes important and if one talks to a State legislature like I do in many of our States in trying to implement the program of the Transportation Department, I find the question is posed to me by many, "Mr. Kachlein, do you suggest that we put in a compulsory car inspection service? What proof do you have that compulsory car inspection service will reduce accidents on the highway sufficiently to warrant the expense?"

I am unable to give them any sufficient research facts to answer that question. The only answer I could give them is if you have it sufficiently in-depth, then you can see the good effects and I turn then to some of the inspection services that are required, not in our country but in some of the European countries which are in-depth inspection of the car, rather than cursory surface inspection of the car as happens in so many of our large States under present compulsory inspection laws.

Senator COOPER. Well, would you recommend that we provide grants for certain types of research to the National Highway Safety Bureau?

Mr. KACHLEIN. I would say this, that you have in the Department of Transportation excellent administrators, people who are knowledgeable and who I certainly respect, and we respect in the safety field, and I think they are fully aware of the need for the research work.

Given sufficient funds to set up a research center, they will be able to conduct these. Let me just give you a couple of specifics which might help.

Let's talk about school training, driver education in the schools, which the 3 A's has been very much interested in. We find that we do not have sufficient funds on hand to research such things as driver simulators to determine some of the basic causes or the effects of the type of teaching that goes on, such as you would find that the aviator has when he is being trained by a link trainer which costs around \$3 million.

Now, I don't suggest we talk about a \$3 million item, but I do think through research work conducted by people in the business of building these type of simulators we can come up with one that is much more effective if in our school system than we are using today, sir.

Senator COOPER. I think it would certainly be helpful if we knew the cause of all accidents, but I believe almost anyone would assume that it is helpful to have the driver trained; it's helpful to have inspection of automobiles, and that it largely, as Senator Young has suggested, becomes a matter of function and responsibility of State and local officials to carry out these responsibilities.

I know, for example, in my own State, that the legislature did not want to pass an inspection law—I say there was great opposition to laws calling for inspection of automobiles because a great many of the people in the State objected to it—but we do have laws that require inspection and require driver training, and also have strict laws about driving drunk. Whether or not they are enforced, it really comes back to the local officials. I know I have found in my State, and I am sure in other States, but if a man is driving drunk, there is a pretty stiff fine and imprisonment. The charge is usually reduced to speeding, and so relieves him of the jail sentence.

That leads me at this point—to me there is an inconsistency in your testimony; I like the rest of it—but on page 7 you urge repeal of the penalty. It seems to me the only lever that the Federal Government has against the States and the municipalities to require enforcement of safety provisions is this 10-percent penalty.

If they do not have safety standards, if they do not enforce safety standards, if the record of accidents and deaths and injuries piles up, I think you would assume they are not enforcing the standards, but the only lever we have, as I see it, is the 10-percent penalty.

Yet your association argues that it should be removed. Why?

Mr. KACHLEIN. I will try to answer that, which is another one that is a matter of philosophy, sir. We believe that safety starts with the individual and if we can convince the individuals that we do have a good package that has been developed by the Transportation Department, they will want to have their State legislatures adopt that, sir. If we are able to show them with positive facts, and we think that as a

whole, you will find that practically all of the States will fall in line if their people are aware of the good that can come from the safety devices or safety programs that are adopted. I don't think anybody differs from people who live in Washington, D.C., or the State of Washington in attitudes or belief and they are using the highways as much as the people on the west coast are using them and they are interested in protecting their families.

If we can show them the best way, they are going to make demands upon their legislatures for these laws.

Senator COOPER. I think that, of course, would be the most helpful way, but there are always people who will not make the effort. That's human nature. I think you have to have some enforcement too. Every organization that is interested in the construction of roads, argues for this safety program, but all want to take off the penalty. I think that means, of course, they want more roads built. Which we all would like.

Mr. KACHLEIN. Senator, maybe because I am in a federation where I have to say my people as a whole and 234 different clubs, yet we are able to get all those 234 clubs to come into minimum standards. Why? Because we have offered them something that is good.

Senator COOPER. You convinced me on everything but this.

Mr. KACHLEIN. Thank you, sir.

Senator YOUNG. Senator Boggs, do you have some questions?

Senator BOGGS. Thank you, Mr. Chairman.

I want to say that I appreciate your appearance here and the testimony you have presented. You have raised some good questions. On the matter of research and evaluation of the on-going programs and standards, I would hope that all of these programs are evaluated each year so we can learn from experience and see whether they are worth the money we are putting into them, whether they are helping to accomplish their purpose. I think that was your point.

Mr. KACHLEIN. That is correct, sir.

Senator BOGGS. You are not saying that this highway safety program, as now carried out, is not worth the effort, are you?

Mr. KACHLEIN. No, sir, not at all. I say in order to make it a success and to carry into the State level and get the full implementation of it, we must show positive proof to our State legislatures that this is the right thing to do and to our people at home.

Senator BOGGS. When you say "we," who is that?

Mr. KACHLEIN. We at the Federal Government level who have created these 15 to 17 standards, and ask that the private sector, such as our organization, the highway users, National Safety Council, and others, to now take those standards into the States and get the States to adopt them and the people to accept them.

Unless we have some specific facts based upon research—and research is expensive, as we all know—we are in a position that we are sort of in a vacuum. We are saying this is good, we think it is good, but what things do we have to back it up, sir? And that was the purpose that we laid so much emphasis on in 1966 and again today that we do have a national research center that is funded by the Federal Government, because it is for the benefit of all.

Senator BOGGS. On that point, am I correct in understanding that they have been doing the research under this act by contract?

Mr. KACHLEIN. That is correct, sir.

Senator BOGGS. That is the same as your association does with the University of Arizona?

Mr. KACHLEIN. That is right, sir.

Senator BOGGS. When you speak of the research center, do you mean we should build a new Beltsville for this research?

Mr. KACHLEIN. No, sir. I say the funds made available to them are not adequate to do the job.

Senator BOGGS. You mean the contract approach is all right, but they need more funds?

Mr. KACHLEIN. The concept is all right, but I don't think it has been implemented to really set up the center as such, at least it doesn't seem to us.

Senator BOGGS. When you speak of a research center, you mean within the Department of Transportation, with responsibility for research that it can put out on contract wherever—

Mr. KACHLEIN. Wherever it is most economically feasible to get the best results accomplished.

Senator BOGGS. Right, but not to build a whole new complex?

Mr. KACHLEIN. No, sir.

Senator BOGGS. Thank you. Did you have any comments to make on the 60 to 40 apportionment approach on highway safety funds?

Mr. KACHLEIN. We have not really explored it in depth. We do feel that there should be allowed at the Department of Transportation level a part of the funds in order to take care of extreme priority needs. If you do it on a single allocation, based where you say it is all based, entirely on the population, we don't think it is flexible enough to really carry out what you are striving for.

Senator BOGGS. Right.

Mr. KACHLEIN. And we feel at the minimum, maybe, that is fine, but you need the flexibility, too, sir, because you are going to have pilot plant in many places, and with a pilot plant, sometimes you are going to have to put out more money in one State than another.

We are doing that in our own research work and our own operations.

Senator BOGGS. Thank you very much, sir. I appreciate your testimony. Thank you, Mr. Chairman.

Senator YOUNG. Thank you, sir.

The Chair desires to state that there are other committee meetings this morning. Hence, it is very difficult for members of this committee to be here, but all of this testimony will be printed in the booklet of the hearings of this committee, and every member of the committee will be reading your testimony and the testimony of the other witnesses.

Mr. KACHLEIN. Thank you. We appreciate the busy times that you have and appreciate the opportunity you have given us.

STATEMENT OF WILLIAM HADDON, JR., M.D., PRESIDENT, INSURANCE INSTITUTE FOR HIGHWAY SAFETY

Senator YOUNG. Dr. Haddon, you are president of the Insurance Institute for Highway Safety. We are glad to welcome you as a witness and you may proceed with your testimony.

Dr. HADDON. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, the Federal highway safety program mandated by you in the public interest 3 years ago is fast becoming a victim of bureaucratic encirclement, resource starvation and an antiquated notion reflected in Government priority setting that nothing should or can be done to reduce the Nation's appalling highway losses in damaged people and property.

The situation has moved so far, and is so rapidly being set in institutional concrete, that your hearing and the actions you base on it may represent one of the last legislative opportunities to get this crucial Federal program back on the track you originally intended.

Before getting down to specifics, let me identify myself and my organization for the record. I am William Haddon, Jr. By training and experience I am a physician, a public health worker, an administrator, and a specialist in the identification, analysis, and prevention of the injury and other health problems of populations.

I am deeply concerned with our worsening environmental and ecologic problems, a pressing one of which has been generated by the so often uncontrolled forces we let play on our highways. From September 1966, when I was appointed by the President, following approval of the Senate, until mid-February of this year, I directed what has become in the subsequently created Department of Transportation, the statutory National Highway Safety Bureau responsible for the development and conduct of the broad range of State and local aid activities and motor vehicle regulatory programs mandated by the two safety acts passed by the 89th Congress.

For the past 4 months I have been president, Insurance Institute for Highway Safety, a nonprofit organization supported by more than 480 companies that write most of the automobile insurance in this country. Its direct sponsors are three major trade associations—the American Insurance Association, the National Association of Independent Insurers, and the National Association of Mutual Insurance Companies. Its goal is to reduce the losses—deaths, injuries, and property damage—resulting from highway crashes.

Judging from your oft-expressed concern, Mr. Chairman, and that of other members of this committee—and I refer also to other members of this committee and Senator Randolph as well—I do not need to emphasize the great size and complexity of the highway loss problems to which a major part of this hearing is addressed. You will know the statistical statements of our national losses, that is according to the National Health Survey, as far as we know the only scientifically based analysis of this situation. We are injuring almost precisely 10,000 people a day as a byproduct of operating our roads.

These injuries are far and away the leading form of violence in American life, exceeding the aggregate of all crimes of violence by nearly 10 to 1, and in the case of those persons causing many of the most violent crashes, bearing close relationships to other criminal behavior. In short you frequently have the same players.

The crash deaths consistently far exceed those in military operations and the property and other economic losses, very conservatively estimated, total considerably more than \$1 billion a month.

Nonetheless, with the heartening exception of this hearing and other recent congressional activity, neither the overall highway safety prob-

lem nor any of its huge pieces or correlates yet appears on authoritative lists of national problems and priorities, whether originating in or out of government.

Even more tragically, there is as yet no convincing evidence, other than occasional repetition of the same generalized phrases, that any appropriate priority for highway safety will emerge from the executive branch in the foreseeable future. In fact, all present indications are definitely to the contrary.

When your committee developed the Highway Safety Act of 1966, it considered the several existing agencies, in a variety of departments and independent units of Government, whose activities overlapped in one way or another, various of the many pieces of the Nation's complex highway safety problem.

As you know, those pieces include: abusive use of alcohol, whose severity was stressed in the chairman's statement last week; the medical and psychological problems of elderly and infirm drivers and pedestrians; the quality of emergency medical care—and incidentally a problem highlighted by recent research results that some 18 percent of highway fatalities autopsied died of injuries that need not have resulted in death if proper care had been provided; police work both directed at prevention of crashes and designed to salvage the injured; and roadside hazards installed nationwide, often with Federal money, whose monument will be additional decades of smashed bodies and lives.

The tragic national scandal represented by these designed-in hazards has been extensively documented by the Special Subcommittee on the Federal-aid highway program of the House Public Works Committee.

I have also attached to my prepared statement appendix 1, a copy of "Booby Trapped Highways," an introduction to this pervasive, manmade environmental hazard published by the Federation of Insurance Council, whose members are auto insurance company attorneys, and a covering statement being distributed with it by the Insurance Institute for Highway Safety.

Your committee, after looking at highway construction and other partially related programs already in existence prior to 1966, rejected placing the new national safety program under any one of them, including the Bureau of Public Roads. Rather, to preclude making the Federal road safety umpire subservient to agencies with other, possibly contradictory mandates, your committee wisely specified, and the Congress decided, that a new independent statutory "National Highway Safety Bureau" be established.

Yet today, less than 3 years later and despite the huge continuing losses on our roads, your intent has been frustrated and the entire Nation is the loser.

This continuing erosion of your intent has taken several clearly identifiable forms:

First, on establishment of the Department of Transportation in the spring of 1967, the less than 6-months-old statutory Highway Safety Bureau—at first, two statutory agencies, one under each of the two safety acts of 1967, both later combined into one by Executive order of the President under a statutory option under the oversight

of your committee—was placed as a minor stepchild in the Federal Highway Administration, the overwhelmingly preponderant activity and budget of which was to be devoted to highway construction under the multibillion-dollar highway trust fund.

This was done not in response to a statutory mandate, but purely for bureaucratic objectives. Its effect was to remove the Bureau from its congressionally intended direct relationship to the Secretary.

Second, the Safety Bureau was forbidden to acquire its own legal, public affairs, financial, personnel, and other essential administrative staff, as well as most field staff—a devastating situation that continues to this day. Instead, positions for all such staff were created at the Federal Highway Administration staff level.

Almost to the man, incumbents of the legal, public affairs, financial, personnel, and other administrative and field staff of the Bureau of Public Roads were moved up into these positions. The Safety Bureau budget, however, was billed for many of the Highway Administration's staff.

Third, in January, 1968, less than a year after the Highway Administration came into being, a standing order was issued by the Federal Highway Administration concerning correspondence-signing authority. Of particular relevance to this hearing was the attempt it represented to preclude the statutory, presidentially appointed, Senate-approved Director of the Safety Bureau from signing and correspondence with any Member “of Congress, public, private or industrial groups, organizations or individual” dealing with any policy or “controversial subject area regardless of whether there is a firmly established policy.”

Since virtually all of the highway safety area is controversial, as you well know, and is and was so regarded by the Highway Administration, and since your statutory intent was for the Director of the Safety Bureau to be a policy official of the executive branch, the issuance of this order was in effect a frustration of your intent and of sound governmental policies.

Invariably such steps must have the outcome of vitiating the Department's safety activities as a new force. Several developments indicate that the situation has worsened during recent months, even beyond the point I described. The Secretary's staff has considered steps to making the prevention of the spilling of American blood on the highway completely subservient to the building of roads on which it is spilled.

It is now “evaluating” the status of the Safety Bureau to guarantee its continuation, at best in its same ineffective nonpolicy level in the Department and, at worst, at an even lower and less influential echelon. This flies in the face of recommendations to the Secretary from his statutorily created Highway Safety Advisory Committee, which I note is presidentially appointed, that the Bureau's status be elevated so as to be “reporting directly to the Secretary or through an Assistant Secretary for Transportation Safety.”

That last quote is from the testimony of J. Sam Winters before these same hearings, June 26, 1969.

The Highway Administration, apparently with full backing in the highest levels of the Department of Transportation, has established a policy that crucial safety information is none of the public's business.

Witness the fact that it has repeatedly denied public access to the DOT evaluations of State highway safety programs prepared by the Safety Bureau.

Whether the intent is to insure that such evaluations not be publicly embarrassing, or to hide inadequacies in their content, this policy reflects a fundamental antipathy to public information and disclosure of crucial material affecting the public's health.

What ever the reason, both the Insurance Institute for Highway Safety and Booth Newspapers having separately run into his official safety secrecy policy, have instituted proceedings under Public Law 90-23, the Freedom of Information Act, to break this barrier to saving American lives and property.

Appendix II, attached, consists of the June 9, 1969, letter sent by Mr. Albert B. Kelley, vice president for communications of the Institute, to Mr. Walter L. Mazan, DOT Assistant Secretary for Public Affairs, in an initial move to reverse this Department policy, which is clearly against the public interest. To date, this letter has not even been acknowledged by the DOT, let alone acted upon.

I urge your committee to scrutinize the many grave symptoms of Federal Highway Administration and departmental attitudes and policies sharply at variance with those demanded by the trust that is theirs to exercise on behalf of the life and injury-free health of every American.

There are already increasing inconsistencies between the public safety statements of the top officials of the Department and the Highway Administration, and their actions. For example both have urged that more be done to educate the public as to safety needs and programs—a needed and laudable objective—yet DOT has still left the noncareer appointive position of Public Affairs Director for the Highway Administration vacant month after long month despite the fact that it is the office responsible for undertaking such educational activities for the Safety Bureau.

Most alarming, the present officials of the Department have claimed to be looking, for more than 5 months, for a man to fill the statutory position of Director, National Highway Safety Bureau. This is the last principal position intended by Congress to be concerned with major national policy that remains unfilled by the administration.

Little that the Department has done or said suggests any understanding of the urgency of filling this position. Regrettably, leaving it vacant all these months, while the highway deaths and injuries continue on an as-usual basis, is consistent with the attitudes of the Highway Administration already outlined.

By testimony before another committee one of the present DOT officials has correctly stated that at present highway death rates, the aggregate American highway dead since the early days of the motor vehicle will reach 2 million and I repeat, 2 million, in 1972, only some 36 bloody months from now.

I note that, without explanation, Secretary Volpe subsequently shifted that grisly date to 1978, in a speech given in New York on June 3. Fortunately Senator Gaylord Nelson, in a letter dated June 27, identified this fantastic undercalculation of national suffering and asked the Secretary to explain it.

Is it any wonder that among the scarce but increasing numbers of young professionals who have been beginning to enter the field in the last few years, a current quip is that anyone smart and dedicated enough to run the Safety Bureau today is too smart to take the job in its present, ineffective organizational position?

In an article some months ago, Daniel P. Moynihan described the persistent pattern of bureaucracy's ability to undermine and destroy needed new Government programs for the public:

The bright idea, the new agency, the White House swearing in of the first agency head, the shake beginning, the departure 18 months later of the first head, replacement by his deputy, the gradual slipping out of sight, a Budget Bureau reorganization, a name change, a new head, this time from the civil service, and slowly obscurity covers all.

That is a quote from the New Leader magazine, October 9, 1967, p. 8, in an article entitled "The Politics of Stability."

There are many other public safety issues of great urgency that I could have raised for your consideration. But all become negligible in contrast to the crucial national importance of reversing the already advanced bureaucratic destruction of the national highway safety programs which you and others have worked so hard to create.

What Mr. Moynihan described is happening right now to the National Highway Safety Bureau.

I would be happy to answer any questions you might have at this time.

Senator YOUNG. Thank you for your statement.

Senator Boggs?

Senator Boggs. Thank you, Mr. Chairman.

Dr. Haddon, that is quite a statement, and we appreciate your appearance here to make it. First, Mr. Chairman, I would like to suggest that we ask the Department of Transportation officials to comment on the testimony of Dr. Haddon, to have that as part of the record of this hearing.

Senator YOUNG. That is a very good suggestion and without objection it is so ordered.

(The comments received from the Department of Transportation appear at p. 167.)

Senator Boggs. Thank you. Dr. Haddon, I was wondering, just to get my own eyes focused a little better on this matter, can you give us some specifics on what idea or ideas and programs were hampered by the restrictions on your job at the Safety Bureau?

Dr. HADDON. I think, Mr. Boggs, that the most correct and yet brief statement that I can make to summarize the situation is that there was virtually no area of the operations intended and mandated under both safety acts that was not touched by the lack of administrative staff belonging to the Highway Safety Bureau. We often got indifferent treatment in legal support and in many other areas. Our very small field staff—actually no field staff at all because in organizational line it didn't even answer to us; it answered to a completely different line—we were substantially able during the time I was in the Bureau to hold the line in many respects, but the situation is precisely as I have just described it in my testimony.

You cannot run a program directed at a major national problem without the tools to do the job, and it cannot be run from a nonpolicy

level. It is clear to me, I believe I am correct in view of the legislative record, that this was not what this committee intended and it clearly is not what the American public believes to be the situation.

Senator BOGGS. Did your Bureau have the appropriations necessary?

Dr. HADDON. No, sir; we did not.

Senator BOGGS. Then that was one of the faults to start with.

Dr. HADDON. We witnessed, for example, the beginning of the second year around, when we had been in operation actually less than 12 months, a 90-percent cut between the authorizations for State grant-in-aid programs, and those that actually reached us. I should point out that this was the single most devastating happening in the destruction of what this committee intended as far as the States and local communities were concerned, because many of these communities had planned to provide matching funds, many had excellent programs—not all but a heartening number—had excellent programs.

They were just ready to get off the ground with substantial Federal aid. All of this followed and this is widely known to the people in the field. There was no substantial support from any direction for these appropriations. Since then, there has been developing support, I am happy to say, but the appropriations and authorizations continue well below those continually discussed and that everybody knows are necessary.

You cannot play in this game on a penny ante basis, and that is precisely what this country is doing.

Senator BOGGS. You heard the testimony of the preceding witness about research. Do you have any further comments to make on the research approach?

Dr. HADDON. Having some credentials in the research field, I have obviously quite a few things that I would like to put in.

Let me, however, make a few comments that I think are central. First of all, the deaths and injuries do not stand still while we wait years for all of the answers. It has been very popular in this field in some circles to say, "Yes, we need research. Therefore we shouldn't do anything that embarrasses anyone in the meantime, drivers, automobile manufacturers, or anyone else."

I think this is a very negative position, one which is destructive of human life since it is obvious we have to do the best we can on the basis of the evidence as we accumulate it and on the basis of professional judgment while seeking the better answers, and I think this is true in any area of national affairs.

We don't know all the answers in the poverty area, the education area, or any area, whether it is domestic or foreign. Yet we do the best we can while moving forward. I am firmly opposed to any policy which says we face backwards until we have all the answers in some future millenium. It just doesn't serve the public to take that position.

Senator BOGGS. Thank you, Dr. Haddon. Thank you, Mr. Chairman.

Senator YOUNG. Senator Gurney, have you any questions?

Senator GURNEY. Thank you.

Dr. Haddon, what kind of a staff did you have? How many did you have and what were they doing?

Dr. HADDON. At the time I left the Bureau in February, and I believe my memory is correct, we had less staff than had been in effect author-

ized for the end of the first 9 months of operation of the Bureau, that being some 2 years earlier. There was a freeze placed on the magnitude of the staff of the entire executive branch which had been in effect since the prior July, and I note that for something over 65 percent of its entire existence this new Bureau, which the Congress intended to develop very rapidly, both in staff and extent of programs, had been either under complete budgetary personnel freezes or other related restrictions, often both.

Senator GURNEY. How much staff was it? I mean 1, 2, 20, 50?

Dr. HADDON. The staff at that time was in the vicinity of 380 people.

Senator GURNEY. What were they divided into as far as lawyers are concerned, statisticians?

Dr. HADDON. We did not have any lawyers. We were not allowed to have them, any public affairs people, and so forth.

Senator GURNEY. How about research people?

Dr. HADDON. We had some research people.

Senator GURNEY. How many?

Dr. HADDON. I would point out, first, if I may, Senator, that the staff includes all of the activities under both of the two safety acts, including all of the motor vehicle regulatory activity. I can't give you precise numbers from my head but I am certain the Bureau would be happy to supply these for the record.

Senator GURNEY. Well, what I am trying to get at is where is the weakness? You state that your hands were tied and nothing happened, nothing was accomplished, because there was no staff. Yet now you say you had 380 people. I am trying to find out what did they do? I wish I had a staff of 380.

Dr. HADDON. Senator Gurney, I wish you did too, but I would point out first of all, that I did not say much was not accomplished. Much was accomplished, and I think the record is clear on this. The accomplishments include by January, for example, evaluating and funding over 1,500 specific State and local community highway safety activities, specific projects, and their extensions.

It included running the Federal end of the entire motor vehicle recall program, which at the time I left, or at least within some weeks subsequently, had involved over 11 million of the vehicles now on our roads.

It included the preparation of the alcohol report which has been supplied to your office and which was quoted in effect in Senator Randolph's statement announcing this hearing. It included extensive reports on the need and activities that should be incorporated under national highway safety research facilities. This was again, as was the alcohol report and several others, a congressional mandate, statutorily mandated report. It included a report which is available to you and I believe has been circulated to all Members of Congress—

Senator GURNEY. Let's talk about that report a little bit so we can understand a little better how it worked. Now this was a report required by the legislation, is that right? Was it also assigned by the legislation to your Department?

Dr. HADDON. If by that you mean the National Highway Safety Bureau, that was the clear implication of the legislative record and of the statute.

Senator GURNEY. How many people did it take to make that report?

Dr. HADDON. Many dozens in each case.

Senator GURNEY. Did this come all out of the Safety Bureau?

Dr. HADDON. That is correct.

Senator GURNEY. No personnel from any other part of the Bureau?

Dr. HADDON. There was some kibitzing at other levels of the Department, but for the most part this was all done by the Safety Bureau.

Senator GURNEY. How many people worked on it?

Dr. HADDON. It was in the range of dozens, depending on which report it was.

Senator GURNEY. Did a lot of this information come from States? How did you amass it together?

Dr. HADDON. It depended on the particular report, but generally speaking, there was extensive consultation with members of State and local government, private groups, and so forth.

Senator GURNEY. You may go on.

Dr. HADDON. I lost the train of the response, Senator. I would be happy to answer any further questions.

Senator GURNEY. Apparently your feeling is that there are a whole lot of public relations people needed. Why is this, how many do you think are needed, and how much money do you think should be spent on this part?

Dr. HADDON. The public relations staff is in the Federal Highway Administration. I merely pointed out that one responsible official was needed to direct the activities which are said by all sides to be so crucial, but not supported by the necessary appointee.

Senator GURNEY. Let me read from your testimony.

The Safety Bureau was forbidden to acquire its own legal, public affairs, financial, personnel and other essential administrative staff. * * *

All right, now, my question is what do you think it needs? One, 10, 20, 50, 100, and how much money?

Dr. HADDON. Since I did not come prepared for an appropriations or authorizations hearing, I can't answer your specific questions along that line, but I would call your attention to the fact that there are some public relations problems here. Let me give you an example.

Senator GURNEY. First, let me ask you now, you do think it is essential and very important to have public affairs people?

Dr. HADDON. By public affairs people, I mean people who will insure that the information that should be getting to the public in terms of actions taken under this program reach the public in the public interest.

Senator GURNEY. And, therefore, what do you think ought to be devoted to this? I am very interested in this subject and certainly you are very knowledgeable in the field, and I think you could do the committee a great service if you would give us the benefit of your expertise as to what should be done in this field.

Dr. HADDON. As I say, I can't give you specific dollars and people, but it is clear that the present situation in which there is no such staff except on a "We will let you have it, supporting you some of the time, but they really work for another objective" basis is not a satisfactory one in a situation in which we have tragedy of this magnitude.

Senator GURNEY. Well, but when you were in charge, if you had been able to ask for x numbers and x dollars, what would you have asked for? You were in charge for a year and a half; isn't that right?

Dr. HADDON. We did make such requests. They are on the record, and the best I can say is that I don't have them in my memory at present.

Senator GURNEY. What about "other essential administrative staff," here in the testimony, "as well as field staff"? What would be your suggestions there?

Dr. HADDON. Well, at present in the strange relationship of their answering to someone else, there is about one man for each of some nine major regions of the country involving populations of 20 million and more in some cases, and extensive activities by both States and local governments. You cannot with one man relate a Federal program concerned with this issue to all of these activities, agencies, and individuals. It just doesn't fly.

Senator GURNEY. Do you have any suggestions as to how many might be needed?

Dr. HADDON. As an absolute minimum there should be at least a few men in every State, at least in the major States. In some cases, as in the New York metropolitan area and the Los Angeles and Chicago areas, there should be men specifically related to those urban areas.

In other words, below the State level.

Senator GURNEY. What do you think is the thing that needs to be done more than anything else? If you were put in charge today again, what would you do in order to try to cope with this very serious highway safety problem?

Dr. HADDON. From the present location of the Director of the National Safety Bureau, there is very little that can be done, and that is the point of my testimony. This program has been stuck on a junior shelf with no authority and no substantial—

Senator GURNEY. I realize that, Doctor, but the way the program is being run, you don't think it is accomplishing much and you are probably right from the statistics I have heard here, but my question is what would you do? In other words, unless we tackle this thing with some definite ideas, this is an exercise in futility here, to have a hearing and not come up with ideas as to what to do.

Dr. HADDON. Mr. Gurney, the first thing that needs to be done is to do what the Congress, including this committee, originally intended concerning this program, and that is to place it in a well-supported policy-level relationship with the Secretary of Transportation. If that is not accomplished, the program will continue to deteriorate.

Senator GURNEY. Let's say this was done today. This Executive order or something. Now what would this person do? Now he is in a top-level position. He has the ear of the Secretary and he is going to tell the Secretary, let's do this, let's do that. What ought to be done?

Dr. HADDON. That wouldn't be sufficient to accomplish it. He would also need support from the Congress.

Senator GURNEY. Well, I am perfectly willing to give him support. Are you, Senator Boggs?

Senator BOGGS. Yes, sir.

Senator GURNEY. All right. Now we have got support from the Congress. What do we do?

Dr. HADDON. We should do the things that the statute calls for and I would be happy to read some of them to you.

Senator GURNEY. How are we going to implement those? Let's take the matter of alcohol which accounts for 25,000 deaths a year. What are we going to do about that? There is one specific example.

Dr. HADDON. Mr. Gurney, if you are asking me for panaceas that are going to make all the demons go away—

Senator GURNEY. No; I am not. I am trying as hard as I can to get some concrete ideas, not any simple panaceas, because I know there aren't any.

Dr. HADDON. In the alcohol area there are a number of things that need to be done. Some of them have been mentioned in prior testimony before this hearing by others. One is that we need to back up our courts and our enforcement personnel, with expertise in the field of alcoholism. So that when somebody is arrested or brought to our attention, one way or another for alcohol-related offenses, that there would be a basis for knowing what kind of a drinker they were dealing with.

At present there is no such support hardly anywhere in the United States. The result is that alcoholics are being treated in ways that have no professional judgment behind them. Kids who have gotten too drunk, and alcoholics, are being treated the same as everyone else and, in short, we don't approach this problem on the basis of what we know about it.

Let me give you another fact about the alcohol area. In research work done by the Department of Police Administration of the University of Indiana in Bloomington, it was found in studying some 101 police organizations throughout the Nation that the average patrolman on the street per year is only arresting—and many of these, if not most of them, never reach the courts on the charges; they are thrown out or downgraded or what have you—is only arresting two individuals a year for drunken driving.

Now we know from very specific, scientifically based surveys in a number of parts of the country that the percentage of the abusive drinkers on our roads—I am not talking about ordinary social drinkers here—that there are literally thousands of such people passing most busy locations in the course of a year. So there is something fundamentally wrong here. We need to develop techniques and get them applied that detect these people and pick them up. We also need to get away from a situation which may be known to you, and that is that it is not legal anyplace in the United States at present to test the breath or the blood of an individual who has been in a major crash or perhaps has been speeding at 100 miles an hour in a school district, for alcohol unless he has already been arrested for an alcohol related offense.

The point is that even if there is a child killed or a car has smashed into someone, there is no adequate legal basis at present for testing its driver.

Senator GURNEY. All right. Now let's stop right there. What should we do about it? Because I agree with you. This is something that needs to be improved. How should we improve it? What should Congress do?

Dr. HADDON. One of the things needed to be done was pointed out in the alcohol report in the legal chapter, develop a constitutionally

acceptable basis for the present arrest testing of drivers who have been in crashes or at least in moving violations. This is what is being done in England, what has long been done in Scandinavia, Japan, and other Western countries. We have every reason to believe that many of the crashes—in fact, we estimated very conservatively in the alcohol report, some 800,000 a year of the run-of-the-mill crashes also involve alcohol, although it is particularly involved as they got more severe.

Unless we can find out when these happen, which of these involve alcohol, we have no basis for going at these people before they go further into their experience and kill somebody, as they frequently do. In fact, the tragedy of the field, and I noted that Mr. Kachlein correctly identified this as has been shown over and over again, is that very many of the drivers who end up dead or killing someone else have long, long records of all sorts of offenses very frequently involving alcohol, if you can ferret out the facts.

They also are very frequently known to social agencies. They have other court contacts, and again this is in the alcohol report. In short, what we have here is the spilling over onto the highway of a much broader social problem involving the abuse of alcohol.

Now, it should be obvious with a problem of that breadth, that this cannot be handled exclusively as many in effect would have it done, from the standpoint of either a highway administration or even a "kicked upstairs" so to speak, highway safety bureau. This has to involve other agencies of Government. It has to involve the excellent but still very slightly funded and very new program at the National Institute of Mental Health, trying to set up and strengthen alcoholism programs nationally, because there probably aren't more than four or five decent, thoroughly professional programs in the United States.

Senator GURNEY. If we may, here we have one concrete suggestion that we develop some constitutionally acceptable basis for testing people to find out if they have been drinking, and I presume this includes perhaps spot checking, even if an accident isn't involved. Is that right?

Dr. HADDON. This is done in some countries. I personally wouldn't go that far, unless having developed it well and tested it along the lines that I mentioned of going after the people in crashes, the situation was still out of control.

Senator GURNEY. But you would say, for example, if a law enforcement officer stopped a person driving on suspicion that he was intoxicated, perhaps the car is wavering over the road or something, then we ought to have a basis so that he could give a test then. Is that the thrust of your testimony?

Dr. HADDON. That is correct. That and the situations in which the driver has been in a crash.

Senator GURNEY. All right. I think that is certainly a concrete suggestion. Now let's go on from there. Suppose we had that? Suppose we do get that constitutionally acceptable basis. Have you any suggestions on the enforcement?

Again, I am thinking of the Federal program. How do we make sure that the test is enforced? Generally law enforcement, of course, is on a local level.

Dr. HADDON. If we are still talking about the alcohol area, or for that matter any other, I would not suggest the development of a national police force. I think this is a job which the States and communities have to do. Some have been doing a very good job or moving in that direction, but I do not think it would be in the national interest to force a national police force down their throats.

Senator GURNEY. What would you have the Department of Safety do to prod them to do their job better? Perhaps we could tackle it that way.

Dr. HADDON. One of the things is to provide proper funds. I recall, for example, many among the more than a thousand grant-in-aid programs or projects that were funded during my time with the Bureau involved training of police in everything from emergency services and communications to using breath-testing machines.

Senator GURNEY. I would agree there, but also isn't there another problem too? You have got a political problem here, too, on these tests. Are they going to be given in the wide scale that they ought to be? Have we any suggestions as to how you get off this stumbling block to make sure that the law enforcement is done? States have different standards, approaches, methods, some good, some indifferent. What suggestions would you have that the Federal program—how can you implement it? That is what I am getting at.

Dr. HADDON. I don't have any easy answer, but I would point out that you run here into the same problems of the competence and professionalism of local governments, both State and local governments, and particularly of police that bedevil us in so many other areas of national concern, and I suppose the answer is the same as that given in such other areas, whether involving violence or what have you, that we have to upgrade the professionalism of local police through better training and so forth.

Now I believe that this can be substantially influenced with Federal money, but obviously, this program continues to be, as this committee intended, a cooperative effort between the Federal, State, and local governments and not one in which Washington should call all the shots.

Although that may mean a slower accomplishment of the objectives, I think in the long run that is the best way to go.

Senator GURNEY. Sort of prodding and pushing.

Dr. HADDON. Yes. Carrot and stick approach.

Senator GURNEY. I don't have any further questions.

Senator BOGGS. Thank you, Senator Gurney. Doctor, I certainly agree with many things that you have mentioned, especially about upgrading the Bureau. Why do we have such a fine record of air safety as compared with the highway traffic situation? Is more official attention given to air safety? Can you comment on that comparison?

Dr. HADDON. I think there are a number of reasons, undoubtedly well known to you. On the one hand, of course, there is better, there is a more satisfactory legal basis and not one I would extend to non-commercial operators or private operators, for determining the qualifications of pilots and other operating personnel, for specifying even the routes of operation and the kinds of equipment that they are permitted to operate. It is interesting, incidentally, that extensive re-

search did not underlie our progress with respect to most of the developments in aviation safety. This has been the case in recent years, but the accomplishments in reducing crashes and deaths were well underway before that.

I would point out though, that since you are interested in the alcohol issue, that there is a very grave situation in the aviation safety area which continues to this day, which relates in a way to the National Highway Safety Bureau, and this is repeatedly well documented by FAA findings, that in "general aviation" fatal crashes, that is the crashes of planes not in commercial operation, small planes, and so forth, that anywhere from a fifth to a third and the figure, if it were properly researched might even be higher, of such crashes involve alcohol-impaired flying, impaired or intoxicated flying, on the part of pilots. Every time I take off or head for the airport, being familiar with this, I tend to think of the fact that out there are some pilots who are not responsive to rational commands, that are known to be at least occasionally intoxicated, and that we have no protection against them.

Unless we get them out of the airways, one can foresee the day when a 500-passenger plane is brought down by one of these fellows going where he shouldn't. One of the tragedies of the present Bureau situation is that although it operates (and this is the only preexisting piece of the Bureau—which it inherited) the so-called National Driver Register which is an interstate exchange and data collection system on driver violations particularly in the past on drunken driver violations and convictions, that that information which I believe totals now over a million individuals arrested and convicted in the United States over a period of some past 8 or 10 years, whatever the exact period was, including again over 1 million of these being convictions for drunken driving, cannot legally be made available to the FAA for cross checking against its general aviation or other pilots list and this is certainly something that needs to be fixed.

I tried repeatedly to get a favorable legal opinion out of the legal staff (that was again not ours), and it was stated that we could not get an opinion to do this. I asked repeatedly within the Department of Transportation that a request be made to the Congress and with push behind it to fix that loophole, not only with respect to the FAA, but with respect to the train area where we know there are drunken train crashes, although it has never been well studied, and to the Coast Guard, where there are pilots in the old sense of the term, and elsewhere, and still my understanding is that this has not been corrected. I would suggest that it would be entirely legally possible and would be extremely cheap to do two things with respect to this general aviation and drunken crash problem.

First of all, there should be some research to find out what the origins and destinations of these fellows who are crashing have been in the past and as is probable, at least some of these are either intersecting, taking off, or landing at even partially busy airports, Washington National or what have you, that they be asked before they take off and when they land, just to simply blow through a tube that would

say yes or no, you have or haven't been drinking, and if the tube goes positive, and they ought to be set very low in terms of the amount of alcohol they would detect, then they should be given a quantitative test which also costs pennies.

These opportunities cannot be pursued without initiative, without funds and personnel.

Senator BOGGS. I am glad to have your comments on it. Senator GURNEY?

Senator GURNEY. One other question, Doctor, on page 7. This reference of denial of public access to DOT evaluation for State highway safety programs prepared by the Safety Bureau. I might say that as a Member of Congress, I have difficulty in prying information out of Bureaus, too. I am sure Senator Boggs has, as I have had. But would you explain further what was denied to you?

Dr. HADDON. Would I what?

Senator GURNEY. Explain what was denied to you. What did you ask for? What did they fail to give you?

Dr. HADDON. Specifically, if I may read into the record from the—I know you haven't had a chance to look at the letter that is attached to my prepared statement. It is a June 9 letter from Albert B. Kelley, who is our vice president for communications, to Mr. Walter L. Mazan, who is Assistant Secretary for Public Affairs, DOT.

DEAR MR. MAZAN: In accordance with Public Law 90-23, 5 United States Code, section 552, and applicable regulations of the Department of Transportation relating to public availability of information, it is hereby requested that the following documents be made available for inspection by the undersigned:

1. The highway safety program of the States of California, Oklahoma, New Jersey and others which have been submitted to the Secretary of Transportation for approval in accordance with Public Law 89-564.
2. The review comments, evaluation, and recommendations submitted by the regional office of the Federal Highway Administration to the Federal Highway Administrator or to the National Highway Safety Bureau concerning the highway safety programs submitted for the approval of the Secretary of Transportation by the aforementioned states.

I should note in passing that the Highway Safety Act of 1966 explicitly requires the Secretary to approve or not approve State highway safety programs and because the act mandated that these programs cover a long list of areas including, for example, vehicle inspection, which one of the acts referred to as being the "policy"—a very strong statement—of the Congress, these evaluations have to be very extensive and very detailed.

3. Any letter or notification addressed to an official of those states which notes approval, provisional approval, or disapproval of the highway safety program submitted by those states to the Secretary of Transportation, and any report or evaluation made of such program which has been transmitted to such official.

An oral request to inspect these documents was made by this office to responsible officials within the Federal Highway Administration, and was denied. If as a matter of policy the Department has determined to withhold from the public at large its official evaluations of State and local highway safety efforts, or other documents related to the adequacy of State and local efforts to reduce health and economic waste on the highways, we would appreciate being informed of this as quickly as possible.

Sincerely,

ALBERT B. KELLEY,
Vice President, Communications.

The simple fact of the matter is that the policy here is to me an incomprehensible one. It says that the agency set up to serve the public is to withhold information as to the extent to which it is doing that job, and I just don't understand this, and I hope that you share my view of this.

Senator GURNEY. One other question. Have you sought any other information from them before on statistics or anything like that?

Dr. HADDON. We have on a number of occasions informally called up old friends, obviously as you would expect, at a number of levels in the Department, virtually from top to bottom, and said in effect, "Joe, could you give me the following information?"

We have on many occasions gotten such information, but the more formal the request becomes, the more we run into the underlying bureaucratic resistance to giving such information out.

Senator GURNEY. What about cold statistics? Do they balk on that too?

Dr. HADDON. Fortunately, both of the safety acts mandated an annual report each year with very specific content from the Safety Bureau, and this is continuing to be met. Needless to say, the one that was due the first of March and which was subsequently released was prepared before the present administration was in power. What the policies will be in the future, I can't say.

Senator GURNEY. May I ask one other question? What was the purpose of your Institute in desiring that information—this was a request by the Insurance Institute for Highway Safety?

Dr. HADDON. That is correct.

Senator GURNEY. What was your purpose in requiring that information? Was that any part of their refusal?

Dr. HADDON. We requested it in formal fashion, because they refused. We want the information because for many years the Institute has been specializing and intends to do this with more force even in the future, has been specializing in disseminating to State and State highway safety groups and other interested organizations and individuals, information summarizing the strengths and weaknesses of a variety of highway safety activities.

For example, in the driver education area where in fact the Bureau, the Safety Bureau, turned to the Institute for the form it now uses in soliciting information in that area on State and local driver education programs, we are now in the very ludicrous and I think preposterous situation that we can't even get information to give to the public, collected on a form that we designed and now used by the Department of Transportation. It just doesn't make any sense.

Senator GURNEY. Thank you.

Senator BOGGS. Thank you, Senator Gurney.

Doctor, we want to thank you for the time you have given us with your testimony here. It is very valuable and we appreciate it.

(At the request of Senator Boggs, the following comments were submitted by the Department of Transportation, concerning the testimony of Dr. Haddon:)

COMMENTS FROM THE FEDERAL HIGHWAY ADMINISTRATION

U.S. DEPARTMENT OF TRANSPORTATION,
FEDERAL HIGHWAY ADMINISTRATION,
Washington, D.C., August 1, 1969.

HON. JENNINGS RANDOLPH,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In testimony before the Senate Roads Subcommittee on July 1st, Dr. William Haddon Jr., former Director of the National Highway Safety Bureau, criticized the organization of the Bureau, its placement in the Department and the services rendered to it during the time he was director. This is in response to the request by the Chairman of the Subcommittee for our comments on Dr. Haddon's remarks.

Dr. Haddon's principal source of dissatisfaction appears to stem from the fact that when the Highway Safety Bureau was placed in the Federal Highway Administration, certain staff services, *i.e.*, administration, legal counsel, audits and investigations, and public affairs, were centralized and furnished to his Bureau and the other FHWA Bureaus by the Administration, rather than rendered by separate offices in each of the three Bureaus. I am particularly familiar with the arrangement because, during the period in question, I was Director of Public Roads. As you know, the relationship of the Bureau of Public Roads to the Highway Administration was (and still is) parallel to that of the National Highway Safety Bureau, and the Bureau of Public Roads was treated similarly to the National Highway Safety Bureau with respect to staff services.

When the Highway Administration was first created, I had some reservations about the arrangement myself. However, after having worked under this arrangement for some two years, I found that the staff services provided Public Roads were on the whole satisfactory. This was true notwithstanding that, with the exception of the Office of Audits and Investigations, the directors of the centralized staff services mentioned were not former Public Roads personnel. Indeed, in some instances the opportunity to form new and larger centralized staff offices enabled FHWA to provide assistance to Public Roads greater than that which could have been obtained by a smaller office within the Bureau. At the same time these services were, for the most part, rendered more efficiently and economically than would have been possible with individual offices duplicated in each of the three Bureaus.

This is not to suggest that the centralized arrangement was perfect. However, I do not think that the problems with it are of the magnitude presented by Dr. Haddon. I intend to use my experience as a Bureau director to improve the responsiveness to Bureau needs of all staff support activities to the extent feasible.

Dr. Haddon mentioned a number of other problems which he faced as Director of the Bureau. In particular he emphasized manpower and funding shortages in the Highway Safety Bureau which made it difficult to accomplish, in his relatively short time in office, all which he hoped to achieve in the field of highway and traffic safety. With all deference to Dr. Haddon, I think he has failed to appreciate that similar problems were faced by all Government agencies during this time of necessarily restrictive employment ceilings and strict budgetary controls, and has underestimated the normal difficulties inherent in organizing and operating a new agency in an uncharted and difficult area.

To be sure, we have not yet filled the position of National Highway Safety Bureau Director. This is because we have made every effort to find a new Director who is both an able administrator and who also possesses appropriate credentials in the area he will administer. We expect to be able to announce a choice for the post shortly. We have been fortunate that circumstances have enabled us to conduct our search in a careful, thorough manner and without need to make a hasty choice. This is because in the the interim period continuity of the Bureau's operations has been maintained by Dr. Robert Brenner, Dr. Haddon's deputy for the past two years.

There are also a number of inaccuracies in Dr. Haddon's statement. These I think are mainly attributable to the inevitable obscuring of causes and events by the passage of time. Rather than discussing what are not really major dis-

crepancies, let me close by assuring you that the Administration's interest in highway safety is as strong if not stronger than ever before.

I thank you for this opportunity to make our position clear on these matters.

Sincerely,

F. C. TURNER,

Federal Highway Administrator.

Senator BOGGS. Our next witness is Mr. Tamm, executive director of the International Association of Chiefs of Police.

STATEMENT OF QUINN TAMM, EXECUTIVE DIRECTOR, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE; ACCOMPANIED BY WILLIAM H. FRANEY, DIRECTOR, HIGHWAY SAFETY DIVISION, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Senator BOGGS. Mr. Tamm, we are glad to have you.

Mr. TAMM. Thank you, Senator. I am accompanied by Mr. William Franey, director of the highway safety division.

In order to set the background of just what the International Association of Chiefs of Police is, I might say the International Association of Chiefs of Police, the membership association of professional police, represents the law enforcement leadership of 65 countries, including the police administrators of every State police and highway patrol agency.

All the chiefs of major cities, most of the smaller cities, and several thousand towns are also members of IACP.

We are, I suppose, best known for our surveys of State and local police departments, and recommendations for improvement in their management. We also design training programs, conduct training, do research projects, and a great deal of work on grant and contract from government agencies at all levels.

Our work in highway safety began in 1919, when the membership adopted a policy urging nationally uniform traffic laws, signs, signals, and markings. Since then, we have been deeply involved in the increasingly complex problems caused by the motor vehicle and its use.

In 1935, the Automobile Manufacturers Association made funds available to establish a safety division of the IACP to provide field services in traffic safety, and to do research and education in the field. The highway safety division of the IACP is now supported primarily by two grants—one from the Insurance Institute for Highway Safety and the other from the Automotive Safety Foundation.

There is no need to repeat to this subcommittee the annual box scores of death caused by the use and abuse of automobiles—millions of lives wasted, tens of billions of dollars lost. But the IACP has a special stake in highway safety because the primary business of police is the protection of lives and the security of people.

The primary concern of the policeman is the safety and security of our citizens. Highway safety is one important part of this.

During your deliberations on the Highway Safety Act and the Motor Vehicle and Traffic Safety Act of 1966, we testified in support of the concepts in the bill. We pointed out the need for adequate human and financial resources in this field. We urged that you create an administrative structure for the Safety Bureau which would provide national leadership, coordination, guidance and support.

We believe that the Congress made a commitment to the people of the Nation; and, although we are aware of and can understand the circumstances which have led the Congress to back away from its commitment, the extent of retrenchment concerns us.

You know that at the State and local levels of government commitments were made, too—legislative and administrative commitments—and in most cases they were kept. We find at the State and local levels a disappointment and, in some cases, a disenchantment by public officials and interested citizens.

The climate of optimism, excitement and action which this law generated is slowly being consumed by skepticism, disinterest, and, in some cases, I feel, backsliding.

In our view this program needs stimulus now. The Congress should help us all to revitalize the program.

We offer some suggestions for your consideration:

Congress should fulfill its commitment by full funding of this program, especially since the original commitment was small enough, compared to the size and complexity of the problem.

We should have an administrative structure which will lend stature to the program. We think that the Highway Safety Bureau is saddled with an ineffective administrative structure, and is inadequately staffed. We urge that you consider the elevation of the Bureau to administration level.

This subcommittee should evaluate the concepts and directives in the law to determine their effectiveness at Federal and State levels. The bloc grant concept adopted in other programs may be desirable for this one; but in any case, comprehensive statewide planning, with adequate representation by local officials, is essential to improve coordination.

We also believe that more adequate and equitable funding is needed at local levels. It is time to reconsider the apportionment percentages. Local government spending must be increased if results are to be achieved.

There must be greater authority for decisionmaking at the regional level.

Congress should make clear its wishes concerning the expenditure of funds for research, education, training, as well as action programs.

With the great proliferation of Federal aid programs for State and local governments, we believe it is essential that there be more effective coordination at the national level, particularly in those areas affecting public safety.

As I said in my opening remarks, the International Association of Chiefs of Police has a long-standing commitment in the highway safety field. We attempt to use all sources available to provide service, not only to State and local officials, but to Federal agencies and many private organizations.

We urge you to help provide ways and means for organizations such as ours, which are dedicated to the public interest, to secure finances so that we can give more efficient and effective service to public and private agencies.

I was specifically asked to comment on the amendment to section 402(c) of title 23. In previous testimony before this subcommittee,

we have endorsed strongly the provision of discretionary funds to provide flexibility for the Secretary of Transportation. We continue to believe that this is very important.

We do not think that apportioning funds to each State on the basis of population is sufficient. It is necessary also to assess the quality and commitment of implementation and evaluate progress.

Many people say these days that accidents cannot be prevented—that no matter how well built our roads and how safe our vehicles, it is the driver who causes accidents. No doubt the highway user is the critical element in highway safety; and if we are truly to end carnage on the highways, we will have to find ways of changing human behavior.

But history offers little reason to believe that we can modify very substantially the habits and behavior of our fellow man. So every program on highway safety must be based on realistic, reasonable laws, education, training, improved vehicle safety, good engineering of roads, and public education to promote self-discipline by drivers, passengers, and pedestrians.

Recognizing that human nature has not changed much over the centuries, probably the most effective method to promote safety driving remains the intelligent application of legal sanctions through driver licensing, patrol and enforcement, and swift, sure justice by the courts.

Although our testimony may appear to be critical, I hasten to add that we commend the staff of the National Highway Safety Bureau. It is difficult to be effective when operating with limited staff and funds, and they have made impressive progress.

At this point, in view of the testimony you have received, I would like to add to my prepared statement and read for your information an editorial that I happen to have with me. It covers some of the major points that have been brought out by the testimony of the two previous witnesses, and by my testimony.

This is an editorial from the Bridgeport Times Star, Bridgeport, Conn., headed "A Thought for Today," dated Monday, May 10, 1937. I am just going to read a couple of excerpts from it, because I think that it covers exactly the same testimony that you gentlemen have listened to today.

The National Safety Council finds in the first three months of this year some 8,500 people were killed by automobiles. Why are we doing it? Why is our traffic getting constantly more dangerous instead of getting, as it should after all these years, steadily safer?

There is no one reason, obviously, but it does not take much thought to figure out several contributory causes. First and foremost, perhaps, is the fact that we have tried to fit the auto into our traditional system of domestic individualism.

We have assumed it is every man's right to drive a car if he can get one. We have hardly begun to tackle the problem of ruling dangerous drivers and dangerous cars off the road. The woods, or rather the roads, are full of men and autos who simply have no business on the highways.

For the most part, we let them keep rolling until they hit something.

Allied with this is the problem of liquor. We ought to be able to see by now that alcohol and gasoline make a mixture as dangerous as nitroglycerin. Yet we keep making the mixture day after day and night after night. Then we can't understand why it blows up on us.

Then there is the matter of speed. We insist on having cars that will go much faster than nine out of ten people can drive them safely. We shuttle those cars

on the roads, let everybody push the accelerator down to his own sweet will, then wonder why there are crackups.

As to the cars, they have strong bodies and fine brakes, but this new streamlined vogue has produced cars with woefully big blind spots. Instead of giving the driver a larger field of vision, we give him a smaller one. Inevitably, the price is a terrible number of accidents.

To top it all, we have hardly any more officers patrolling our roads than we had in the day when there was not half the amount of traffic, and this is 1937"—and may I say to you in my own language that this condition exists today as far as police officers are concerned.

The situation calls for far more supervision, hardboiled expert supervision, than we have ever dreamed of giving it. All told, it adds up to a very tough problem. So far, we have simply begun to solve it. Are we going to go on killing ourselves for another 20 years,—this was in 1937, and it is now 32 years—before we get busy on it?

If I may say, on behalf of the chiefs of police and police administrators of this country, some 35 years that I have been associated with law enforcement, we have done an awful lot of talking about highway safety, I guess a lot of suggestions have been made, some of them good and some of them bad, but we are still talking about the same thing 35 years later.

We appreciate the opportunity to express the views of police executives before you today.

Senator COOPER (presiding). Thank you, Mr. Tamm. Your testimony has always been very helpful.

On page 2 you say, "Congress has backed away from this commitment." Do you recall the original act authorized \$267 million? I think some \$90 million has been appropriated. There is available something like \$90 million for obligation now.

Do you consider that the States have reached such a stage in their adoption of safety programs in organization that they can use more money than this?

Mr. TAMM. Senator, I don't think there is any question about it. I think this is the time in which money is going to have to be spent. I think the States are capable of spending it and doing something about this problem.

Senator COOPER. We have heard during these hearings criticism of the organizational program, criticism of the standards, and criticism of the lack of research in the program. How do you square these two attitudes, one, that the program itself is deficient; and second, the statement that we need more money?

Mr. TAMM. Well, we believe that the placement of the National Highway Safety Bureau in the Federal Highway Administration of the Department of Transportation was a mistake. We think it should have more authority; we think it should have more leeway for research.

I feel strongly that it is capable of doing some of its own research. I question the manner in which some of the grants in safety research have been made.

I think possibly the staffing of the Highway Safety Bureau with some research scientists who could concentrate on research rather than contracting it out, might prove of benefit.

I think evaluation of the program from the administrative standpoint should be made, and I feel that the States now realize and rec-

ognize the responsibility. I frankly and honestly feel that several of the States in the country are making much more progress than the Federal Government.

Senator COOPER. Do you have any comments to make on the method of apportionment?

Mr. TAMM. I think that the apportionment, if based on population, is not quite the proper approach. I would see justification in appropriating funds for those States that are doing something about the highway safety problem.

Senator COOPER. You know, I am sure, of the suggestion that we do away with the present method—75 percent on population, 25 percent as the Secretary may determine—and replace it with a formula based solely upon population.

Others have suggested we should take into consideration the mileage of the system. Others, automobile miles traveled, if we can determine it. Some have said that because of the number of injuries and fatalities is very high in some States, the amounts apportioned to them should be larger.

Have you any comments on these various suggestions that have been made?

Mr. TAMM. I would like to see those States that are making progress and doing something about cutting their death rate and accident rate, encouraged. This doesn't always apply in apportionment by population.

I also feel very strongly that the cities and urban areas need more help. A great number of the accidents and deaths are occurring in these areas.

Senator COOPER. On that point, you know the law provides that at least 40 percent of all Federal funds apportioned under this section for any fiscal year will be expended by the political subdivisions of the State in carrying out local highway safety programs authorized in accordance with subparagraph (b) of this paragraph.

As I recall, at the time these hearings were held on the original bill and the bill was approved by this committee, there was a great deal of testimony that these funds were particularly needed in larger cities or cities where incidence of accidents was very high.

Now we have complaints that the State is not really obeying this provision, that it undertakes programs which it considers are for the benefit of the cities, but the cities themselves do not always have a part in the program.

Do you find this to be correct.

Mr. TAMM. Yes, sir. Obviously, a majority of the members of our association are urban chiefs of police. They are concerned about the problems that exist in the cities, they are concerned about the amount of money that is being made available to the cities, and they feel very strongly that the 40-percent allocation, as it is going now and as the funds are being expended, is not adequate for the problem that faces the city in the control of traffic where some of the major problems exist. I guess—and I have no figures to prove this—that a very high percentage of the majority of the accidents are occurring at the local level.

Mr. Franey, I think, would like to make a comment.

Mr. FRANEY. Senator, if I may, and I know the committee is aware of this, our cities have about 13 percent of our highway system, but they carry over 45 percent of motor vehicle transportation.

This in itself, I think, makes the present formula inequitable. We recognize and we testified originally about the need for statewide planning and administration of the act, and the fact that many of the functions are State functions—driver licensing, vehicle inspection, State aid to education, and so on—and we recognized the need at the time—1966—for the 60-40 split.

At this time, and based on our own experience and observations, we feel that the Congress ought to reconsider the 60 to 40 allocation, perhaps reverse it and make it 40 percent to the State and 60 percent to the city. There is a definite need at the city level for assistance in this area.

Senator COOPER. There is apportionment under the present law, but I think their complaints, at least some of the complaints, have been that it is not being followed. Instead of cities themselves using these funds for purposes which they consider important, some of them are administered by the State on behalf of the cities or communities.

Have you found that to be true—usurpation of the authority by the State governments?

Mr. FRANEY. If I may make this observation, the Congress in its wisdom, and we believe rightfully so, in the development and the passage of the Safe Streets Act, called for statewide planning, including representatives from local government.

We think this is a very sound approach to all kinds of public problems such as this. As Mr. Tamm read in his testimony, we suggest the same kind of approach as far as the Highway Safety Act administration is concerned.

We believe in this way some of the inequities developed at the local level might be eliminated by having adequate local representation on such a statewide planning agency.

I might also make this observation. As you well know, we now have over 400 Federal aid programs to State and local government. Many of those are overlapping. We would like to see better coordination of these programs.

Senator COOPER. On page 3:

We find at the State and local levels a disappointment and, in some cases, a disenchantment by public officials and interested citizens. The climate of optimism, excitement and action which this law generated is slowly being consumed by skepticism, disinterest, and, in some cases, I feel, backsliding.

That is a rather gloomy report.

Now, can you tell what areas and what fields, other than financing—and that is our responsibility—do you think are responsible, whatever the cause, for what you were saying is a failure?

Mr. FRANEY. Well, as you know, this year some 47 State legislatures met. In discussion—we serve as consultants to quite a few of these State legislative committees—we found this feeling of disenchantment. They felt Congress had made a commitment to the States.

They felt that Congress was not fulfilling that commitment. Being legislators themselves, they recognize some of the problems in this so-called retrenchment, but we found pretty generally—for example,

some States where no legislation was enacted this year as related to highway safety, and other States where repeal bills were introduced to rescind some of the positive and progressive programs that had been developed in the past by the States.

Fortunately, our organization, in cooperation with many others, managed to persuade, shall I say, some of the State legislatures not to adopt such regressive measures, and fortunately, in most States the measures were kept. However, we found in those States where the State legislatures were meeting the feelings referred to earlier.

Senator COOPER. Senator Boggs?

Senator BOGGS. I want to thank you, Mr. Tamm and Mr. Franey, for your testimony.

On the question of the 75-to-25 allotment of funds, you have to have a flexible factor, it would seem to me, to take care of States with heavy corridor traffic. For example, in my own State, we certainly wouldn't get much money if it was all based on population or road mileage. But the flow of traffic in Delaware, as you know, is probably one of the largest flows of traffic in the country.

It seems to me that situations of that nature must be taken into consideration. I wonder if you care to make a comment on that observation?

Mr. TAMM. I think that is perfectly true, sir. There is no question about it. This is not a question of population. It is a question of highway safety; it is further a question of the highways use.

Senator BOGGS. Thank you.

Mr. FRANNEY. I might also add, Senator, we work very closely with your people, and Connecticut and New Jersey, Delaware, that we consider corridor States. If I may use the term "foreign traffic" that you are getting through these States creates many problems that are actually not intrastate but interstate problems.

Senator BOGGS. I agree with you. On the 60-to-40 ratio, I don't know if that is the perfect ratio or not. If you reversed it, then that would hamper a State—I am thinking of my own State—that does many things at the State level.

We have an effective State program and statewide police force and statewide highway safety program. So you have to have a program that is flexible enough to meet all the various situations. Would you want to comment on that?

Mr. TAMM. Senator, you have to have a program that meets the problem of traffic in the individual localities. You cannot do this by a blanket allotment of funds.

Senator BOGGS. I agree.

Mr. TAMM. This is the point we are trying to make. It isn't that simple.

Senator BOGGS. Yes.

Mr. FRANNEY. That is why we also support the discretionary authority in Mr. Tamm's testimony which would provide this kind of an option.

Senator BOGGS. Yes. I support that view, and I thank you for making it.

Senator COOPER. Senator Gurney?

Senator GURNEY. Mr. Tamm, you mentioned that some States were making much more progress than others. What States were those?

Mr. FRANEY. Well, I dislike being specific in terms of States, but we see States like New York and New Jersey and California, Michigan, Illinois, and others, most of them the larger States—now we are not saying that they are making progress all the way across the board. They are making progress in specific areas and it will vary from State-to-State.

Senator GURNEY. That was going to be my next question.

Can you explain to us in more detail where they have made progress, in what areas, and how is this evidenced?

Mr. FRANEY. Considerable discussion took place here with the previous witness, about alcohol. This year I believe great progress was made in the enactment of chemical test legislation, implied consent legislation, authorization for equipment such as the Breath-o-lizer in many of the States.

Programs have been improved tremendously in this area, for example, in Michigan.

Additionally, you may or may not know the State of New York enacted this year an act similar to the British legislation authorizing the police with certain information and belief to take a breath test of a driver.

Constitutionally we don't know whether this will prevail, but at least it is a giant step forward and we will see what happens to it. So in the alcohol field we think great progress has been made.

In the development of information systems, there are States such as Ohio, for example, that have spent over \$2 million at the State level in development of information systems.

Gentlemen, if I may say this, it is very difficult to separate the highway safety field from this whole field of public safety and public protection. One relates to the other.

That is why we mentioned earlier about the need for coordination of many of these programs. Particularly, the automobile seems to weave its way through many of these programs.

So, as I said, in some States great progress has been made in alcohol; others, in information systems; others, in the selection and training processes of their police. We now have some 35 States that have minimum selection and training standards for their police, something that we have been very vigorously promoting over many years.

We think that in some States the area of public support and public education has been improved. We think more of this is needed. We certainly concur with Dr. Haddon on the need for public education and support on the national level. We believe there is a present gap here.

Incidentally, as you know, in Florida there has been a reorganization of the State government down there. You now have a department of highway safety and motor vehicles which we think will give greater emphasis to the need in this particular area.

Senator GURNEY. I realize the program is young.

Have any of the forward steps by these States you mentioned been translated into accident statistics that show a lessening of accidents or lessening of deaths yet?

Mr. FRANEY. If I may comment on that, I think it is too early to tell. We think that there is a lag feature here, that results follow maybe 6 to 9 months after program implementation.

Unfortunately, unless we get continuing action, then the lag goes in the other direction. We think it is a little early to tell. We anticipate we will see some results in some of the States this year.

As I recall it, the State of Texas this year is doing quite well in terms of not only programs but results of programs, and we anticipate seeing some results in the State of Michigan this year.

So, we believe there will be results this year.

Senator GURNEY. One final question.

We have just made a small and shaky start on a massive problem. A lot needs to be done in many areas, and I think we all appreciate that.

But do you have any concrete suggestions on what ought to be emphasized right now more than anything else, or any priorities as to what ought to be done first or second or third?

Mr. TAMM. Of course, Senator, we have a rather selfish interest in this problem, as I guess everyone else does. We feel very strongly that increased patrol by highway patrol and by State police organizations—I think this has been verified by such scattered research as has been conducted—will materially reduce the accidents and deaths on the highways, particularly in the rural areas.

Senator GURNEY. I think the chairman of the committee, Senator Randolph, shares your belief in that.

Mr. TAMM. I am sure he does. I have discussed this with him many times. We feel there very definitely is a need in this area for increased patrols, increased availability of patrols, and definitely much better and more extensive training.

We want to see the other 15 States in the country adopt a minimum standard of training for law enforcement officers, to devote a great deal of their training to this problem of highway safety. As a matter of fact, because of the pressing need of manpower and the crime problem which is facing the Nation, we see some law enforcement agencies going in exactly the opposite direction, and this is of concern to us, too.

There are police departments removing men from traffic control and accident investigation, and putting them all on the problem of crime. So we, ourselves, have to have a balance, but we think that this necessitates additional funds on the part of the States and local governments and an increase in the actual patrol of the highways and the city streets, to control dangerous drivers and behavior.

I think this is one of the great priorities. We feel very strongly that law enforcement can make a major contribution to the field of highway safety. We feel this aspect of the highway safety field has been ignored for a long period of time.

As was said in that editorial in Bridgeport, Conn., dated 1937, we haven't materially increased our patrol forces since that time.

Senator GURNEY. Thank you.

Mr. FRANEY. Senator, if I may also comment on that, and this is only a personal observation, we are all aware of the so-called violence on the streets. We are also having violence by misuse and abuse of the automobile, as Dr. Haddon pointed out, it is much more severe.

I personally believe that both the legislative and the executive branches of the Federal Government ought to establish highway safety as a national priority, one of our national priorities. I think then it may get the attention that it deserves.

We have to create an awareness on the part of the people of what is involved in this problem, not only in terms of the lives and the injuries, but the economic cost. We may be pricing ourselves out of the automobile market if we keep going much further.

Senator GURNEY. You are right, and I think someone commented in an earlier hearing that actually the amount of deaths every year exceeded casualties in Vietnam. Vietnam is on the front page and on television every day, but not highway safety and highway deaths or accidents. I agree with you.

I think this is a priority that, if we devoted more attention to and more direction on and zeroed in on it, would be one of the useful things that could be done.

Thank you.

Senator COOPER. Do you agree with the criticism of Dr. Haddon, who testified earlier?

Mr. TAMM. We commented on the placement of the Highway Safety Bureau within the Department of Transportation; yes, sir.

I think this has been buried in a bureaucratic organization. I don't think there is a great deal of questions about this. I think it doesn't have the authority or the effectiveness.

Senator BOGGS. Mr. Chairman, may I ask a question?

You don't think for a minute, do you, Mr. Tamm, that there is any conspiracy against highway safety?

Mr. TAMM. Absolutely not. It is just—well, I worked in the Government. This happens in Government every day, issues develop, priorities change.

Senator BOGGS. It just needs more attention?

Mr. TAMM. That is right. That is all.

Senator BOGGS. No conspiracy?

Mr. TAMM. That is right, and I think it needs more aggressive leadership.

Senator BOGGS. Thank you.

Senator COOPER. Thank you, gentlemen.

Senator COOPER. The next witness is Mr. Walter J. Addison, highway safety coordinator, State of Maryland.

STATEMENT OF WALTER J. ADDISON, HIGHWAY SAFETY COORDINATOR, STATE OF MARYLAND

Senator COOPER. You may proceed, Mr. Addison.

Mr. ADDISON. My name is Walter J. Addison, highway safety coordinator of the State of Maryland. In addition to this, I am also a deputy chief engineer, planning and safety, for the Maryland State Roads Commission. I have been appointed by the Governor to serve as his representative in the highway safety program.

Mr. Chairman and members of the Roads Subcommittee, on behalf of Governor Marvin Mandel, of Maryland, I wish to express our appreciation for the opportunity to appear before you to discuss the Highway Safety Act of 1966.

The fact that concern regarding this act has been indicated by the Congress of the United States is an encouraging note, and we welcome the opportunity to convey some of our impressions and our concerns

related to this measure and its impact on the national viability of our great country.

I believe it is unnecessary to burden you with meaningless statistics regarding the crisis of traffic crashes in our country and particularly in our State today. I wish I could come before you and present facts and figures that would indicate that, because of the enactment of this monumental piece of national legislation, significant improvements could be claimed.

Factually, this is not the case, and while the time is obviously inappropriate for taking credit, neither do I believe it is appropriate to seek to place blame. What we are actually seeing today are the fruits of a general lack of concern and a general overall apathy to the problem of highway crashes and the concurrent misery that these crashes entail.

It is not sufficient to merely concern ourselves with technical problems or even administrative problems. The extent to which Federal, State or local governments will have any success in turning the tide of the deplorable record of highway crashes will be directly related to the expressed demands of the citizens of the entire country.

What I am simply saying is that we will accomplish as much as the people of this country want us to in this matter. Unfortunately, at the present time it is my impression that the seriousness and criticality of this problem is no longer being recognized as a high priority matter of national and local interest.

When the Congress of the United States enacted the Highway Safety Act of 1966, there were many among us, involved on a day-to-day basis with the problems of traffic safety, whose hopes were raised in anticipation that perhaps at last a breakthrough would be forthcoming.

In the almost 3 years that have ensued since the passage of this act, it is conceivable that what appeared to be a breakthrough is really turning out to be a breakdown. We, frankly, are not showing results.

There is considerable opinion among public officials at the State and local level that what at first appeared to be a boon may, in fact, be turning out more to be a boondoggle. Take a little money and spread it so thin, nobody benefits.

It is not sufficient to merely express good intentions. The history of highway safety in the United States has been one continual series of ineffectual starts and spurts which end up accomplishing little and leading to a general disenchantment on the part of the public with highway safety attempts at any level of government.

Expectations of "instant traffic safety" have long since proved themselves ineffective and, more critically, have made it even more difficult to undertake positive and effective approaches. The path of highway and traffic safety through history is littered with well-meaning and well-intentioned programs that have "withered on the vine" leaving a general sense of dissatisfaction and doubt among the people of this country that anything can be done or will be done to effectively reverse the intolerable trend to greater and greater destruction on our streets and highways. Are we embarking on another such attempt?

It is meaningless for me to attempt to point out to you gentlemen the fact that there are many crises facing our country today. A quick

perusal of any newspaper will clearly establish the things about which people are concerned enough to demand governmental action.

These concerns are translated into matters of national priorities, State priorities, and local priorities. You have to look pretty hard to find a real concern for highway safety. I frankly feel that the public does not know nor does it care that there is a problem and that something must be done about it.

The great concern presently being expressed about matters of violence is not being translated in the public's mind to the issue of highway safety. It is hard for me to conceive that violence with intent is any more violent or destructive than violence without it.

Not until the people in this country are willing to recognize that the violence on our highways is as destructive to our country as is the violence in our streets, will those in government find a receptive ear and an interested public responding to programs related to highway safety.

In effect, this means that you and I are going to have to convince a lot of people that we really mean business by moral commitment and money before any effective improvements can really be anticipated.

I hope that my rather pessimistic statements will not indicate to you that I, as an individual involved in highway safety, have given up all hopes of accomplishing positive results. Nothing could be further from the truth. In fact, I have a strong sense of optimism that something effective can be done and that only by pointing out the true nature, as I see it, of the problem can effective means be developed to move forward.

By recognizing the nature of the obstacles that must be overcome, I think we can then be better prepared to do the things that must be done in order to see meaningful results. In a sense, we are on a battlefield and as any good commander knows, it is essential to understand as much about the enemy as possible so that we may make the best use of our own forces.

Frankly, our forces are very limited and this is the real root of the problem. In this sense the forces at our disposal are trained manpower and available funds. Both of these commodities are extremely scarce and it is you gentlemen of this subcommittee who must take a leadership role in correcting this problem.

Passage of the Highway Safety Act of 1966 was truly a monumental step forward. Perhaps the most significant feature of this act was the broad-based, multidiscipline, coordinated approach to the problem of highway safety.

Another facet of this act that was looked upon with great enthusiasm was the fact that this was to be a national, rather than a Federal, program, and that coordination at the Federal level of the activities of the States would result in a nationwide program that was most responsive to critical needs in the various sections and areas of this country.

Coupled with these facts was the encouraging note that Federal assistance in providing funds would be available to help the States and municipalities. The intentions were commendable and long needed but I feel that the execution of these intentions has fallen quite short of the intended goals.

The national program begins to look more Federal every month. The slow trickle of Federal funds is more of a teaser than an aid.

As a Governor's highway safety representative, with authority to coordinate broad-based traffic and highway safety programs at the State and local level, and also as an official with a line responsibility in several of the functional areas, I would like to bring to your attention several general comments which I feel are pertinent to the issue at hand.

I strongly believe that leadership is one of the most essential items of any highway safety program. Undoubtedly there are many individuals throughout this country, working in many States, who have a great deal of expertise in the various facets of a highway safety program.

However, it is unrealistic to expect that each State and each local government would or could be able to develop the degree of expertise that is needed to mount necessary active programs throughout the country. To this extent, therefore, a leadership role is essential in the National Highway Safety Bureau. Without losing sight of the difference between a National and a State program as being inherent in the intent of the Highway Safety Act of 1966, a significant expansion in the staff of the National Highway Safety Bureau is essential if this unit is to provide the necessary leadership that is required.

There is so much information that is to be learned and research that is to be conducted that only the coordinating influence of the National Highway Safety Bureau can provide an effective means of getting this information to the right people and at the right time.

I do not view the purpose of the National Highway Safety Bureau as a paper shuffling administration whose only function is to review submissions and applications for grants-in-aid. There is much need for further research and original thinking and, to a great extent, the National Highway Safety Bureau should serve as the fountainhead for this kind of information.

The staffing restrictions on this agency, for all intents and purposes, preclude it from performing these functions. I would like to add parenthetically that the statements that have been made by the previous witnesses, I subscribe to fully. I would say that research is an important thing, although it is not a stopgap for all other action to wait until research has been conducted.

I do frankly believe that the National Highway Safety Bureau should undertake its own research in many areas because of its national interest.

With regard to the function of the Bureau in processing requests for aid, I strongly suggest that much of this processing and approving be delegated to the regional directors of highway safety programs who are closer to the units of government they serve and are more familiar with the unique problems that may occur in each of these areas.

As you undoubtedly have heard, much complaint has been forthcoming about the time delay between the submission of the grant request and the actual processing thereof. Greater latitude and authority must be delegated to the field offices who are in constant contact with each of the Governor's highway safety representatives and the various

units of State and local government who are concerned in combating highway safety problems.

This problem is also related to the inadequate staffing of the National Highway Safety Bureau and is a matter of primary importance if a viable program is to be developed.

It has been encouraging to note that the funds available for grants-in-aid have been increasing but the rate at which these funds have been increasing and the amounts available are still far short of that which are required to undertake meaningful programs.

In the early years under this act, it is understandable that the program would be slow in getting started as the proper authorities were being established throughout the States and staffs were being developed. Appreciation that overnight miracles could not be accomplished should have been anticipated.

With almost 3 years having passed, however, momentum is building up as the States and local governments become more involved and more interested in attacking the problems of highway safety. The amount of funds that will be required must be significantly increased.

The degree to which these funds are made available can be considered to be in direct proportion to the desire to achieve meaningful results on the part of Congress. If we really expect to see results then we are going to have to assume the responsibility of paying for them.

I personally believe that the degree to which hesitancy has been observed in the desire to use section 402 funds is directly proportional to the hesitancy to make these funds available. I fully believe that if a full commitment is expected of the States to combat the problems of highway safety, then an equally strong commitment is required in the provision of funds to accomplish this.

I cannot overemphasize the fact that the aspect of a national, rather than a Federal, program fully indicates that a wide degree of latitude should be allowed to the individual States to determine what their individual State highway safety program should be within an overall national guideline.

To this extent the more rigid bureaucratic requirements that have been developing within the National Highway Safety Bureau may tend to frustrate and cool off the growing sense of urgency that must be inherent in this program.

In summary, I would like to again express my appreciation for the opportunity to come before you and present my views as the Highway Safety Coordinator for the State of Maryland. It is not a simple and straightforward task that we are confronted with, and I feel that we are ready to conclude the preliminary sparring with this problem which has gone on since the passage of the Highway Safety Act of 1966.

I firmly believe that the time is ripe to get down to business and develop an acute awareness, not only among governmental officials, but the public of this country, that we have a monumental task before us that cannot be ignored. Neither can this task be accomplished with half-hearted attempts and platitudinous proclamings.

We cannot afford the draining of vital resources of this country through unnecessary losses due to highway crashes and, consequently, it is essential that we apply sufficient resources to safeguard our national interests.

I thank you again very much for this opportunity.

Senator RANDOLPH. Senator Cooper, I am grateful that you have been conducting the hearing, and that Senator Boggs is present. It has been necessary, as you know, for me to be at another committee today on matters concerning your State of Kentucky, as well as many States, and I thank Senator Cooper for presiding.

Even though I am here for a little while, if you would be kind enough to continue as you have, I would be very grateful.

Senator COOPER. Thank you, Mr. Chairman. I know you have been engaged in the very important Committee on Labor.

I might say, Senator Boggs has been here all morning. I had to leave to go to another meeting, and he took over. He deserves all the credit.

Mr. Addison, you have made several suggestions. You have called for leadership, more funds, you have called for research, you say that certain practices should be improved.

I would like to ask you to give us examples in these two areas: one, that at the Federal level the standards or requirements you say have been too bureaucratic and too rigid, and that the States should be given more latitude in this field.

Now, can you give us some examples of that?

Mr. ADDISON. Mr. Cooper, in general, my comment on that score is related to the fact that practically all of the requests for grants to carry out the program are received at the regional level and then are forwarded to Washington to be reviewed.

In a sense, the review in Washington might be desirable, but I think that it tends to equate an individual area's need to what might be seen from the Washington point of view as an average situation throughout the country, and consequently there is a dilution of this intent at the local level—local in this sense being State or community—to average everything down to some common denominators trying to be established in the Washington area for a countrywide approach and to not recognize local needs as being the things that need to be corrected.

Senator COOPER. Your State has a safety program; is that correct?

Mr. ADDISON. No, sir; not yet.

Senator COOPER. Has the State adopted a safety program?

Mr. ADDISON. The problems in our State as referred to in my comments, are probably apathy at the public level and at the legislative level, and consequently, with the problems of violence, with the problems of poverty, problems of medicaid, and so forth, there doesn't seem to be a very severe awareness that there are problems of safety.

Consequently, proposals, suggestions, and things that could be meaningful are relegated to a rather back seat as far as priorities are concerned. So we find there is not a great deal of interest to move forward at a rapid pace to catch up with a situation that I frankly admit Maryland needs to do.

It is a catchup problem in our State. Many States have exerted some leadership and some movement in this area in the past, and we have not. We are in a catchup situation.

It is very difficult to get responsive interest at the State level and at the local level for that.

Senator COOPER. That is not exclusively a problem of the State of

Maryland. Has it adopted a safety program which has been presented to the Department?

Mr. ADDISON. Yes, sir.

Senator COOPER. What has happened since then? How long ago was that done?

Mr. ADDISON. We submitted our program submission last year and we received it back early in, I guess, in the spring of 1969, with comments and evaluations.

We have since submitted a revised program.

Senator COOPER. Do you believe that your original program was designed to meet the needs of Maryland, and do you believe that the insistence upon revision was against the interest of the safety program in Maryland?

Mr. ADDISON. No, sir; I am not critical of that at all. I think our original submission was one of haste.

The State of Maryland at the time that this was required, was not well organized to undertake this kind of thing, and in attempting to get our feet on the ground and establish a base of knowledge, the original submission was one that was, as I say, submitted in haste.

We are moving much more rapidly now and have tried to evaluate what our needs really are and to present a more meaningful program. I don't think that my criticism is intended to refer to that. I think the criticism is more in the individual program submission, which takes a good deal of time.

Senator COOPER. Did your program require legislative action by the State?

Mr. ADDISON. There are certain facets of this program that will require legislative action, and there has been some, and there is some yet that will have to be made.

Senator COOPER. Then your legislature has not acted to fulfill all the requirements of your own program?

Mr. ADDISON. No; it has not.

Senator COOPER. That brings me to this question that you have emphasized several times in your statement.

You say there is a general lack of concern and a general overall apathy to the problem of highway crashes and the misery that these crashes entail.

You come back to that several times. You say that the people do not show sufficient concern to move. How will that concern be engendered? You seem to say, in a way, that the Federal Government has the chief burden of doing that.

Hasn't the State a responsibility to take account of its own problems and reduce this terrible toll on the highways? Hasn't a Governor and a State legislature, responsibility in this field?

Mr. ADDISON. Yes, sir; the State does have very significant responsibilities. I think, however, that the fact that there are 50 States, 50 Governors, each of which must assume a level of responsibility, indicates to me at least that they will be responsive to a leadership at a higher level, namely, the national level.

Senator COOPER. I agree with you that we should do much more. I believe that, since the time this program was initiated, that somehow it hasn't progressed as rapidly as we in this committee had hoped

for and desired. But I also believe that the States and local communities can do much more to bring this awful toll of injuries and death to the daily notice of the people of the State.

Mr. ADDISON. I would like to point out, sir, that we are very actively involved at this very moment in a program of stimulating local interest. We have had regional meetings throughout the State, have gone into the communities and have asked them to appoint local coordinators to serve a purpose at the local level, and it becomes apparent when you do that, that these people will want to be helpful and want to do something but look to the next higher level of government; namely, the State government, for leadership.

In effect, I would like to translate that position to the whole country and say all of the individual States are anxious and willing to do something and they, too, are looking for a leadership from the national level.

Senator RANDOLPH. Mr. Addison, Senator Cooper has drawn into sharp focus the elements that we think must work together to achieve these results. They are governmental at various levels.

Certainly they are also personal in degree. And we know that when the act was passed, the Department of Transportation was not able and perhaps not geared to move forward as quickly as it might have.

We also know that most of the State plans really were not coming in until the last year. Isn't that true—many of them in the fall of last year. I believe the record will so indicate.

Mr. ADDISON. That is correct.

Senator RANDOLPH. And I sense, Senator Cooper and Senator Boggs, that that is the underlying reason why we are holding these hearings. We really have no legislation before us as such.

We are thinking of apportionment of funds, of course, but we are thinking of the oversight job that we must do to see why we haven't moved and why we must move, and so testimony such as you have given, Mr. Addison, is very helpful.

I think the subcommittee, and ultimately the full Committee on Public Works, will now be able, and I hope in a matter of weeks, to come back and to say that the intent of the Congress, good as it was, has not been implemented and we have tried very factually to point out where the deficiencies exist.

Senator COOPER. Thank you, Senator.

Senator BOGGS. Thank you, Mr. Chairman.

I want to thank Mr. Addison for appearing here. I would like to bring out one point by asking this question. You were appointed as Maryland highway safety coordinator by the Governor of the State?

Mr. ADDISON. Yes, sir; that is correct.

Senator BOGGS. That is true in every State, and that puts right at the highest level the job of State coordinator of this highway safety program. It is done that way in most States, isn't it, Mr. Addison?

Mr. ADDISON. All of the States have appointed what is generally called the Governor's highway safety representative, who acts for the Governor.

Senator Boggs. Right, and that is what you do.

Mr. ADDISON. Yes, sir. Some States have selected an individual whose sole function it is exclusively to fulfill this function.

In some States, as in Maryland, the Governor selects somebody who has a line function in the State government doing something else and has said to him, "You are to be the Governor's highway safety representative, so you wear two hats."

Senator Boggs. In your case, you are wearing two hats.

Mr. ADDISON. Yes.

Senator Boggs. How much of the time do you have on your highway safety hat?

Mr. ADDISON. As far as my duties in fulfilling this highway safety coordinator job, I would say about 50 percent of my time. This could run easily 100 percent of my time if I had the time available.

Senator Boggs. What is your other job?

Mr. ADDISON. I am a deputy chief engineer of Maryland State Roads Commission in charge of planning and safety.

Senator Boggs. I see. As I understand it, the Federal Government provides the money, or 50 percent of it, for the highway safety coordinator.

Mr. ADDISON. The Federal Government provides a 50-percent grant for specific program submission. In other words, you want to do something, you say what you want to do, you say how much it will cost, you ask for the Federal participation up to 50 percent.

Senator Boggs. How much of the salary of the highway safety coordinator appointed by the Governor does the Federal Government pay?

Mr. ADDISON. In my case, sir, none of my salary is paid for by the Federal Government.

I am being paid as a regular employee of the highway department. I am not getting paid anything for being highway safety coordinator.

Senator Boggs. I see. That is unusual, isn't it?

Mr. ADDISON. It is not unique. Several States have people in governmental offices who are appointed as highway safety coordinators or Governor's representatives, whatever the title might be, who are being paid for their full-time job of what they were employed for in the first instance.

Senator Boggs. Thank you.

Senator COOPER. Thank you very much, Mr. Addison.

Mr. ADDISON. Thank you, gentlemen.

Senator COOPER. The next witness is Mr. Donald L. Schaffer, vice president and general attorney, Allstate Insurance Co.

**STATEMENT OF DONALD L. SCHAFFER, VICE PRESIDENT AND
GENERAL ATTORNEY, ALLSTATE INSURANCE CO.**

Mr. SCHAFFER. Thank you, Mr. Chairman and Senators.

My name is Donald L. Schaffer. I am vice president and general attorney of the Allstate Insurance Co. and appear before you in that capacity.

It so happens that I am at present the chairman of the board of the Insurance Institute for Highway Safety, but the views of the institute are being presented to you by its able president, Dr. William Haddon, Jr., the first administrator of the Highway Safety Act.

I am here strictly speaking for Allstate in regard to highway safety.

Everyone seems to commence their discussion of highway safety by talking about the scope of the problem and using box car figures to demonstrate its size. We have all had personal contact with people, whether friends, relatives, or strangers, who have been killed or seriously injured in highway crashes. Our personal experiences give each of us a grasp of the scope of the problem.

The experts sift through a series of mathematical formulas tempered by some educated guesses and produce an economic loss figure for highway crashes in the year 1968 of about \$13 billion. This is almost a billion dollars higher than the estimate for 1967, which in turn was almost a billion dollars higher than 1966. The current annual figure averages about a billion dollars a month.

The annual deaths have reached 55,000, and the daily number of injured around 10,000.

So the scope of the problem, whether defined by national statistics or personal experience, is sufficient to occupy our serious and devoted attention.

In announcing these hearings, Mr. Chairman, you showed your awareness, and that of the committee, of the magnitude and importance of the automobile crash picture in America today, just by holding these hearings and by the statements that the committee members and the chairman have made.

It deserves a high priority on the list of things we must do to and for America and its people. The automobile kills and maims the young and the old, the child and the adult, the poor and the rich, the white and the black, the field hand, the factory hand, and the white collar worker. It is utterly indiscriminating—frightfully so.

It is obvious that automobile insurance companies, in addition to the humanitarian desire to save lives and minimize injuries, have a direct self-interest in highway safety. Automobile insurance companies feel that it is necessary to hold down future increases in the cost of automobile insurance to the greatest extent possible.

With automobile repair costs, hospital and medical expenses, and the general cost of doing business all on a continuing inflationary spiral, the insurance companies see improvements in highway safety as the only hopeful way to put the brakes on these increased costs.

It is fortunate, and perhaps unique, that this self-interest of the automobile insurance business exactly parallels the public and governmental interest in reducing deaths, injuries, and property damage from automobile crashes. Seldom have a private and public interest coincided so exactly.

I would like to make a comment or two concerning the need for a balanced or systemized approach to traffic safety.

It is not enough, for instance, to have driver education, even though certainly my company has been a supporter of driver education. But

you can take a student, give him driver education, have him reasonably competent to drive, and put him on the highway, and he can be hit the first day out by a drunk driver who was not properly removed from the highway. His car can be driven onto the side of a road into a steel signpost that should have been placed inside the guard rail.

The car can be a pre-1968 model, without an energy-absorbing steering column, and that column can pierce that young driver's chest, causing serious injury or death.

A police officer can show up, without an implied consent law, and be unable to prove that this driver who injured the young trained driver was a drunk.

The records of that case may go into a court which does not report them properly, and there will be inadequate records of that accident made, and that driver may escape punishment entirely, or avoid any retraining program that might reduce his future accident potential.

Obviously, if the record is inaccurate, we will not learn anything from that accident, and it will not become a part of our information to support action in traffic safety.

So you need a systemized approach hitting all aspects of the needs of traffic safety.

I would say, too, that when the Federal act was enacted by Congress, it was obvious that standards had to be promulgated. Existing research was inadequate, but rather than sit back and wait years for completion of a research program, we certainly urged that these measures be enacted, based upon the best knowledge and judgment then available.

Now, at the time the Federal program was enacted, no State had an ongoing, successful, sustained, safety program that covered the needs of highway safety. There had been certain specific projects or programs successful in given States, but not in the broad spectrum of the problem over a sustained period.

Certainly the Federal Government needed to provide standards in regard to vehicle safety. No State could fill this need.

As a result of Federal standards applicable to the 1968 automobile model year, we find such features as energy-absorbing steering columns, seat belts in all positions, rupture resistant gas tanks, a backup braking system, protective laminated windshields, stronger door latches and hinges, recessed knobs and controls, a standardized gear shift sequence, performance levels for tires and rims, and nonglare surfaces.

The 1969 models sold after January 1 also must include front seat head restraints, fail-safe headlight covers, and hood locking devices.

We support these improvements and believe them to be meaningful, but we caution against impatience over their slow pace in changing the statistical results. Only about one-tenth of the automobiles are replaced each year, so it takes about 10 years to flush practically all the old vehicles out of the system and fully realize the benefits of a new safety feature. In the meantime, lives are being saved and injuries prevented.

There are scores of additional vehicle safety requirements in various stages of development, ranging from the inflatable crash bags to the possible use of governors to limit speed to the lawful maximum, without impairing passing performance.

We had been told in the past that safety did not sell, that one manufacturer which tried to emphasize safety one year had an adverse sales result. It is perhaps as likely that the models for that year were not as appealing, and also true you cannot educate the public to buy safety features in a limited period.

In any event, it was obvious no auto manufacturers were going to spend a good deal of money installing safety features if the cost factor placed them at a price disadvantage with manufacturers less interested in vehicle safety.

One important effect of Federal vehicle safety standards is that their uniformity of application removes this price penalty feature.

In regard to highway design and construction, for many years the Federal Government has had the authority to impose safety standards on roads built in whole or in part with Federal funds. Conversely, the State and local authorities have retained control and responsibility for safety on nonfederally financed streets and highways.

As to the driver, and as to his care and maintenance of his car, there was no real usurpation of State and local government authority in the actions Congress took. The States retain their full responsibility for training, licensing, penalizing, improving, and removing drivers, and for the titling, registration, and inspection of their automobiles.

While you gave the Federal Government the power to promulgate minimum standards of performance by the States in these areas, there is neither a usurpation of State power or a sharing of it. Rather, you employed the practical concept of withholding a portion of Federal highway moneys from those States which would not comply with the standards, while making available new Federal safety grants to those States that did wish to meet or exceed these national standards.

Is the Federal program a success? Of course, it is only in the beginning stages, but from the standpoint of participation and of a sound start, the answer must be a qualified "Yes." All 50 States have ongoing safety programs, headed by an individual designated by his Governor to be responsible for the safety program. The Bureau has received literally hundreds of project requests, and a number of important projects have been funded.

From the standpoint of the ultimate objectives, reducing vehicle crashes and their severity, it is still too early to measure results. There is evidence that portions of the program are beginning to pay off.

For example, the vehicle standards on windshields and steering columns and seatbelts. All seem to be saving lives, but the overall picture is still grim, however, and there is every indication that this year will see a new record in motor vehicle fatalities nationwide.

Exposure to accidents increases as we pour new drivers and new vehicles onto the roads, and as a result, the number of fatalities per 100,000 population has been rising steadily over the past 15 years. Last year, the rate was 26.8, compared with 22.1 in 1954.

Gains have been made, but the great expectations raised by the enactment of the Federal program have yet to be realized.

People tend to say the public is apathetic toward the highway safety problem, that there is no sex appeal in safety, and that it is difficult to get people interested or involved.

I do not believe this is true, and I think it is used as an apology for past failures. I think most people are intensely interested in traffic safety, would like to participate in meaningful programs, and would like to become involved in successful solutions.

It is just that they have seen very little accomplished in the past on a planned, sustained, and provable basis. They have not responded to slogans, most of which represented the extremes of bad poetry, bad humor, or bad psychology, or an unhappy combination of all three.

But this committee can be assured that its active support of an adequate funding of the traffic safety programs of the Federal Government is not only good for the people of the United States. It is something they want.

During the first part of 1969, Allstate launched an advertising campaign in national magazines and television, and in the daily newspapers of 23 selected areas. This campaign urges adequate State and local implementation of the 16 current national highway safety standards—with special emphasis on the standard which applies to the drunk driver.

It is not often in these busy times that people take the time and trouble to get up from reading their newspaper or magazine, or from their TV sets, to write a letter or to find a pair of scissors, clip a coupon, fill it in, find an envelope, find a stamp, and mail it. But across the country, some half a million Americans did just that with these Allstate ads, to voice their concern about the drunk driver and the total traffic catastrophe, and urge their Governors and legislators to have their State comply with the standards of the Highway Safety Act.

I would like to ask Mr. Howell just to turn these over as I go through, and just quickly to give some view of these.

(Chart shown.)

Mr. SCHAFFER. This is an Illinois newspaper platform ad that kicked it off. The material attached to the statement has a reproduction of these ads, but there is a coupon at the bottom, addressed to Governor Ogilvie, saying, "If you are interested, please send these in to your Governor and ask that he support the 16 standards."

(Chart shown.)

Mr. SCHAFFER. Here is one in Alabama, with a little different headline, different approach, and a coupon addressed to the Governor in Alabama.

A similar thing in Arizona.

(Chart shown.)

Mr. SCHAFFER. And Oklahoma.

These are just representative States.

(Chart shown.)

Mr. SCHAFFER. Texas.

Each with a coupon.

(Chart shown.)

Mr. SCHAFFER. Here is Wisconsin.

(Chart shown.)

Mr. SCHAFFER. Here is Maine.

Now, those led us to a platform, because we ultimately wanted to try to achieve a specific objective, and that was marshal public support for an improvement in particular in beefing up the drunk driver standards, because of the importance of the drunk driver in the overall accident picture.

We then took some national magazine ads to try to focus specifically on the drunk driver problem.

(Chart shown.)

Mr. SCHAFFER. For instance, the headline is here, "He killed them at the party. He may kill you on the road." "He is drunk. Here he comes to your side."

Senator COOPER. Are they still carrying these ads? I saw that one in some magazine yesterday.

Mr. SCHAFFER. Yes, sir. I just got an advance copy of Newsweek, and here is one.

Senator COOPER. I see it, yes, sir.

Mr. SCHAFFER. We then move to the next series of ads.

(Chart shown.)

Mr. SCHAFFER. "Drunk driver. Know him and you will fear him."

"One of the next 50 drivers coming your way is drunk."

"Drunk driver may kill you."

"Every time you get behind the wheel, it is you against the drunk."

Then we shifted to the specific States that had legislatures in regular session, and where the administration has proposed either an implied consent law or lowering of the percentage relating to blood alcohol content, and this was done I think in about 23 States that had legislative sessions this year.

(Chart shown.)

Mr. SCHAFFER. Newspaper ads were run, such as this one, in North Carolina, and there is a coupon to again return to the Governor and Traffic Safety Council.

(Chart shown.)

Mr. SCHAFFER. Here is the Maryland one, of Mr. Addison's State. "One of the next 50 drivers coming your way is drunk," and a coupon to return to Governor Mandel there.

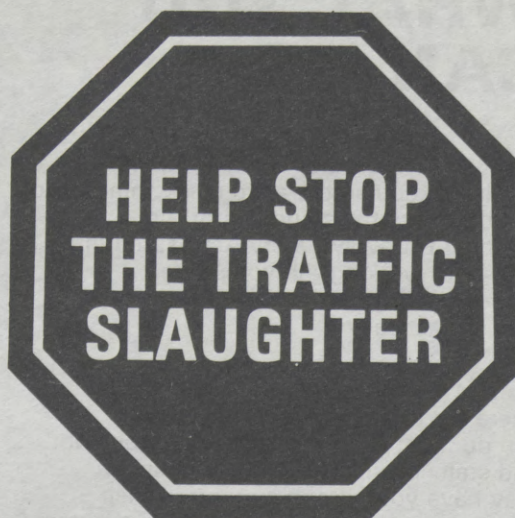
(Chart shown.)

Mr. SCHAFFER. Wyoming, another example.

(Chart shown.)

Mr. SCHAFFER. Missouri, "One of the next 50 drivers coming your way is drunk."

(The exhibits shown by Mr. Schaffer follows:)



Brief review of a
frightening situation that's
getting worse all the time

What Allstate is
doing to help reverse
the trend

What you can do

WHAT YOU CAN DO

If you are a legislator or other public official, of course there are many things you can do to get the standards of the National Highway Safety Act passed into law—and working—in your state. The experts agree this will cut the killing drastically.



There are things every private citizen can do. First, you can write your governor and state legislators to let them know they have your strong support in their efforts to get the needed laws and program to work for traffic safety.



You can go further and organize an Action Committee in your community. Work through your local or state safety council, civic groups and women's organizations.



You can show your judges, your prosecutors and your police that you are with them in the continuing job of enforcing traffic laws fairly, strictly—and without exception.



You can get more information for yourself and your friends by acquiring a copy of Allstate's Booklet, "Drunk Drivers and Highway Safety," from your nearest safety council, Allstate office, or by writing Safety Director, Allstate, Northbrook, Illinois 60062.

Allstate®

ALLSTATE INSURANCE COMPANIES • HOME OFFICES: NORTHBROOK, ILLINOIS

A year-long campaign in national magazines.

**One of the next
50 drivers coming
your way is drunk.**

But which one?



Allstate

Help stop the traffic slaughter.

**He killed 'em at the party.
He may kill you on the road.**



Allstate

Help stop the traffic slaughter.

**The drunk driver.
Know him
and you'll fear him.**



Allstate

Help stop the traffic slaughter.

**Every time you get
behind the wheel, it's
you against the drunk!**



Allstate

Help stop the traffic slaughter.

A TRIPLE WARNING

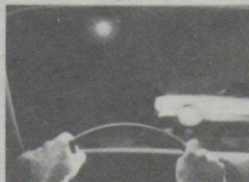
**One of the next
50 drivers coming
your way is drunk.**



Allstate

Help stop the traffic slaughter.

**You have the green light.
He has the red light and he's drunk.**



Now...do you want to drive through?

Allstate

Help stop the traffic slaughter.

This Allstate advertising will appear in full-page size throughout 1969 in • LOOK • TIME • NEWSWEEK • READERS DIGEST.

55,000 KILLED LAST YEAR



Alcohol involved in half of
all fatal crashes



One of every 50 drivers drunk

Are you frightened? You should be.

1968 was a record year for traffic crashes. Some 55,000 Americans were killed, nearly 4,000,000 others injured. Similar early estimates indicate both the number and the severity of crashes hit all-time highs.

The records may be smashed again in 1969.

Alcohol is the biggest single identifiable villain. A study done for the Insurance Institute for Highway Safety shows that one driver out of every 50 is drunk. Not just drinking—*drunk!* The drunk driver's vision is dimmed, his reflexes are dulled, his reaction time slowed by 15% . . . and as a result he's about 25 times more likely to cause a crash than when he's sober.

The situation is bad and getting worse. It's almost out of control. But now there is a plan the experts say will cut the killing.

The National Highway Safety Act establishes 16 highway safety standards as "must" guidelines for state legislation. One standard covers high school driver education. Others deal with periodic motor vehicle safety inspection . . . police traffic services . . . periodic limited driver re-examination. Perhaps the most important single one of the 16 standards prescribes minimum controls over the drunk driver.

What's needed is to get the right laws on the books—and working—in every state.

**That's where we come in—
you, and Allstate.**



What we're doing at Allstate

by Judson B. Branch, Chairman
and Chief Executive Officer

The traffic crash threatens to attack every American.

Business can help government launch the counter-attack.

Here is one of Allstate's current traffic safety programs. We suggest . . . we urge . . . you and every individual, every corporation, every governmental body to help. There's plenty of work for everyone.

Massive public support for the 16 highway safety standards is the first step. To this end, Allstate is publishing a series of advertisements in newspapers and leading national magazines. These ads report the frightening traffic crisis, and ask every citizen to act—to *tell* his governor and state legislators they have his strong support in their efforts to get all needed laws on the books and working.

The timing for this program is ideal. Most state legislatures meet early in 1969, and traffic control legislation will be brought up for debate.

For the needless human catastrophe as well as the financial involvement to all auto insurance buyers and to all Americans, we at Allstate consider traffic safety and especially drunk driver control the overriding responsibility and challenge facing every public official, lawmaker and traffic management agency in 1969. We are backing this strong conviction with substantial remedial manpower, material and monetary resources. We hope countless other businesses throughout America feel and react the same.

234,000 killed or injured in California traffic crashes last year.

When the problem is this big, what can one person do?

You can stop feeling helpless. Because now there is a plan—The National Highway Safety Act—that the experts agree will help stop the killing.

Drafted by the best minds in traffic safety, the plan calls for each state to follow 16 standards (minimum performance requirements) . . . as guidelines for legislation and administration. One standard covers effective driver education . . . others deal with periodic motor vehicle inspection . . . police traffic services . . . driver reexamination . . . and control of the drunk driver.

The plan zeroes in on the most important ways to make driving safer for you. It may save you from being killed or injured by a rattletrap car with no brakes. Or by a driver who the law says is blind. Or by a drunk.

One-half of all traffic deaths involve drinking.

A study reported to the Congress by the U.S. Department of Transportation shows that one driver out of 50 is drunk. Not just drinking. *Drunk!*

That's why one of the 16 standards of the National Highway Safety Act deals with drunk driving.

Our state and local officials and safety authorities recognize the need for new laws. They say proper laws will cut the killing drastically.

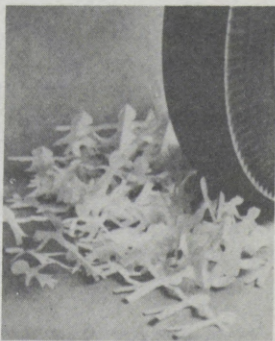
What's needed is to get all 16 standards of the National Highway Safety Act—especially the drunk driving standard—adopted and working in this state.

Public support will start things happening.

That's where you can help.

Your governor and legislature need to know that you want the right laws passed—during this present legislative session. Mail the coupon today. Then, for more information about the Highway Safety Act and the 16 standards, contact your Governor's Highway Safety Representative at the State Capitol, or write: Safety Director, Allstate Insurance Companies, Northbrook, Illinois 60062.

Allstate



MAIL THIS COUPON

GOVERNOR RONALD REAGAN
State Capitol
Sacramento, California

I support efforts to get drunk driver and other laws enacted in California that meet the standards of the National Highway Safety Act.

NAME _____

ADDRESS _____

CITY _____

STATE _____

ZIP _____

HELP STOP THE TRAFFIC SLAUGHTER

Advertisements similar to these, 6 columns wide, will appear in leading newspapers of 22 states, telling the story to millions of readers.

Senator COOPER. That makes a very impressive exhibit.

Mr. SCHAFFER. Thank you.

The point of these ads is that people were interested, and did respond. About a half million coupons, almost 50 percent of which were accompanied by letter, were returned to the various governmental agencies in these States, where these ads were run. People voiced their concern.

Our field offices keep in touch with their State capitols, as you might imagine, Mr. Chairman, and they reported to us that thousands of coupons or letters went to the Governors and legislators of West Virginia, North Carolina, Indiana, New Mexico, Ohio, Virginia, Alaska, Kentucky, Delaware, Tennessee, Florida, Oregon, and other States.

Senator Cooper. You have named the State of every member of this committee.

Mr. SCHAFFER. It was not planned, but it worked out that way, sir.

California led the order of response, with more than 50,000 letters and coupons to Governor Reagan.

Many of these State officials responded affirmatively to this public reaction by enacting new drunk driver laws, as well as many other programs called for in the national highway safety standards.

We are very pleased about this year's new drunk driver laws in Alaska, Delaware, Indiana, New Mexico, Arkansas, Maryland, Texas, and South Carolina, Mr. Chairman, and I know you are aware that West Virginia attacked this particular problem successfully last year, as did Florida and Ohio.

In this new safety environment, judgment alone is inadequate to supply the basis for the broad planning, effective action, and measurement of results necessary to create solutions approaching the dimensions of the problem. Research is a necessity—a vital element in intelligent action.

As a lawyer, I was always amused by Erasmus' description of lawyers as "A most learned species of profoundly ignorant men." Research can prevent some current pundit from applying this same terminology to the highway safety effort.

Too often, persons seeking solutions are accused of being engaged in a relentless proceeding from an unsupported premise to a foregone conclusion. Some of this has occurred in highway safety.

Research can prevent false starts and unproductive results in the present efforts to understand and change driver behavior and to protect persons using our transportation system. It can provide an orderly proceeding from a supportable premise—to a sound and productive conclusion.

To meet this need, the National Highway Safety Bureau has undertaken an extensive research and development program. In 1967, Congress appropriated \$21 million for research and development. In 1968, it increased that sum to \$26.5 million, with the House Appropriations Committee noting this was one of the few programs it believed merited additional funds at a time of fiscal belt tightening.

The Bureau's research programs delve into the total accident complex—the precrash phase, or those programs aimed at preventing accidents from occurring; the crash phase, designed to ameliorate the effects of the crash; and the postcrash phase, where the task becomes one of maximizing the human salvage once a crash has occurred.

We support this research effort, and believe it to be a most important element of the long-term effort.

We do not believe any changes are necessary in the language of the Federal Highway Safety Act at this time. Rather, we urge your committee to simply recognize that more must be done, and that more money must be spent on the traffic safety efforts, and that the Federal activity must receive better management than it is presently getting.

This leads us to the one recommendation we would make for an administrative change, and would hope that this committee would recommend it to the Secretary of Transportation.

Control of the use of our highways traditionally has been the step-child of building and maintaining them. Highway design, building, and maintenance are obviously an extremely important part of the overall traffic safety program, but they are only one part of a total system.

Unfortunately, in the past, our highway construction efforts have not been directed by persons of broad enough vision to give safety the high priority it deserves in our highway system.

Anyone who has followed the Blatnik committee hearings and has reviewed that committee's extensive documentation of the hazards engineered into our present highway system certainly has to believe that the persons in charge of highway construction should not be directly in charge of our Federal safety effort.

To the contrary, the safety effort needs to be entirely separate from, but coequal with, our highway design, construction, and maintenance efforts. In fact, the Administrator of the National Highway Safety Bureau should be in a sufficiently independent position to recommend to the Secretary of Transportation safety standards for highway design, construction, and improvement.

The exact opposite presently exists. The National Highway Safety Bureau is subordinate to Federal Highway Administration.

This really puts the cart before the horse. The highway is just one element of the safety system, and yet all other elements are subordinate to it in our administrative machinery. This is especially undesirable in view of the poor record of the Federal Highway Administration in safety related to highway design and construction.

We would accordingly suggest to this committee that it recommend to the Secretary of Transportation that the National Highway Safety Bureau be separated from the Federal Highway Administration, and given equal status in the Department of Transportation, with the Director of the Bureau reporting directly to the Secretary.

Allstate strongly supports the Federal safety program and the actions by the State and local authorities to implement this program. We solicit the continued support of this important committee and of the Congress for adequate budgeting and legislative encouragement so the results envisioned when the act was passed will be achieved as promptly as possible.

Senator COOPER. Thank you very much. That is a very helpful statement, and one, too, that offers some ray of hope for the safety program.

I would like to congratulate you and your company upon the advertising that has been done. I am sure it has been very effective.

Let me say that last year, as you know, when last we had the Federal-aid highway program before this committee, we did take several steps dealing with inspection of bridges, construction of bridges, TOPICS program, and also directing the Bureau, as I recall, to take safety into consideration in the design and construction and improvement of new highway systems.

Mr. SCHAFFER. I think there have been steps made in the last couple of years, Senator.

Senator COOPER. Yes.

Senator Boggs?

Senator BOGGS. Thank you, Mr. Chairman.

I want to join Senator Cooper in congratulating you and your company for the work you are doing.

You recommend we give more emphasis and financial support to this program. Would you care to comment on whether or not the State coordinator, in order to get the maximum results should be a full-time man on this job, or be assigned to another job part of the time.

Mr. SCHAFFER. I would think our feeling would be similar to that in regard to the Federal agency, that it should be a full-time man, and he should have this as his primary job, and should report, of course, directly to the Governor.

I would think, though, that this could vary from State to State, according to the circumstances, and the particular man, but in general I would think it would be an objective to be desired.

Senator BOGGS. Do you believe in the penalty that the Federal Government should not make all the grants to the States if they don't come up with a comprehensive program and show progress on it?

Mr. SCHAFFER. Yes, I think the penalty has to be reasonable, and I think the present standard is reasonable. But I think we need that carrot. If that were removed, then not only does the pressure go off the State, the pressure goes off the Federal Government to help the States, and I think that this program can work only with some provision such as the penalty provision still in the act, and we supported the continuation of that with an extension of time the last time that was before the Congress.

Senator BOGGS. Thank you.

Senator COOPER. I want to say I have been interested in one of your descriptions of a lawyer. I have kept it, and hope I can use it sometime.

It describes lawyers. He says Erasmus described lawyers as follows: "The most learned species of profoundly ignorant men."

Senator COOPER. We are going to continue the hearings until we hear all the witnesses.

I would like to ask, is Senator Strahan here?

Is he here?

(No response.)

Senator COOPER. Is Representative Murphy here?

Senator BOGGS. Yes, sir. He is from Delaware, Mr. Chairman.

Senator COOPER. Is Senator Lee Weissenborn here?

Senator WEISSENBORN. Yes, sir.

Senator COOPER. All right. Our next witness will be Joseph R. Murphy.

**STATEMENT OF STATE REPRESENTATIVE JOSEPH R. MURPHY,
DELAWARE, NATIONAL LEGISLATIVE COMMITTEE ON TRANS-
PORTATION AND HIGHWAY SAFETY**

Senator Boggs. This is Representative Murphy of Delaware, Mr. Chairman. He is chairman of the Highway Committee in our State.

Senator COOPER. We welcome you here, sir.

Go right ahead.

Mr. MURPHY. Thank you.

I am a State Representative from the State of Delaware, and I am here to speak in my capacity as a member of the National Legislative Committee on Transportation and Highway Safety. This organization is a subcommittee of the Council of State Governments.

I am sure that you will have heard all the good points, of which there are many, of the Highway Safety Act. Therefore, I will not bore you with those aspects of the Highway Safety Act. Perhaps it would be better for you to consider my role as one of a "devil's advocate."

First, there is a question as to why the National Highway Safety Bureau is not on the top line of the organization chart of the Department of Transportation. This Bureau covers all phases of safety, as well as the upgrading of all related services. Therefore, we believe the Bureau should be on the top line of the organization chart.

In the interest of saving lives, there are areas which need attention or continued evaluation. It is with this thought in mind that the following observations are noted.

Standard 1. Periodic motor vehicle inspection.

Recommendation: Every new vehicle must pass inspection before titling.

Every vehicle resold must pass inspection before the change of title.

Standard 4. Driver education.

Recommendation: Require mandatory retraining of problem drivers.

Standard 6. Codes and laws.

Recommendation: Thorough study in the reduction of charges, for example, driving while drinking, rather than driving under the influence.

Standard 7. Traffic courts.

Recommendation: Juveniles involved in traffic offenses should be tried in Justice of the Peace courts. Parents or guardians should be present at trial.

Standard 8. Alcohol in relation to highway safety.

Recommendation: Continued evaluation, before-and-after studies, conviction rate studies, reduced charges, as previously mentioned.

Standard 9. Identification and surveillance of accident locations.

Problem: Engineering often too slow to act to correct situation because there is a lack of immediate funds.

Standard 10. Traffic records.

Problem: Inadequate funds for major computer system for this project.

Standard 11. Emergency medical services.

Recommendation: Better first aid training, helicopter service in congested areas, certification of first aid personnel by State board of health, rather than a licensing act.

Standard 12. Highway design, construction, and maintenance.

Recommendation: A complete new study on highway materials and concepts for high-speed travel, The Federal Government should develop a program for removal of all railroad at grade crossings to separate crossings, and develop program to fund project.

Standard 13. Traffic control devices.

Recommendation: Develop program to educate local political subdivisions as to necessity of traffic control devices, develop program and fund same for actual erection of uniform traffic control devices.

All of the aforementioned recommendations will cost additional revenue for the individual States and local governments. The several States and local government municipalities are looking for additional revenues for needed programs, and the legislative bodies of the States are reluctant to pass revenue measures that will further burden the already overburdened taxpayer.

Therefore, we feel that the Federal Government must provide greater funds for these very worthwhile programs.

This subcommittee would also recommend a bonus fund be developed for those States that comply with a certain percentage of the standards. The reason for this thought is as follows:

There are funds available for the training of personnel toward the compliance of an individual standard. However, if a State has already complied with that individual standard, at no additional expense to the Federal Government, that State would no longer qualify for funds for the particular standard.

Funds are allocated to States on a population basis. However, we feel that there are other criteria that could be used, such as:

1. Traffic counts for corridor States.
2. Regional traffic areas of two or more States.
3. Traffic counts for resort areas during summer months.

These areas create additional traffic problems for State and local officials.

We also recommend that the Secretary notify this subcommittee and the appropriate legislative committee in the several States for their opinions on future programs that must be adopted by legislative acts by the States.

On behalf of the National Legislative Committee on Transportation and Highway Safety, I personally wish to thank you for the opportunity you have given us to appear before your committee and listening to our views. We shall always endeavor to cooperate with the Congress in this vital area of concern to all of us.

Mr. Chairman, if I may continue, earlier Senator Cooper mentioned the fact that the penalty clause, that he agreed with it, and so I would suggest, then, that for those States that do comply, perhaps some of this money could be allocated as a bonus, for if we are going to be denied funds for not doing something, those States that do, I think, should be entitled to some type of a bonus.

I would also like to see some types of research money given to the Council of State Governments for projects such as automobile inspection, and safe highway design, and human driving behavior. I think this is research where they can certainly do some good.

Thank you again, Mr. Chairman.

Senator COOPER. Representative Murphy, your statement has been very valuable for several reasons: First, because working on this National Legislative Committee, I think you have done your work well.

Second, because you are in the State legislative body, which has it as part of the program, and I think the recommendations are very good.

On the last page, next to last paragraph, you state you recommend that the Secretary notify this subcommittee and appropriate legislative committees in the several States for their opinions on future programs that must be adopted by legislative acts of the States.

Would you elaborate on that?

Mr. MURPHY. Mr. Chairman, it is the feeling in several States that we have talked to and conversed with on the program, that the Federal Safety Coordinator in some of the States, and I exclude the State of Delaware, have not been in touch with the legislative bodies, especially those appropriate committees that would have to enact legislation to comply with the Federal law.

I have heard from States that the Federal Coordinator all of a sudden throws some legislation at the appropriate committees of the legislative bodies, and expects them to pass it without question, and without knowing perhaps what it is all about, and I think that if the Secretary of Transportation were to notify especially this subcommittee of the national legislators' committee, and also the appropriate committees in the several States, I think we would have a better feeling of cooperation.

Senator COOPER. Thank you very much.

Senator Boggs?

Senator Boggs. Thank you, Mr. Chairman.

I want to thank Representative Murphy for being here today, and presenting this very helpful testimony.

You mentioned, under standard 1, that you would recommend that every new vehicle must pass inspection before titling. Are not new vehicles inspected before titling now in most States?

Mr. MURPHY. I do not believe so, Senator.

Senator BOGGS. I think it would be very helpful to have this inspection. I was wondering if you could state just what you had in mind by making that recommendation.

Mr. MURPHY. Senator, as we know, and I would assume probably rightly, at this very minute there are automobiles being manufactured, right now, that sometime at a later date, that some part would be found defective and would have to be called back to the dealer's for inspection or something of that nature, and I think if we can upgrade people in the States in the process of inspecting vehicles, they may catch these things before they become a fatality on the road.

Senator BOGGS. On the point that Senator Cooper mentioned of the coordination between the Federal Government and the State legislative committees: If the State Coordinator is working at his job, he is bound to get that information and relate it to his legislative committees; is he not?

Mr. MURPHY. He should, Senator.

Senator BOGGS. It would be part of his job.

Mr. MURPHY. Absolutely.

Senator BOGGS. Can you tell me—and in asking this question, I have a little bit of familiarity with it—how this has worked in the State of Delaware?

Mr. MURPHY. In the State of Delaware, we had a change of administration. There is a new safety coordinator.

The prior safety coordinator absolutely bent over backward to work with the legislative body, and he drew up legislation, and I may add, Delaware was the first State to have their program qualified under the Federal act.

We are not just moving along. We are progressing very, very well, and meeting a good deal of the standards at 100 percent.

Senator BOGGS. With pardonable pride, Mr. Chairman, that is due to leadership like Representative Murphy, chairman of the Highway Committee. In addition it is due to the fact that the coordinator has been working full time at this, and working closely with the regional officials and with the members of the legislature, as well as with the municipalities.

This helps to implement and make effective the concept which this Congress enacted in the first place.

Representative Murphy brought out that Delaware was first to get their plan approved. You know historically that we were the first State to ratify the Constitution of the United States, so I am glad we are still following along that line.

Senator COOPER. I can understand your pride, Senator Boggs.

Senator BOGGS. I see that time is flying, but I do want to say, and I think Senator Cooper brought it out, that the bonus idea is a very important one. That is not only in respect to your own personal situation and State, but that would apply to many other States; would it not, Representative Murphy?

Mr. MURPHY. Yes, sir.

Senator BOGGS. And would be a continuing incentive, as I understand your proposal.

Mr. MURPHY. It certainly would.

Senator BOGGS. To keep upgrading the standards already approved in the plan for highway safety.

Mr. MURPHY. Exactly.

Senator BOGGS. Thank you, Mr. Chairman. Thank you, Mr. Murphy.

Mr. MURPHY. Thank you again.

Senator COOPER. Our next and last witness is Senator Weissenborn, from Florida.

Mr. WEISSENBORN. This is Mr. Parker, of our Legislative Reference Bureau. May he sit with me?

Senator COOPER. Come right around, both of you.

STATEMENT OF LEE WEISSENBORN, STATE SENATOR, STATE OF FLORIDA, CHAIRMAN, SUBCOMMITTEE ON TRAFFIC SAFETY, COMMITTEE ON TRANSPORTATION, THE FLORIDA SENATE; ACCOMPANIED BY JOHN PARKER, LEGISLATIVE REFERENCE BUREAU, STATE OF FLORIDA

Mr. WEISSENBORN. I am Lee Weissenborn, member of the Florida Senate, representing Dade County and Miami. I am chairman of the Permanent Standing Subcommittee of the Florida Senate on Traffic

Safety, as of the last session. I am a rather newcomer to this area in particular.

This is Mr. John Parker, of our Florida Legislative Reference Bureau.

Mr. Chairman and Senator Boggs, I have enjoyed being here more for what I have learned, perhaps, than for what I will tell you. I have gained a few new ideas of how we can improve our program in Florida.

As chairman of the Florida Senate Subcommittee on Traffic Safety, I appreciate the honor and opportunity to appear before this subcommittee, and to present for the record my thoughts regarding the Highway Safety Act of 1966, and the standards which have been prepared for its implementation.

Let me further say it is an honor today to represent Florida State Senator C. W. (Bill) Young, who, among his activities for highway safety has been chairman of the Southern Regional Highway Safety Policy Committee, Southern Conference, Council of State Governments, and, in this indirect manner, to represent the 15 Southeastern States that compose the Southern Conference of the Council of State Governments.

The people of our State actively share the national interest in highway safety. For many years Florida has been a leader in the enactment of legislative highway safety programs.

Beginning in the early 1950's, our legislative committees have regularly held statewide public hearings on traffic safety to receive recommendations from the general public and to develop extensive research designed to reduce motor vehicle accidents and fatalities to the lowest possible level.

Florida was one of the first States to substantially comply with the provisions of the National Uniform Vehicle Code, and the Uniform Traffic Laws and Ordinances. Our 1967 legislature placed Florida in an enviable position in the Nation by passing the most sweeping traffic safety legislative package in its history—thus not only bringing Florida into compliance with the National Highway Safety Act, but far surpassing the minimum requirements of the act.

It is clear that the concern of Florida and its officials is genuine and of long standing. We are committed to the proposition that traffic accidents and fatalities must be curtailed, and we are determined that every reasonable means at our disposal be utilized to accomplish this goal.

Florida is one of the major tourist States of the Nation. It is steadily growing, both in population and in the number of visiting tourists. It is imperative that we provide for our people and our visitors a safe environment in which to enjoy the natural and mandate attractions which are so abundant throughout our State.

Florida has actively participated in the leadership of the Southern Regional Highway Policy Committee of the Southern Conference, Council of State Governments. This committee, chaired by the Florida delegate since its inception, has been a prime mover and a strong proponent of enactment of the Federal Highway Safety Act of 1966.

Prior to passage of this act, Florida and the Southern Regional Highway Policy Committee strongly urged that no penalty be assessed

against States failing to comply with its provisions. In its wisdom, the U.S. Congress has seen fit to provide for a 10-percent penalty. However, the U.S. Department of Transportation has never invoked this provision.

We continue to urge that the penalty be removed, but if it is to be retained, it should more realistically be lowered, to perhaps 5 percent, and the Department should fully implement congressional intent. Otherwise, you have a situation which is extremely unfair to the States which have acted in good faith.

I mean by that, if you are going to have the penalty, then it should be enforced. Otherwise, you have a situation which is extremely unfair to the States which have acted in good faith.

Senator BOGGS. That is right.

Mr. WEISSENBORN. May I point out for a moment that in the 1967 legislative session, the State of Florida put on its law books the implied consent law, mandatory driver reexamination, a mandatory helmet law for motorcycle operators, central insurance of driver licenses, and we provided for a semiannual motor vehicle inspection law, and I think we made more progress in that one session than we had in all years prior to that time, and in so doing we substantially complied with the Federal law.

I would also like to say that I could not agree more than I do with the testimony of Mr. Addison. I think the primary problem we have in the area of traffic safety is one of bringing about a closer relationship between the public instinct and the public need. As I was sitting here listening to Mr. Addison, it occurred to me that we are not ever really going to have a meaningful traffic safety program in this country until the public really wants such a program.

This is somewhat analogous to the current situation involving the health hazard in cigarette smoking, and I would like to throw out as a suggestion that perhaps this committee might consider some legislation with regard to traffic safety being publicized on national television, as has been done with the cigarette smoking situation, because I think that really the great problem we have is in building a real desire amongst our citizens to really have a meaningful traffic safety program.

I might point out in this regard that at the 1967 Florida session we passed a semiannual inspection law.

Senators, it was the biggest boondoggle that ever happened. In my county of Dade County, which contains one-fifth of our citizens, we had already had a county motor vehicle inspection program twice a year, but in most of the other counties in Florida there had never been an inspection law, and there was such a public outcry against the new State inspection law that despite all our safety subcommittee could do, the legislature overwhelmingly changed the law and went to an annual safety inspection law.

So, in a sense, because of the public's antipathy to the new State inspection law, we went backwards in Florida in our public safety program, although we argued to the legislature that statistics showed that automobile accident fatalities were down since the enactment of the semiannual inspection law, the legislature nevertheless changed the law to require the inspection annually instead of semiannually.

So I think there is a crying need to educate the public as to what a real serious problem this thing is, if at any level we are going to pass

the legislation we need, because, after all, we all represent people, and in part, at least, we do what we think they would want us to do.

Another matter of real concern to the States is the failure of Congress to provide sufficient funds to implement highway safety guidelines. Every year since enactment of the Highway Safety Act, the States have been promised a budget allocation of at least \$100 million, but with each shift of the wind on the national economic scene, these funds have been among the first to be cut.

I might also point out that I think there is a direct relationship between the amount of road highway construction that goes on, including the degree of safety factors that are involved in such construction, and traffic safety, and accordingly, such things as the 1967 cutback with respect to the highway trust funds, certainly do not contribute to greater traffic safety.

Things like this are things that greatly deter our efforts to improve traffic safety. The needs for roads and highways goes hand-in-hand with the need for traffic safety.

I know in Miami we just do not have enough roads, and the result is many more accidents than there ought to be.

There can be no doubt of the importance and the urgency of highway safety programs. Effective steps must be taken to insure that sufficient funds are made available so States can effectively plan and carry out their responsibilities.

The sum of \$267 million was appropriated by the U.S. Congress to assist the States over a 3-year period, through fiscal 1969, but the Bureau of the Budget has released less than one-fourth of this amount to date.

Meanwhile, the highway beautification program has received far greater funding to assist in hiding junk yards filled with crashed vehicles.

The Highway Safety Act further requires the expenditure of scarce safety dollars in the completion of a base year study. The base year study is designed to insure that the State and local governments are spending a proper amount of money on their local traffic safety programs, and such a study, in our opinion, is an inefficient use of time and manpower, merely to resolve that no less funds be spent annually by each State for highway safety.

It seems a little bit inconsistent that all this emphasis is put on how much the State and local governments are spending, while at the same time the Federal Government is not even spending what was appropriated.

The cost figures which could be obtained through such a study would, at best, be a poor estimate, and of limited value, contributing nothing to the cause of highway safety.

Traffic safety expenditures must increase proportionately to the demands of our ever-increasing population. We therefore strongly urge that the Highway Safety Act be reevaluated and amended to delete the requirement for a base year study, thus permitting these costs and energies to be expended for more productive functions.

I don't mean by this that there should be no requirements on the States as to how much they should spend, but I have here a copy of the base year plan, and honestly, it would take a battery of Philadelphia CPA's to figure out how to comply with this thing.

I think this is the sort of bureaucracy that was spoken of earlier, and so much time in our State is being spent by the coordinator and his staff that they have not had time to even propose a single piece of legislation to the legislature, and I can only think one of the reasons is that they are too involved with this study.

A final matter of concern to the States is their frustration due to the lack of communication between the U.S. Department of Transportation and State legislative committees responsible for drafting and sponsoring highway safety legislation.

We feel the major responsibility for policy decisions at State level is vested in these committees, and if we are to properly fill our role in the national program, it is essential that we be fully informed on highway safety policy decisions and supporting data at the national level.

Earlier this point was raised, and one of you Senators pointed out, well, this is the job of the coordinator, and this may be true. But I can tell you that in Florida we have not had a lot of success with respect to our coordinator. We have had, I think, three coordinators so far.

Senator Boggs. Full time?

Mr. WEISSENBORN. I don't believe they are full time, but I do think that even though informing the legislature is the job of the coordinator, I think it just makes good sense that there be good liaison between the Federal Department of Transportation and the appropriate committees of the State legislatures, as well as between the congressional committees involved and the appropriate committees of the State legislatures, because, to a large extent, the State legislatures is where the action is, it is where these laws are going to be passed, or where they are not going to be passed, and where the money is going to be appropriated, and I think all the way down the line we need more contact, if we are to solve this problem in a cooperative effort between the Federal Government, States, and local governments.

We could always go to simply doing it through the Federal Government, and it would probably be more efficient, but that is not the way this country is organized, and we don't want to do it that way.

I don't think that would require an amendment to the act itself, but simply an expression of intent from this subcommittee that the Department of Transportation place appropriate legislative committees of the several States on its general mailing list, and that they be advised of important developments in traffic safety.

One other point that I would like to make, one of the areas where we have found in Florida where the traffic safety has fallen down, it is at the level of the traffic court.

In Florida we have a driver point system designed to get the habitually bad driver off the road. I originally offered a revision of that bill, in 1965, when I was in the Florida House of Representatives, to give to the traffic judge some discretion as to how many points a violator would get for a particular violation.

Previously, if you were guilty of reckless driving, for example, you got, let us say, four points, or for driving while intoxicated, so many points, with no flexibility. We felt there should be some flexibility put into the law, so we amended the point law so as to give the traffic court some discretion as to how many points would be assessed for a given

violation. We provided that if the local traffic judge did not assess points, then the violators would get the minimum number of points.

We had a horrible experience with that, because of a hodgepodge of a court system, which I think is generally true throughout the country, with the traffic judge not assessing the number of points, and the result was our suspensions dropped off dramatically.

We revised the law, but what we really need in Florida is a uniform system of traffic courts.

I am not recommending anything to you in this area, but just citing the importance of the traffic court to good traffic safety.

We can sit in Tallahassee and pass all the laws in the world, and, respectfully, you can here, but if the courts that enforce these laws don't do the job, then the laws don't mean anything, which I think illustrates the importance of not only the three levels of government working together, but of the three branches of government at all levels working together.

Previously, if you were guilty of reckless driving, you got, let us say, four points, or driving while intoxicated, so many points, with no flexibility. We felt there should be some flexibility put into the law, so we amended the point law, and we did not change, "If you get so many points, you lose your license." We provided if the local traffic judge did not assess points, then the violators would get the minimum number of points.

We had a horrible experience with that, because of a hodgepodge of court system, Which I think is generally true throughout the country, and not recording the points, the result was our suspension dropped off dramatically.

We revised the law, but what we really need in Florida is a uniform system of traffic courts.

I am not recommending anything to you, but just citing what I think is important to you in this entire program is enforcement of the law by traffic courts.

We can sit in Tallahassee and pass all the laws in the world and, respectfully, you can here, but if the courts that enforce these laws don't do the job, then the laws don't mean anything, which I think illustrates the importance of not only the three levels of government working together, but of the three branches of government at all levels, working together.

Mr. Chairman and members of the subcommittee, it is our understanding that the testimony being presented to you today is limited in scope to the Highway Safety Act of 1966. However, the State of Florida would like to bring to your attention certain problems we have encountered with the Highway Beautification Act of 1965. At some future date, when you are considering this matter, we would appreciate an opportunity to testify in this connection, either orally or in writing.

Thank you for the opportunity to bring this information to your attention.

Thank you very much.

Senator COOPER. We appreciate your coming this great distance to testify before this committee, and I would say for myself that I believe your testimony and that of Senator Murphy is invaluable to us in revealing problems at the State level.

Also, I assure you, we are very conscious of your attitude and progress at the local level in your district, and similar districts throughout the State.

I was very much interested in your concern, which was also voiced by Senator Murphy, about the lack of communication between the Department of Transportation and the States, particularly legislative committees such as you head, upon the development of safety requirements, and advice as to changes or steps being taken at the Federal level.

You don't get any Federal communication?

Mr. WEISSENBORN. Our legislative committees, at least our safety subcommittee, has never received any kind of a letter from the Department of Transportation, and I think in the case of Florida—you see, very frankly, our coordinator has not done a very good job of coordinating the traffic safety program. The things that I outlined to you were accomplished under Senator Young, my predecessor.

We made our major breakthrough in 1967, and passed most of the requirements of the Federal act, but this was not, of course, because Florida's traffic coordinator recommended this legislation.

Our coordinators simply have not worked with us. We can do something about that, and we will, but we thing beyond that, the more communication that we can get about this program, all the way up and down the line, the more effectively we can make it work, and the simple request I would make is that we just be put on the mailing list. Perhaps then we will be better advised as to what our coordinator is not doing that he should be doing, and we can do something legislatively about it.

Senator COOPER. I agree with you. I don't think that needs any amendment of the law.

Thank you. Your testimony has been awfully good.

Senator BOGGS. I agree with Senator Cooper. We certainly appreciate your being here, and the views you have expressed. I agree with Senator Cooper that we want the legislative committees throughout the country, and the Council of State Governments, to receive all the releases and information coming out.

I caution this, however. Having served at the State level myself for some years, I don't want it to be coming out and bypassing the State coordinator, with everybody in the State and the Federal Government trying to tell the members of the State legislature what to do.

You cannot do that. That was why this law created that coordinator, to be appointed by the Governor, as a right-hand man to the Governor on this safety program. He works as the Governor has to work, with members of the legislature and legislative committees. He is supposed to do that. That is his job. You are not going to have time, as a member of the legislature, to read volumes of stuff.

Mr. WEISSENBORN. I agree with you, Senator. I would not want my remarks interpreted as meaning that the Federal department would suggest to State legislatures what the legislatures would require the coordinator to do.

Senator BOGGS. I know you would not, and that is the reason I raise the point. I know for sure that would not be your intention, or Representative Murphy's intention or desire, and I just wanted to clear the record.

Maybe there is a middle of the road, where informational material can properly get out and be distributed, without in any way being heavy handed about it.

Mr. WEISSENBORN. I would think so.

Thank you so much, Senator.

Senator COOPER. Did you have any further testimony, Mr. Parker?

Mr. PARKER. Senator, the only thing I wanted to say in this regard is that in Florida, now, the situation is different than in other States, but I believe in Florida, in most of the States of the southern region, the highway safety legislation has been initiated or generated through the research of the study committees of the legislature.

Now, in Florida, there has never been a highway safety legislative program coming from the Governor. The legislature, because of its committees being continuing, they have the continuity.

Now, we have had turnovers in Governors, coordinators to the department, and as a result, we have new people coming in all the time.

Now, the legislature, through its staff, in Florida, we use the legislative reference bureau very heavily, were able to keep the appropriate members of the house and senate committees completely informed, because this staff has been in existence for 20 or so years.

Now, in speaking to legislators from the entire southern region, and also at the National Legislative Committee on Transportation and Highway Safety 2 weeks ago, it is a unanimous expression from the people we have talked to that there is frustration in most of the States because there is not any knowledge coming to the committees of what is happening at the national level.

Now, if the legislature is going to pick up the ball and be the spokesman on the legislative front, it has to be informed.

Senator BOGGS. I agree.

Mr. PARKER. And this is the only thing we are seeking. They don't need all of the material, but they do need to know when new guidelines are coming out, and the basic facts relating to it, and what role should the States play in it.

Senator COOPER. That is very helpful to us.

I think there are a number of States which have continuing committees for research.

Mr. PARKER. Well, Florida started this research, and have had statewide public hearings in 1953, and been developing programs.

Now, most of the recommendations made now, at this point, were a part of packages of our internal legislative study committees as far back as 1957, but it was not until 1967 that we finally fully implemented them, but they had been working hard at it.

Senator COOPER. You have made fine progress. We will discuss this matter with the Department of Transportation.

I will place in the record the statement of Thomas J. Kalman, chairman, Pennsylvania Commission on Interstate Cooperation who was unable to be here today.

(The statement follows:)

STATEMENT OF THOMAS J. KALMAN, CHAIRMAN, PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

My name is Thomas J. Kalman. I represent the 32nd District, Senate of Pennsylvania, and I am here to speak in my capacity as chairman of the Pennsylvania Commission on Interstate Cooperation.

I would like to focus my remarks on those areas of the highway safety program which have been most effective in Pennsylvania, and on those areas which we feel require more effective implementation or amendment.

Pennsylvania for many years has been a leader in the field of traffic safety and has pioneered in such areas as motor vehicle inspection and driver education. In spite of our efforts, in 1968 there were some 279,663 accidents reported on our highways, resulting in 2,410 deaths and 138,389 injuries. Obviously, greater efforts are needed.

Since the passage of the Highway Safety Act of 1966, Pennsylvania has taken important forward steps to meet its standards. For example, legislation was passed last year requiring motorcycle safety equipment and establishing "implied consent" as a legal basis for intoxication testing, including a reduction from 0.15% to 0.10% as the minimum blood alcohol content for presuming intoxication. Federal safety grants have been utilized to establish eleven in-depth accident investigation teams, to conduct a one year helicopter ambulance experiment, to purchase breath testers and train operators, to conduct a state-wide survey of police communications and to purchase helicopters for use by the state police. The current session of the Pennsylvania General Assembly has before it an additional package of eleven bills dealing with highway safety. Included in this eleven bill Highway Safety package, developed from recommendations supplied by Governor Shafer's Highway Safety Task Force, are bills to require motorcycles to be equipped with rear view mirrors, to provide for the registration of ambulance services and attendants, to authorize the Secretary of Health to establish minimum training and equipment standards, to prevent liability suits against those persons qualified and authorized to administer blood tests under the Driver Intoxication Bill passed last year and to require all police departments to use standard forms for traffic accident reports.

In general it can be said that Pennsylvania is moving ahead forcefully to meet the standards of the Highway Safety Act of 1966.

Pennsylvania now has sixteen breath testers for use by the State Police. We are purchasing twenty-four more this year and eventually will have ninety in use. Selected State Policemen are being trained in their utilization and they will be assigned to conduct the tests at each local barracks. In regard to identification and surveillance of accident locations, Pennsylvania has established eleven in-depth regional accident investigation teams. The work of these investigation teams is compiled and analyzed in Harrisburg and used to guide highway officials in the development of accident prevention policies. Pennsylvania has computerized its driver license records and accident records. Computerizing accident records will eventually help to isolate and focus upon accident causes so that we can more rationally develop accident prevention programs.

However, I am not here to praise Pennsylvania but to present your committee with information relative to our implementation of the Highway Safety Act and to point out those areas which we feel require additional effort or more effective implementation or perhaps amendment.

Additional effort is particularly needed to encourage local government participation. The participation of political subdivisions is needed if the overall objectives of this act are to be fulfilled. A greater effort must be made to inform local officials about the provisions of the Act and to encourage their participation. State officials in Pennsylvania have endeavored to help local officials to recognize and define their responsibilities through correspondence and through talks before local government associations. Our Department of Community Affairs has provided valuable assistance in this effort. A better understanding on the part of local officials will lead to more effective development of local programs and better utilization of the funds earmarked for local use.

Pennsylvania's apportionment of funds under the Highway Safety Act for the first three years has been \$13,832,638; however, the obligational limitation has been \$5,158,313. Projects have been submitted to the Highway Safety Bureau to fully encumber the available funds. The Federal program is new and standards have been an initial period of development. In retrospect, however, the amount of money thus far available has been barely adequate to provide for start-up in the necessary program areas identified for early implementation. As the state and local programs are more fully developed additional funds will be required in the near future.

In reference to program funding, it seems apropos to comment concerning Base Year calculations. We understand the concept of Base Year expenditures

and support the need for both state and local governments to increase their expenditures for traffic safety. Pennsylvania's Base Year expenditures have been calculated at \$117,498,000. The preparation of these Base Years estimates has required a lot of effort, and is of little reliability, largely due to the fact that this particular cost breakdown had not been anticipated in the accounting systems, particularly at the local level. It is evident that grant approvals should be based on the soundness of the program, rather than on a strict interpretation of expansion above Base Year expenditures.

The 1966 Act quite properly provides 40 percent of the funds be expended by political subdivisions. In Pennsylvania, we have thus far programmed 44.6 percent of the available funds for expenditure by or in the interests of political subdivisions. However, it has proven most difficult to enlist the participation of many local governments in the program, due to the many other pressing problems confronting them and the widespread lack of adequate tax revenues to cover all needs. It is doubtful that many political subdivisions can put "new" money into their traffic safety programs, and hence, future local projects will primarily require financing with current services recognized as the source of matching funds.

A related need at the local level is the recognition of quasi-official groups who are making important contributions to highway safety. These are primarily in the field of emergency medical services, and are typified by county or multi-county medical and hospital groups who are trying to coordinate communications, emergency room and ambulance services. Equally important, many areas have excellent volunteer ambulance squads, and an expansion of their operations may well be the best means for providing more complete coverage. At present, grants can be made only to official government agencies, and it is suggested that they be made available to the quasi-official and volunteer groups, providing that any grant applications be approved by the municipality which they serve.

A suggested list of priorities was issued by the National Highway Safety Bureau last year, requiring the expenditure of at least 65% of the available funds on seven of the standards. Pennsylvania has met this requirement. However, it is felt that the future choice of priorities should be based on each State's progress in meeting the standards, and should be determined as part of the program approval by the National Highway Safety Bureau.

The sixteen Highway Safety Standards issued thus far generally include the recognized areas of needed action. However, some of them call for major efforts which are ineligible for Federal financial assistance. Standard 12 Highway Design, Construction and Maintenance, for example, requires program activities in lighting, pavement friction and hazard removal on all systems of streets and highways. The majority of roadway mileage under local jurisdiction is not on either Federal or State systems. The required physical improvements cannot be funded under the National Highway Safety Act or the Federal Aid Highway Act. A similar situation exists under Standard 13 Traffic Control Devices, where only surveys of deficiencies are eligible for financing, leaving the cost of installing safer and uniform signs, signals and markings to local funding. Since the physical roadway improvements and traffic control devices are very important parts of the safety program, it is suggested that consideration be given to making them eligible for financial aid.

In the entire highway safety field there is a growing need for more trained personnel, as well as research to pinpoint better methods of preventing accidents or alleviating their effects. We would urge that adequate funds be made available for Section 403 of the Act, particularly in those areas which will support and improve the Standards.

It is recognized that the Highway Safety Act of 1966 resulted in the creation of an entirely new organization for its administration by the Federal Government. New organizational structures have been formed by the States and will be needed in many political subdivisions. We believe that placement of the National Highway Safety Bureau within the Federal Highway Administration is proper, particularly in providing the coordination necessary with the important highway safety activities of the Bureau of Public Roads.

On behalf of the Pennsylvania Commission on Interstate Cooperation, I would like to express my appreciation of your invitation to present our views on the Highway Safety Act of 1966, and to indicate that Pennsylvania may be counted on to implement the new programs which have resulted from this legislation. Improving highway safety is the responsibility of all levels of government. It is only through our continued and expanded joint efforts that results can be ob-

tained. I personally appreciate the privilege of presenting these views and commend this committee and the Congress for their continued interest and examination of this vital area of concern to all of us.

Senator COOPER. I have been informed by the chairman of this committee, Senator Randolph, that this concludes our oversight hearings on the Highway Safety Act. But he also wants me to state that anyone who wants to place any statement in the record will have a 10 day opportunity to do so.

So we thank you, and the hearings are recessed.

(The following statements were ordered to be included in the record:)

STATEMENT BY AMERICAN ASSOCIATION OF STATE HIGHWAY OFFICIALS

Subject: Hearings on Highway Safety Act of 1966 conducted by the roads subcommittee of the Senate Public Works Committee.

HON. JENNINGS RANDOLPH,
*Chairman, Senate Public Work Committee,
New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This will answer your letter of May 29th 1969, in which, because of our great interest in an effective highway safety program, you invited us to appear and testify before your Roads Subcommittee.

Your letter indicates that the hearing will be in the nature of an oversight review of the progress being made by Federal and State governments in implementing an effective highway safety program over the past 34 months.

The matter of these hearings has been discussed by our officers, particularly our President and Legislative Subcommittee, and inasmuch as the highway safety program, as established by the Highway Safety Act of 1966, is administered at the State level by the Governor through his official authorized representative, we believe that AASHO should file a letter for the record only and not appear at these hearings to testify on the conduct of the program, and especially not to speak for all of the State highway departments which is our general rule.

We do believe, however, that an oversight review of the conduct of the program is proper for your Committee to undertake, especially since the Federal legislation spells out the program in such detail, such as safety research and development, for instance.

Although the Federal safety legislation involves the Federal-aid highway program and is contained in Title 23, U.S. Code, Highways, and does penalize the highway program in case performance is not satisfactory, other State agencies are involved in the program and in some States have been named as the Governor's Safety Representative.

We have advised the Member State highway departments of AASHO, should they wish to appear and testify before your Subcommittee, that they get in contact with your Committee Staff in order to have an appearance scheduled, but we do not believe that we can speak for all the highway departments, nor can the highway departments speak officially for the conduct of the safety program.

AASHO and its Member State highway departments are not newcomers in the field of highway safety for we have always been interested in the matter, and this is one of the major motivating factors in the constant improvement of highway geometrics, design, construction, and operation.

AASHO, through its Special Blue Ribbon Committee on Highway Safety, which is chaired by our President and is comprised of the Chairmen of all our technical Committees, developed a comprehensive highway safety program outline that we believe was used as the basis of launching the current highway safety program, and we also called attention of the Congress to the important role played by alcohol in traffic accidents and deaths. We feel that we were responsible in getting the requirement for a study of the influence of alcohol included in Section 204 of the Highway Safety Act of 1966.

The State highway departments, through pooled funds, have been involved in developing a breakaway sign support, and are currently working on a breakaway highway lighting standard in order to reduce the seriousness of an out-of-control vehicle colliding with such structures.

We are very concerned that 55,500 people were killed on the Nation's highways in 1968, and, theoretically, if we could correct the alcohol problem, we could

probably eliminate half of these deaths. But the alcohol problem is one that is not easily corrected, in fact, anyone might experience difficulty in marshalling substantial and effective public support in any effort to correct this situation.

The other big areas in which we are likely to be most effective is reducing accidents and deaths are:

1. An effective and comprehensive driver improvement program where we not only improve the judgment and competence of the driver, but also develop a sense of responsibility for himself and for others sharing the highway with him.

2. The improvement of our other highway systems, in addition to the Interstate. Here, we refer mainly to modernizing our extensive and rather functionally obsolete and over-crowded Primary System.

A program of the magnitude that is needed will have to be held in abeyance until the Interstate System can be completed. The Interstate System, itself, has quite a record in that one life per year is saved for every five miles of Interstate highway that it put in service.

However, we do not have the financial resources, nor the need, to convert all of our major highways to full freeway design and operation, and conventional highways can be built to modern and safe standards to replace much of our 40-year-old over-crowded Primary highways that were built when we had only a fraction of the present-day density, and when average highway speeds were half those of today.

In the modernization of the Primary System, many will be built to freeway standards because of the traffic need. Others will be a modern type two-way facility.

This Association, for the past five years, has given special instructions to its Committee on Bridges and Structures, Maintenance and Equipment, Design, Roadside Development, Planning and Design Policies, Traffic, and Construction, to emphasize highway safety in all of their Committee activities and discussions. The States have participated and contributed substantially to the development of the 16 Highway Safety Standards now in effect, and AASHO has taken particular interest in evolving those dealing with highway design, construction, and maintenance, as well as traffic controls, operation and debris removal.

A cursory look at present and future highway needs makes it obvious that necessary funds to rebuild and to correct all deficiencies on our highway systems are not available. In fact, on the basis of a rather comprehensive estimate of highway needs in addition to the completion of the Interstate System, the total is more than twice the amount of funds that would be available for highway construction in a decade if the Highway Trust Fund were to be continued, and the States were able to continue financing highway construction with federal-aid matching with the same percentage of their income as now prevails.

We, therefore, must improve the safety of our roads other than the Interstate to a great degree on the "spot improvement" basis. Of course, all new projects that are being undertaken are being constructed to modern standards involving all safety features. Greater emphasis is being placed on the detection of more hazardous locations, and in order to do an effective job at this a State must be able to identify the exact location of individual accidents by the means of mileposting, or some other effective method.

The traffic record system and its analysis must have the ability to correlate information regarding the vehicle, the driver, the highway, the environment, and the geometric features and traffic characteristics existing at the specific location.

The ultimate objectives, of course, is to identify the causative factors of highway crashes, however, some of them involve human behavior which is a nebulous area and makes accurate diagnosis impossible in some instances.

After accident locations and causative factors have been determined, a priority ranking is necessary to formulate a program of safety projects so that the money that is available will be expended on locations that will bear the greatest returns.

Since the Spring of 1964, work has been completed or programmed on 5,000 such separate projects using Federal-aid funds, the cost of which is roughly \$1 billion. In addition, the States have carried out 15,000 such projects financed solely with State funds in an amount of over one-half billion dollars.

With modern-day highway speeds, there seems to be a tendency for any vehicle out of control to continue until it collides with some object or objects. Narrow bridges, unprotected bridge rail turnouts, unprotected piers, sign supports, guard rail ends, sharp curves, inadequate sight distances, trees, utility poles, culvert headwalls, and the like, are items that can be involved.

The States are busily engaged in reducing the number of these hazards. This is in evidence as you drive along the highway and notice the installation of guard rails around bridge piers, or along the edge of the highway where a car leaving the shoulder could overturn or run out of control down a grade. You will note that guard rail ends for oncoming traffic are being grounded.

We are presently at work trying to develop effective installations to protect traffic at obstructions that cannot be eliminated. These new installations, that are being considered, and are the subjects of experimentation, would absorb much of the momentum of the vehicle and considerably reduce injury to occupants.

The American Association of State Highway Officials, through its National Cooperative Highway Research Program, that is conducted by the Highway Research Board of the National Academies of Science and Engineering, have a continuing program under way at the Texas Transportation Institute at Texas A&M University, where the breakaway features for sign supports and light standards have been, or are being, developed, and where other work is going forward that is spelled out by our Committee on Planning and Design Policies, which is our major technical Committee, and which establishes the major highway engineering standards, not only for this country, but around the world.

We have been concerned regarding some internal correspondence within the National Safety Advisory Committee in which a procedure was proposed to develop highway engineering standards and policies entirely at the Federal level jointly between the National Highway Safety Bureau and the Federal Bureau of Public Roads.

We, of AASHO, do object to anything of this nature which would encroach upon the historic role that the highway departments have played in the joint development of geometric and structural design standards, highway engineering operations, maintenance and construction procedures, materials specifications, and the like.

Through this AASHO procedure and cooperation with the Bureau of Public Roads, this Nation has become the acknowledged world leader in highway technology, and we believe that through our Committee structures we have the most effective and experienced reservoir of highway technical knowledge that is available anywhere, and inasmuch as the Federal-aid highway program is an aid program to the States, we definitely want to continue to play a prominent role in developing the standards that are applied to the State highway systems.

We wish to express our appreciation to you and to the Subcommittee for the privilege of filing this letter for the record and we reaffirm our continuing interest in the improvement of safety on our highways.

Respectfully submitted.

ROSS G. STAPP,
President.
A. E. JOHNSON,
Executive Director.

COMMENTS OF JOSEPH LINKO, NEW YORK

Senator RANDOLPH.

SIR: I would like you to put into the record my views on the effectiveness of the *highway design, construction and maintenance* part of the *1966 Highway Safety Act*. I'm sorry to say that the State Highway Departments are dragging their feet removing the hazards along our roadsides. There are thousands of bridge poles and bridge abutments along our state and interstate highways that still have no guard rails at all. In these cases these highways were *never really finished*. For some reason, the State Highway Departments are more interested in building more new highways than going back and finishing the ones they just built. Known hazards that I have pointed out in the 1967 Blatnik Subcommittee Hearings, that are not costly to remove, still are at our roadsides ready to kill in 1969.

The State Highway Departments are still doing as they please, because they know the federal government will not hold back the motorist trust funds. The Highway Safety Act penalty, with all its good intentions, will never be used effectively. It is self-defeating because it is never used. If it were used, it would slow down, instead of speed-up safety work. There is really no deterrent to stop highway departments from building unsafe highways. The motorists is the only one who pays the penalty. In fact, he pays many penalties. He has to pay a billion dollars extra to go back, remove the hazards we built the first time

around. He has to pay and pay for the needless damage to his car because of roadside hazards. Many times the penalty is death. Thousands of motorists have died and will continue to die due to the poor judgment of our highway officials. No corrections were being made at these locations even though a simple modification could have made it 100 percent safer. The biggest crime of all is that we built these same errors into our brand new interstate roads, with the motorist trust funds. We broke the rules because the main reason for the trust funds was to build safe highways. In my area, the motorist is put to death (executed on the spot) for using the highway the way it was intended for him to use it. The Public Works Department built concrete sign stanchions *in the shoulder area* and failed to protect them properly. At 50 miles an hour these illegal roadside traps kill regularly and many times the newspapers don't even both printing this. We have learned to live with these traps and many highway official still can't believe they are wrong.

No one is really pushing the States' to meet their obligations. They know the federal government can't tell them what they must do. But, they agree that the car manufacturer must build safe cars and obey the 1966 Highway Safety Act to call back all cars that have errors in them. This part of the Highway Safety Act is working, because these errors are being made public. The car manufacturer doesn't want to get sued so he repairs the car fast before someone gets in an accident. It has cost the car builders millions to repair these cars. They also receive millions of dollars of bad publicity. Tell me what it cost the State Highway Departments because of their errors? Not a thin dime. We gave them more millions to go back and do it over. I feel they are rewarded with new money every time they make mistakes. That's why there has to be a built-in deterrent that would discourage these people from making mistakes. A method must be thought up to see to it that the State Highway employees have something to lose. The way things are run now, when mistakes are made, only the taxpayers and the motorist are on the losing end. I feel that since the governments have the power to tax and regulate, safety and auto groups fail to speak up in fear that in rocking the boat the governments will investigate them. The state agencies that make mistakes never get their salaries cut. Their mistakes are seldom made public. This is why we have these problems. Where life and death is involved, we can't permit this any longer. I suggest where federal aid is used the State and Bureau of Public Roads must record these errors in the person's record, from the designers all the way down to the inspectors.

To stop the building of any more unsafe highways and to speed up the hazard removal program on the highways we just finished, this Senate Committee should add a clause to the 1966 Highway Safety Act directing the National Highway Safety Agency to keep records, or direct the Bureau of Public Roads to design a (Special highway hazard removal marker). These special markers should be installed on all federal aid highways, marking the hazard that has to be removed. This marker should be able to do the following things:

1. Marker should be so different that the motorist can't drive for long without asking (What's that for?).
2. This marker should appear to be non-standard, wrong colors, and a very different shape.
3. The selection of color and shapes should not interfere with standard road signs.

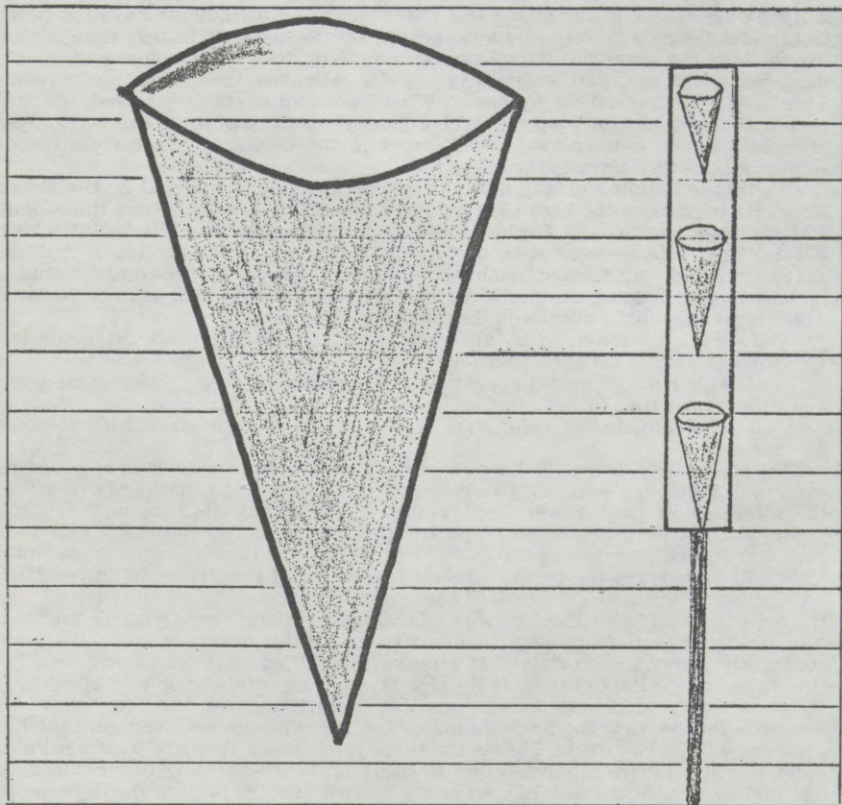
This sign really doesn't belong on our highways. The faster it is removed the safer our highways will be. The real purpose of this sign marker is to attract the attention of City, State, and Federal highway officials that now everyone knows that unnecessary death traps are all around us. The radio, TV and newspapers will pick this up and the public will be informed what these signs are for. This will embarrass the public officials involved and keep them in the spotlight until these hazards are removed. These special markers cannot be removed until the area is made safe. The highway officials know about these hazards and have been dragging their feet about removing them. All this unfavorable publicity will constantly worry these officials. If a motorist is killed at these marked locations the State can be liable for their deaths. It could be pointed out that these large sums of money paid out to their families could have been used to remove the hazards; but because the State failed to act, these people are dead, and the hazards are still on the roads. This is the taxpayers' money they are wasting. Public opinion will pressure the legislators to speak up to the highway officials to make our highways safe. As new highways are opened and the built-in death traps are

marked with these special markers, highway officials will have to come up with some answers (right now) not five years later when it is too late.

This marking of the hazards on our new roads about to open, will also discourage the opening of these highways before they are completely finished. This is the reason we have thousands of bridge poles and abutments without any guard-rails at all five years later. It was to be done later, but the state is busy building more new highways. If they are not pressured to go back and finish the job many more motorists will have to die to prove my point. These two simple suggestions of keeping safety records on highway employees and using special markers to spotlight roadside hazards will be the first real deterrent to give us safe roadsides and speed-up the removal of the ones we just built, since all roadside traps should have hazard markers in today's standards anyway. But most of these are not yet marked. These new special markers can do a dual job for the same money.

If the States fail to remove the hazards in a scheduled time, the National Highway Safety Agency should direct the Bureau of Public Roads to bypass the State Highway Department, and give out a contract to make the highway safe. The money to pay for this work should be deducted from the State's share of the highway trust fund. If the Highway Department refuses to permit this work, the Highway Safety Agency should give a statement to the press informing the public and legislators to apply pressure to the Governor. These are known hazards and the State is liable, but it's the taxpayer that has to pay the bill. The Highway Safety Agency has to speak up fairly to everyone. These clauses in the Highway Safety Act will give them confidence to speak up to the governments.

We need this marker in a hurry because we are still building hazards into new highways in 1969. Please rush the Bureau of Public Roads to design one. I drew this design to give you an idea what it might look like. The non-standard colors might be pink, yellow, purple.



To finish this letter I must excuse myself for the many errors I have made, I have no time to write this over and I don't think it would come out any better if I did, because I tried ten times already. This is the best I can do by myself. Please judge this letter fairly, because the motorist lives are at stake.

A lone motorist should be heard over groups and organizations (if they don't speak up)—I hope they will this time. Thank you very much for answering my letter and offering to put my complaints in the record.

JOSEPH LINKO.

BRONX, N.Y., June 24, 1960.

DEAR SENATOR RANDOLPH: I forgot to make two more points in my letter to you. I would like to suggest, that instead of stopping all Federal aid to States that fail to build safety in different areas of our Federal highways, it would be wise and more easily accepted to stop payment on the jobs that are wrong. The rest of the project can continue, not placing hardship on labor, contractors and businesses and will not slow down our interstate programs. This is a fair substitute for the other rules which are too strong and unfair. That is why they are seldom used—because it would cripple the highway programs.

The Bureau of Public Roads can stop payment on sections that are wrong, forcing the State to pay 100 percent for the section. The newspapers will write this up and some changes will have to be made and someone will have to take the blame for these errors. The Federal Government must start using its power to see to it that the States build safety into our highways, where Federal trust funds are used.

My other point is: besides the new markers I suggested, the regular hazard markers that are now used to mark hazard points that cannot be made safe, should be made law on Federal aid projects. The way it is now, it is understood that these markers should be used. I can show you hundreds of places where they failed to install these markers on Federal aid roads. Many motorists die running into these unmarked hazards on no one speaks up. The Federal Government can make these marks standard on Federal aid roads. In due time these standards will spread to all highways because they make sense.

The Federal Government can and should be a leader to write safety standards into law. It has the power. It is the right thing to do; the people are for it. So, can I recommend to this fine Committee that protects the motorist trust funds, to add these extra clauses into law so we can have some safety standards that no one is against—somebody has to write it up.

I am hoping that my small voice can be heard by the members of this Committee. I am sure that they will act to protect the motorist, as they have in the past.

JOSEPH LINKO.

A STATE LEVEL PLAN TO IMPLEMENT HIGHWAY SAFETY PROPOSED BY MR. MERRY DONIVAN EVANS, SAFETY PROGRAM SPECIALIST, DENVER, COLO.

PREFACE

Crash prevention is a people problem. It can only be solved with full participation of the people working in concert with their elected officials. The Public Officials have the primary responsibility of providing leadership to an orderly implementation of established attainable needs. This proposal would complement PL 89 564 by encouraging programmed management. PL 89 563 would also be effected as a happy beneficiary to the residuals. Otherwise there is no change in the present organization.

It is not unreasonable to expect that the Governors of the States will attach any higher degree of importance to a program than that which the President radiates for the task.

The failure of the states to move in a dramatic manner following the enactment of PL 89 564 to reduce traffic crashes is the direct result of the National Highway Safety Bureau Program being relegated to an environment of administrative direction totally removed from the Chief Executive's level. The degree of success in repelling this epidemic will continue to be measured in direct proportion to the Chief Executive's participation.

To bring about a drastic reversal, the President must be given the opportunity to meet with selected Governors, as representatives of the Governors' Conference.

The Governors would be charged to authorize (in council with appropriate national officials and industry leaders) and develop a plan in crash prevention.

It would be necessary that the President personally deliver the developed plan of the Governors in formal session with the 50 Governors.

Every technique known to the art of selling would need be employed. Success or failure rest in our ability to convince the Governors that the Highway Safety Program must be the result of total enthusiastic participation of people working toward meaningful goals. Our theme will be to do things with people—rather than to them.

Total implementation of the management structure of the program should not require one cent from the Federal Treasury. Because we will consult with all contributing identities of a crash, the motor vehicle and allied industries must be included in this undertaking. The annual management budget will require 3 to 4 million dollars. This contribution should be made by the industry.

PREREQUISITE—A PLAN AT STATE LEVEL

Traffic crashes can be reduced by 40%—the remedy lies in the development and execution of a plan in accordance with the good management techniques. No matter how noble an undertaking may be, the degree of success or failure will depend directly on the Management ability of the people who administer it. Thus, any program undertaking in the Governor's name must—

1. Have complete and enthusiastic public understanding and support prior to his endorsement.
 2. This support must include state and local political subdivisions personnel in the Executive, Judicial and Legislative Branches of government.
- The Plan would be to—
1. Develop a "State Organization to Accomplish Traffic Safety."
 2. Develop a "Management Technique to permit the organization to respond to a pre-determined conclusion."

State organization to accomplish traffic safety

Citizen and official involvement in traffic crash prevention through organized participation can only result in influencing behavior patterns as well as general vigorous support and endorsement of comprehensive logical rules governing human conduct and responsibilities. Programmed legislative conclusions must occur. Hence, expeditious safe movement of traffic—thus crash reduction.

Traffic accident prevention programs can best be accomplished through management coordination which is "The Art of Getting Things Done Through Other People." This will permit the widest possible exchange of traffic safety information among all official and unofficial jurisdictions and interested parties.

The organization

There is need for two groups. The first, the "Governor's Official Coordinating Council", must be completely official in membership and would consist only of State Department Heads having logical interest, including the Supreme Court. The second and larger group would be the "Governor's Commission on Traffic Safety", whose membership would consist of government officials and leading citizens.

The official organization

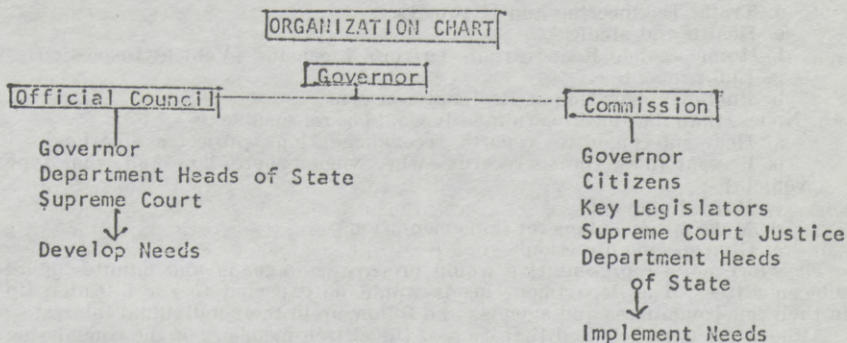
Leadership.—The degree of participation by the members of the committee and the subsequent reductions of crashes will be measured directly by the degree of the Governor's involvement. The Governor must preside at each meeting and continue to exert individual personal influence and interest.

Membership.—The organization membership must be held to the heads of State departments who have logical interest in the undertaking; i.e., Chief Highway Engineer, Chief State Police, Chief Motor Vehicle Department, Commissioner of Education, Director of Health, Chief Justice Supreme Court.

Procedures.—

1. The Chief Executive must preside in person.
2. The Chief Executive's representative would prepare the agenda, minutes and reports, and would function in the same manner at all sub-committee meetings.

3. No less than four meetings annually would be reasonable to—
- Hear sub-committee reports and recommendations from the Citizens Commission.
 - Present facts (accident records—who, when, where, how, and what type vehicle).
 - Make judgments.
 - Make specific plans for implementation.
 - Give specific direction to Commission.



The citizen organization

The Commission must be established officially by executive action. It must never be by statute. The commission organization is an integral part of the success of our mission. The Chief Executive is the sole appointing and presiding authority.

All appointments to the Commission should be made for a specific number of years. All members would resign to the appointing authority at the conclusion of each election.

Leadership

The first essential of successful organization is the active participation of the top leaders. They are indispensable and must include the State Department Heads with direct or related interest, as well as Legislative, Judicial and Civic leaders. The Civic leaders must be people of prestige, respected by officials and citizens otherwise they are likely to prove ineffectual. Officers should be elected by the Commission, except the Chairman who should be a civic leader appointed by the Governor.

Membership

Official and quasi-official identities must include: The Municipal League Association (League of Cities), County Commissioner's Association, the Chief Justice of the Supreme Court or his representative, Speaker of the House, President of the Senate, and Chairman of the appropriate legislative committees where traffic safety bills will be referred, leader of Minority Party in House and Senate. Membership in the Commission must include all members of the official coordinating council.

The specific leading citizen identities to consider are: Organized Labor, Truckers Association, Auto Clubs, Petroleum Association, Casualty Insurance Associations, Railroad Associations, Auto Dealers and Garage Associations, Highway Users Associations, Good Roads Associations, School Boards Associations, Men's and Women's Professional and Industrial Associations that have identified themselves as leaders in the community, representatives of industry or a profession that is peculiar to the geographical sections.

Procedures

- The Chairman must preside in person.
- The Chief Executive's representative must prepare the agenda, minutes and

reports, and would continue in this functionary position at all sub-committee meetings, seminars, conferences and studies.

3. Each member of the commission would serve as Chairman on a sub-committee.

4. The chief Executive and official coordinating committee would establish sub-committees including, but not limited to—

- a. Crash records.
- b. Courts, Law, Ordinances.
- c. Education—Public and Formal.
- d. Traffic Engineering and Highways.
- e. Health and Medical.
- f. Motor Vehicle Registration—Driver's Licensing—Vehicle Inspection.
- g. Enforcement.
- h. Public Information of Regional Concern.

5. No less than four meetings annually would be reasonable to—

- a. Hear sub-committee reports, recommendations, project evaluation.
- b. Present facts (crash records—who, when, where, how and what type vehicle).
- c. Make Judgments.
- d. Make specific plans for implementation.
- e. Give specific direction.

The Governor's representative would prepare the agenda and minutes of all sub-committees. The department heads would be expected to exert leadership in their sub-committees and agendas and follow-up in their individual interest.

Although it is anticipated that each of the citizen members of the commission would be financially solvent, it is entirely appropriate that each member be reimbursed in compliance with the State policy for actual travel expenses incurred for authorized travel. Permissive legislation may be necessary.

A PLAN AT THE FEDERAL LEVEL

This undertaking would in no way disturb the National Highway Safety Bureau functioning under PL 89-563 and PL 89-564.

1. The Federal Highway Safety Bureau would cause a contract to let to a Non-governmental organization. Said organization would have—

- a. Competance in the technical requirements of the 16 standards.
- b. A knowledge of National Organizations and their commitments i.e. Automobile Safety Foundation, National Committee on Uniform Traffic Signs, Council of State Governments, League of Cities, American Association of State Highway Officials.
- c. A capability to undertake production in public information materials that would be acceptable for use by the States.
- d. The ability to place no less than 9 men with proven management and technical experience in the field to undertake the implementation of a continuing survey and awards program concerning the 16 Standards.
- e. The internal ability to organize a plan of action that will stimulate and motivate state and local officials (Executive, Legislative, Judicial, and the people as a whole, in a predetermined, acceptable and preferred manner).

2. This undertaking would basically motivate through evaluation and incentives. One such consideration could be as follows:

Procedure and criteria

a. State departments within a State would be evaluated annually against their own previously established record of performance.

b. Method of measurement:

- (1) Relative position of a state to 100% implementation of the NHSB Standards pertinent to their identity.

(2) Each standard would have a uniform value of 100% for total implementation, or 100 points.

c. Criteria for evaluation and awards:

(1) *Outstanding*.—Any state that achieves 70% or more towards the implementation of the 16 Standards in the aggregate would be awarded the Outstanding Award. Point values in this category would range from 1190 points (70%) to 1700 points (100%).

(2) *Notable achievement award*.—This would be awarded to any state that achieves 50% improvement over their previous year's position in the implementation of the 16 Standards. A minimum level of performance for the Notable Achievement Award would be set at 850 points (50%) to 1189 (69.9%).

(3) *Notable performance award*.—Any percent toward improvement of implementation of the 16 Standards in the aggregate. Notable Performance Award would range from 17 points (1%) to 840 points (49.9%).

d. Criteria for the evaluation of Departments of State would not deal in the aggregate. A state would be evaluated in each of the 16 Standards on a standard by standard basis. Conceivably therefore, a state would win 19 awards.

e. Qualifying: It would be necessary that the contracting organization's Field Personnel—

(1) Complete a short indoctrination of the NHSB, the 16 Standards, and the Planning and Administration requirements.

(2) Undertake a complete understanding of the questionnaires to be used in the performance of the rating and evaluation.

(3) Return to his Region and make contact with the Governor, his Coordinating Committee and his Administrative Representative to—

(a) Explain the Program

(b) Proceed to make the evaluation with the separate departments of state.

(4) Upon completion of progressive contacts with the department heads, the contract man would have a closeout conference with the Governor or his representative together with the Regional Director of the N.H.S.B. and review the information compiled.

(5) The questionnaires of the evaluation will then be forwarded to the contract authority for evaluation and a written narrative analysis, plus a position grade to permit the proper awarding of incentives.

f. Presentation of Incentives Award and Analysis:

(1) Under no conditions will the awards and analyses be made to anyone other than the Governor. A formal public presentation is to be encouraged. Persons urged to attend should include: (1) Heads of State, (2) Allied interest; i.e. AAA, Highway Users, Good Roads Association, etc., (3) Key court personnel, (4) Key Legislators, (5) Municipal leaders, (6) County commissioners, (7) Citizen's support, and (8) media.

(2) Each department head must have the benefit of a previous, private and thorough explanation of the analysis and evaluation of his particular interest in short, there should be no surprises at the public presentation.

g. The next forthcoming "Annual Comprehensive Program" presented in support of the forthcoming annual budget requesting N.H.S.P. Federal Aid must reflect attempts to eliminate the deficiencies noted and pointed up in the previous analysis.

h. The cycle having been completed now starts again at its point of origin.

i. It is assumed that each step of the foregoing will have the benefit of complete and competent press releases, keeping foremost in mind that "This is the Governor's Highway Safety Program".

NATIONAL TRANSPORTATION SAFETY BOARD STUDY OF COMPATIBILITY OF STANDARDS
FOR DRIVERS, VEHICLES, AND HIGHWAYS

This study considers the problems of everyday traffic situations in which the interrelationships of all elements of the traffic safety system -- drivers, vehicles, and the highway environment -- are not adequately described by existing standards. The results of incompatibility of standards are described and interpreted in terms of existing problems and future difficulties in achieving a systems view of highway operations. Incompatibility of standards is seemingly a technical problem but it is much more. It contributes to (1) confusing safety decisions, (2) the failing of the elements to operate safely within the system and (3) retarding advanced development. This adds up to traffic accidents and the loss of lives. Incompatibility arises from the wide variety of organizations which create and influence standards and the variety of their goals.

The extent of possible coordination of standards available to the Federal Highway Administrator is quite broad. He exerts statutory authority or other forms of leadership over most of the standards or other technical descriptions which define performance of all three elements of traffic safety -- the driver, the vehicle, and the highway. The Bureau of Public Roads adopts or concurs in acceptable standards of highway design and traffic control devices, and compliance with these standards is now a condition for the receipt of Federal aid for

much of the most advanced highway construction programmed or underway in the United States today.

The Bureau of Public Roads is the leading user of these standards, which are also employed by many other jurisdictions. The National Highway Safety Bureau prescribes mandatory vehicle safety standards applicable to almost all motor vehicles. It has published 16 Federal Highway Safety Program Standards, with others in the developmental stage, which are being used by the States to define many characteristics of drivers and as guidelines for their highway safety programs. The Bureau of Motor Carrier Safety is responsible for the promulgation and enforcement of regulations which apply to the safety of operation and equipment and the qualifications and hours of service of the drivers of motor vehicles in foreign and interstate commerce and the transportation of hazardous materials.

The standards considered in this study are those which in some way prescribe the performance of a part of the driver-vehicle-highway system. These prescriptions take many different forms and are called by other names as well as "standards." One form of standard, for example, is the Snellen eye chart used to test the vision capabilities of drivers. These charts imply, but do not describe, the ability of the driver to see the other parts of the system, such as signs and traffic controls or vehicle instruments. Another form of "standard" is drawings showing preferred layout of highway intersections from which the types of movement and maneuvers a vehicle and its driver will encounter could be determined, and the directions of necessary visibility analyzed. Descriptions of standard instrumented dummies which represent the human body in crash

injury tests are another type of standard. These dummies can be used in standard tests which relate the stresses felt by the body to the speed of impact. We are not concerned here with descriptions or standards which are internal to one element of the system, such as the strength of concrete in the pavement, the voltage used for vehicle lights, or standards for threaded fasteners or the driver's eyeglass prescription.

These standards and descriptions, when assembled, constitute the primary language in which the combined safe operation of the driver, the vehicle, and the highway is described, analyzed, or controlled. The standards are used by engineers in designing highways and vehicles and by maintenance men in renewing them. To the degree that this language of the standard describes the working relationships between drivers, vehicles, and highways, it makes the operation understandable and controllable. The fact that standards must serve to interrelate drivers, vehicles, and highways, as parts of an operating system, is illustrated by four examples in the appendices of this report. Example 1 (Windshield Visibility and Traffic Signing) explains how a description of visibility through the windshield in a vehicle safety standard is incompatible with the method of specifying in a traffic manual the placement of traffic signs. The incompatibility prevents the resulting unsafe operation of vehicles at intersections from being obvious to the traffic engineer or the vehicle engineer when they make their design decisions.

The second example (Driver Vision Capability and Traffic Signing Legibility) shows the lack of any relationship between specifications for drivers' vision requirements used by driver licensing agencies and

standards for traffic sign lettering used by highway departments. This obscures the significance of the interrelationship of sign placement, allowable speeds, and State vision requirements, creating a potential hazard through unrealistic sign placement.

The third example (Rearview Mirror Visibility and Geometric Design of Highways) shows how the vehicle standards for visibility through the rearview mirror, side windows, outside rearview mirror, and standards for geometric design of highways are stated in different terms, preventing certain direct comparisons which would immediately reveal the hazards involved in certain highway situations which vehicles cannot meet. Compatible standards would point to the design alternatives for resolving the hazards.

The fourth example (Compatibility of Vehicle Design Standards and Highway Design Standards) indicates the existing gap between the methods of describing the ability of vehicles to withstand crashes with minimal injuries to their occupants and specifications for highway crash barriers into which the vehicles will crash. The specifications of vehicles in terms of crash behavior of parts and the specifications of barriers in terms of resistance to crashes of a narrow range of vehicles are still widely separated. The initial problem of compatibility is to insure that the test methods of the near future will someday make the results comparable. When that is achieved, it will be possible definitively to reduce injuries in a vehicle which crashes into barriers through coordinated requirements of vehicle and barrier standards.

These four examples reveal present and future problems in safety, but the incompatibility of standards also influences operational efficiency of highway systems. For example, the problems of traffic sign placement and of uncoordinated visibility conditions in merging lead to congestion as well as to accidents. The confusion of uncoordinated sign sizes, vision requirements, and speed can lead not only to drivers passing a desired turnoff but to accidents.

The problem caused by incompatible standards can severely inhibit future development of the Nation's highway system. There is an increasing tendency among system designers to consider the traffic system as a whole and to define carefully the boundaries of operation in which the driver, the vehicle, and the highway operate. For example, the proposed Century Expressway concept ^{1/} seeks to raise safe vehicle operating speeds in a logical way by establishing a special class of drivers, vehicles, and highways. Operations are then planned for efficiency at high speed, and safety will be achieved by defining operations according to known conditions. The New York State Safety Car system concept sought to establish types of vehicles according to existing highway and street environments and a known range of variations in drivers. These vehicles would operate most efficiently and with highest safety over a specified range of highway environment and driver conditions. The vehicle would be subject to operating restrictions when used in an environment for which it was not designed.

^{1/} A Future Intercity Highway Concept, by Robert A. Wolf; presented before the Third Annual Meeting of the American Institute of Aeronautics and Astronautics, November 29 to December 2, 1966.

The New York Safety Car Feasibility Study reported one of the problems of incompatibility of standards, as it related to future vehicle design. "It is well-recognized that the driver, the road, the other named factors are only poorly defined from the standpoint of safety performance at present. Nevertheless, the vehicle's performance cannot be defined except in relation to these other factors. The program will attempt to use existing definitions, but will necessarily have to create some new definitions. These definitions are intended to be stated in terms of performance wherever possible, since it is only in terms of mutually compatible definitions of performance that the different elements of a traffic system can be assembled and seen as an operational system. Definitions based on design or construction always require an intermediate step of interpretation before they can be used to relate one part of the traffic system to another. . ."^{2/} (Emphasis in original.)

The development of a framework for compatibility in these standards is urgent. New standards or technical descriptions for drivers, vehicles, and highways are being rapidly developed by many agencies without organized attention to their compatibility with standards for all other parts of the system. Thus, the number of standards which will someday have to be changed, is increasing. Further, the need to understand more directly the operating interrelationships is increasing because the range of charac-

^{2/} Feasibility Study, New York State Safety Car Program, Final Report, State of New York, Department of Motor Vehicles, 8/31/66, p. 1-8.

teristics of the system is increasing. Speed capabilities of vehicles on the roads have increased, but congestion (zero speed) on high-speed roads also seems to be increasing. The range of vehicle sizes and weights is tending to increase. Larger and heavier vehicles are being advocated and, at the same time, very small and lightweight vehicles are entering the system.

The task of developing compatibility in these standards is a technical problem, but also a problem in organization and authority. There are estimated to be thousands of standards or descriptions which are in some way useful in interrelating driver, vehicle, and highway. It may be eventually necessary to change tests or measurements in many of these standards. This cannot be done overnight, but it must be done eventually if substantial inefficiency and loss of safety are to be avoided.

Present standards arise from the many groups concerned with portions of the driver-vehicle-highway system. Some of these groups outside FHWA include the American Association of State Highway Officials, Institute of Traffic Engineers, International Association of Chiefs of Police, National Committee on Uniform Traffic Laws and Ordinances, National Association of County Officials, American Municipal Association, Society of Automotive Engineers, American Association of Motor Vehicle Administrators, American Medical Association, National Safety Council, and the United States of America Standards Institute; the National Bureau of Standards and the General Services Administration which are within the Federal Government.

In general, it has not been a conscious goal of these sources to create descriptions that can facilitate integrating functions of driver, vehicle, and highway into an operating system. Rather, they have been concerned with other valid problems such as adding more standards, creating uniformity of the same type of standard on a national basis, and deciding the degree of safety warranted in a standard. These problems do not produce coordination between different kinds of standards.

There is active liaison and consultation among many of these groups, but liaison and consultation have not provided a sufficient relationship to insure coordination among autonomous standardizing agencies having different goals and interests and separated from one another geographically. One of the most important sources of highway standards, the American Association of State Highway Officials, states the role of its standards thus:

"The question arises as to whether the changes herein to update the Blue Book, after a period of a decade, are bold or radical enough to reflect sufficient vision so that highways constructed in rural areas with this book as a guide will be fully adequate for the life of the highway. The answer is that the contents are based on the facts and trends as they were found. To design highways for the future is not the province of the maker of guides and standards but rather that of the designer himself, who in the planning and design stages, must choose values for those elements which are basic to highway design from the data available to him and the trends which reveal those values . . . The 1954 Blue Book proved to be a valuable tool and served highway engineers well. It is hoped that this updated Blue Book will be equally serviceable."^{3/}

This role may seem adequate to highway interests in relation to the practical problems of highway construction as they are seen today by the highway building professions. The words do not actively consider the

^{3/} A Policy on Geometric Design of Rural Highway, American Association of State Highway Officials, Washington, D. C., 1965, p. v and vi.

needs or goals of other parts of the system, however. Standards must support the vitally necessary coordinated operational systems view of highway transportation or they may slow the development of future concepts.

The Department of Transportation has often employed or approved the use of standards originated by private organizations in order to fulfill its highway responsibilities. With these standards comes the technical framework which reflects the approach taken by the originating organization and may or may not provide for new situations. The need for compatible technical standards and descriptions used by the Bureaus and Offices within DOT is implied by the mission assigned to DOT. The significant missions are to:

- (1) provide leadership in the identification and solutions of transportation problems;
- (2) stimulate technological advances in transportation; and
- (3) facilitate the development of a coordinated transportation service.

DOT does not have full regulatory authority in all transportation areas, but it does have various functions of leadership and initiative in all areas.

It is clear that this type of coordination will require the development of new and different relationships between FHWA and the standards-writing agencies. It is possible that some changes of direction are needed in research or the employment of research funds to determine the full scope of desirable compatibility.

It is also apparent as a practical consideration that some period of time will be required to develop coordination of standards and to develop organized communications between the numerous independent standard-setting organizations. A technique for dealing with this delay is needed during the interim. The examples in this study show that it is possible to create interim transitional definitions based upon existing technical knowledge which will enable the linking of a number of existing standards in a compatible manner by defining their relationship. Such transitional definitions could be the subject of technical attention through a coordinated effort within the Federal Highway Administration. Other standardizing agencies could be consulted.

An example of an interim transitional definition will best illustrate the point that is being made here. In example No. 2 on Driver Vision Compatibility and Traffic Sign Legibility (see Appendix), it is shown that charts or tables can be developed for a given sign that will relate the distance such a sign can be seen by persons with various specified visual acuity, and the amount of warning time that will need to be provided at various speeds to enable the performance of required maneuvers. As a first approximation, these charts could be calculated as suggested in example No. 2. Traffic signs can be classified according to their primary purpose (e.g., regulatory or informational), or as to their letter or symbol size, and given classification numbers which would refer to a specific chart or table. The chart or table would set forth the detailed

specifications for the installation of signs of each classification. The charts or tables could be made available as part of the Manual on Uniform Traffic Control Devices for Streets and Highways or other such technical publications. In this particular case, the interim transitional definition would require nothing more than the preparation of a chart or table and its adoption by the Federal Highway Administration as authorized.

In light of the need for compatible standards, the Safety Board makes the following recommendations:

1. That the Administrator of the Federal Highway Administration work with a view to having all new standards for drivers, vehicles, and highways developed or prescribed or approved by the Bureau of Public Roads, the Bureau of Motor Carrier Safety, and the National Highway Safety Bureau compatible in all aspects and that existing standards are brought into operational compatibility as soon as possible. Such compatibility should be described in terms of operational performance of drivers, vehicles, and highways in the highway system and make more apparent the interrelated effects determined by the standards.
2. That the Federal Highway Administration assert leadership among such standardizing or standards-influencing organizations as the American Association of State Highway Officials, Institute of Traffic Engineers, International Association of Chiefs of Police, National Committee on Uniform Traffic Laws and Ordinances, National Association of County Officials, American

Municipal Association, Society of Automotive Engineers, American Association of Motor Vehicle Administrators, Vehicle Equipment Safety Commission, American Medical Association, National Safety Council, and others to take the necessary steps so that standards for drivers, vehicles, and highways originating within these organizations will be technically compatible. This effort should include a detailed review of the communication and field of responsibility factors which may determine the technical framework of standards. The review should recommend steps by the Federal Highway Administration that may be necessary to insure compatibility of future standards.

3. That, as an intermediate step, until the time when compatibility of standards is obtained, FHWA develop technical definitions of an interim transitional nature to bridge the gaps of incompatibility among existing standards used by the various Bureaus of FHWA. Such interim transitional definitions may be employed to assist the understanding of the relationships between rules, regulations, specifications, and other documents as needed to insure the coordinated safe operation of the driver-vehicle-highway system.

EXAMPLE 1

Windshield Visibility and Traffic Signing

The first example for the need for technical coordination of standards to provide a completely defined system is in the area of windshield visibility and traffic signing. The National Highway Safety Bureau describes the angular visibility through vehicle windshields in terms of vertical and lateral angles. These angles are employed to describe requirements for windshield defrosting and defogging systems ^{1/}and windshield wiping and washing systems.^{2/} In the case of defrosting and defogging systems, certain angular zones must be cleared after a prescribed period of operation. In the case of wiping and washing systems, the windshield wipers must clear angular zones which are defined in the same manner employed to define defrosted and defogged zones. In both cases, the angles of visibility are determined in relation to the driver and do not consider the variations in visibility of roadside objects created by changes in driver eye height, which is not subject to a standard. This makes it difficult to analyze the visibility of signs and traffic signals when establishing the locations of these devices, since the eye height can range from as low as 3 feet for a small car to over 7 feet for a bus or 8 or 9 feet for some trucks.

On the highway side of the standards problem, the locations of signs and signals are defined in terms of horizontal and vertical distances from locating points at the surface of the pavement. For example, consider the

^{1/} Motor Vehicle Safety Standard No. 103, Windshield Defrosting and Defogging Systems, DOT, FHWA, NHTSB, Effective 1/1/69.

^{2/} Motor Vehicle Safety Standard No. 104, Windshield Wiping and Washing Systems, DOT, FHWA, NHTSB, Effective 1/1/69.

traffic signal problem. The Manual on Uniform Traffic Control Devices for Streets and Highways,^{3/} concurred in by the Federal Highway Administrator, defines the height of a traffic signal in terms of distance to the bottom of the signal housing above the pavement grade. The maximum height is 17 feet, and this requires that a driver must be able to see to a minimum height of approximately 20 feet in order to view the usual three indications (i.e. red, amber, green). The transverse location of these signal faces is defined in terms of linear distance from the edge of the pavement. The minimum requirement is that the signal shall be no more than 10 feet off the edge of the pavement.

These dimensions are operationally related to the location of highway stop lines because drivers must be able to see the traffic signals when their vehicles are halted at the stop lines. In the same Manual, the stop line locations are defined in terms of the distance from the nearest edge of the intersecting roadway. Where there is a crosswalk, the stop lines are ordinarily placed 4 feet in advance of the crosswalk.

If there is no crosswalk, the stop lines should be placed no more than 30 feet from the nearest edge of the intersecting roadway. The Manual does not require the use of a stop line, but makes the stop line optional. Where there is no stop line, motorists normally tend to stop at various locations a few feet from the edge of the intersecting roadway.

These two methods of definition, one angular and the other linear, do not prevent analysis of operating conditions, but they make such analysis very difficult. An analytical placement of a stop line would require

^{3/} Manual on Uniform Traffic Control Devices for Streets and Highways, U. S. Department of Commerce, Bureau of Public Roads, Washington, D. C., June 1961.

not only knowledge of the windshield defrosting and defogging system standard, but also the use of trigonometric calculation and the determination of whether visibility was provided at the contemplated location for all extremes of the vehicular standard. This would require a rather complex analysis.

Not only does this incompatibility imply increased workload for the traffic engineer, but it appears that the difficulty of relating the two standards may have contributed to an existing inadequacy in operational visibility. For example, under the Motor Vehicle Safety Standard No. 103 for Windshield Defrosting and Defogging Systems, a vehicle which has been in operation for 40 minutes will meet the standard if the windshield is sufficiently cleared to provide an upward angle of visibility of 7° . (See Table I, Motor Vehicle Safety Standard 104, (1969).) It can be shown by calculation that for a vehicle in which the driver's eye height is 55 inches above the ground, this standard would not insure that a traffic signal which meets the standard of the Manual on Uniform Traffic Control Devices could be seen at any point closer than 126 feet from the traffic signal. At any closer point, a driver would be required to move from his normal seated position in order to see the traffic signal. This distant location at 126 feet is much farther from the traffic signal than the stop line would be placed at allowable locations in the Manual. The standards do not reveal that the driver must move or indicate what movement would be required.

In the lateral direction the same standard for defrosting and defogging indicates an angle of 16° visibility to the left is assured after 40 minutes of driving. Here calculation shows that the driver would have to

be located at least 56 feet from the allowable traffic signal location in order to see the traffic signal from his normal seated position. This location in the street is also much farther from the traffic light than is contemplated by the Manual of Uniform Traffic Control Devices. Again, the standards do not reveal the problem.

This form of incompatibility also applies to visibility when windshield wipers must be used, with exactly the same problems.

The practical operating difficulty which arises from the confluence of these incompatible standards is the following. When windshield wipers or defrosting units are in operation and an automobile approaches an intersection on a red signal, the driver will normally stop at the stop line. At that point, he is already well within the zone from which either the overhead traffic signal or a traffic signal located to the left could not be seen from the normal seated position. In order to detect the changes of signals, it is necessary for the driver to lean far to the right, downward or forward to a degree that is not specified or determinable from the standards. If the traffic engineer foresees this difficulty, he can forestall it by placing enough additional traffic signals so that at least one can be seen through the cleared angle of the windshield. However, there is nothing in the standards of the traffic control devices manual nor in the vehicle standards which would allow the traffic engineer to compare directly the performance of the traffic signals. He would have to analyze the vehicle safety standards, select the applicable angle for a variety of visual conditions, and make trigonometric calculations for each possible location of a traffic signal which might solve the problem.

A problem of this type can be resolved by studying the respective standards and writing additional definitions which describe the performance of the various locations of the signals as related to the motor vehicle standards. These might be called interim transitional definitions. For example, descriptive charts could be furnished with each traffic signal to guide its installation based upon the visibility standards. Such charts would be prepared for both overhead and side locations and would indicate the minimum normal visibility distance as a characteristic of the signal location for a given motor vehicle safety standard. The development of a chart would also require a restatement of the Motor Vehicle Safety Standard so that the visibility statement includes the factor of variable eye height of the driver. Thus it is seen that in order to understand the operational implications of the highway and the vehicle safety standards, it is necessary to study their effects in specific operational situations and, in this case, to revise the standards so that the effects can be directly visualized to guide practical decisions. This can be accomplished by coordinative liaison among those responsible in establishing these standards.

EXAMPLE 2

Driver Vision Capability and Traffic Signing Legibility

The second example for the need for technical coordination of standards to provide a completely defined system is in the area of standards for driver vision capability and traffic signing legibility. What is involved is the difficulty in integrating such factors as (1) requirements of driver vision testing, including variations among the States; (2) traffic sign letter heights and sizes; (3) placement of signs relative to highway features; and (4) allowable speeds. The lack of definitions coordinated in an operational system makes it unnecessarily difficult to analyze these factors at highway locations, and problems are created.

The Federal authority to prescribe Highway Safety Program Standards may, in the future, encompass minimum requirements for driver vision to be employed by the States. Thus, the study of these factors is an appropriate Federal problem. An examination of the 1967 vision requirements for motor vehicle operators in all States revealed that the minimum visual acuity required varied from 20/40 to 20/70. This form of driver vision standard is universal, but it describes vision in terms of comparison of the subject driver with other drivers, not directly in terms of what letter sizes would be needed at what distances in order to insure that letters of the signs could be read. Highway personnel who place signs are thus unable to consider the range of driver acuity in the same forms that employed to license drivers. Signing practices originate in handbooks and manuals developed on a national basis.

It is difficult to describe in these manuals the variations in vision requirements among States or different speed limits. In some States, vision requirements are not uniform within the State. For example, in some States, visual acuity must be at least 20/40 without glasses but only 20/70 with glasses. Thus, several States now license some drivers who are unable to detect words on signs until they are 43 percent closer to the sign than other drivers licensed in the same States. These drivers will therefore have less time to react to traffic signs, not only in their own State, but in States where more stringent visual acuity standards apply.

In addition to the variations in visual acuity, the States also have a variety of speed limits. Some of the States having very high speed limits also employ the lowest standard for visual acuity while, conversely, some States having the lowest speed limits, have the highest standard of visual acuity. Drivers do not, of course, operate only in their own States.

These are apparent inconsistencies, and well-known. The point here, however, is that the significance of these differences among States in highway operations is difficult to explain and analyze because the different standards for driver vision, traffic sign letter height, size, and placement are technically incompatible. The nationally distributed manuals ^{1/} do not attempt to account for these differences.

On the highway side of the standards problem, the operational requirement for safety is to know the time of advance warning provided by a specific sign under conditions where the speed limit and driver vision capability are given. If standards allowing such comparisons were available, it would be immediately clear as to what operational hazard may result when low-vision

^{1/} Manual for Signing and Pavement Marking of the National System of Interstate and Defense Highways, American Association of State Highway Officials, Washington, D. C., 1961.

drivers from other States operates under sign placements established for local speed and vision requirements. An example will illustrate.

The Manual for Signing and Pavement Marking of the National System of Interstate and Defense Highways, concurred in by the Bureau of Public Roads, requires the use of an EXIT (XX) M.P.H. sign where it is necessary to indicate a lower speed on an exit ramp. The Manual requires that the sign shall be mounted on the right-hand side of the ramp roadway just beyond the gore, with the exit speed indicated by the sign being the safe speed as determined by the conditions of the exit road at each individual location. Sign size, along with letter and numeral sizes, are pictorially illustrated in the Manual. The aforementioned EXIT (XX) M.P.H. sign is required to be 48 by 60 inches. The critical portion of the sign, the numerical speed indication, is required to be 16 inches in height. Let us assume that the exit requires a 20 m.p.h. sign located on a 60 m.p.h. Federal-Aid expressway and that this location is in a State where 20/70 vision is allowed legally (visiting drivers will have 20/70 vision in any case).

A motorist having 20/20 vision ^{2/}is, according to the Snellen standard, able to read the 16-inch numerals indicating the required safe speed at a point 920 feet from the sign, as shown by a calculation based on the Snellen chart definition. For 20/70 vision, this distance is reduced to 263 feet. Thus, the driver having 20/70 vision, traveling at the highest legally

^{2/} The definition (Snellen) is that 20/20 vision is that of a person who can read letters of 5 minutes of arc letter height. In the Snellen system of measurement, visual acuity decreases in direct proportion to the base index (i.e., 20/40 vision is half of the normal 20/20 vision and would require approach to one-half the distance to allow the same letters to be read).

allowed speed of 60 m.p.h. at this location, has 3 seconds for perception, reaction, and braking to reduce his speed from 60 m.p.h. to the posted ramp speed of 20 m.p.h. At this point, he is well within the zone where he does not have the necessary distance available to him to complete safely the functions of perception, reaction, and braking. This does not mean that the operations at these exits are all unsafe, because drivers do not rely entirely on signs as indications of slower speed. It does mean that the placement of the sign does not provide assurance that it is adequate under actually existing conditions.

A problem of this type in a State can be resolved by studying the respective standards, assuming a national visual acuity requirement, and writing additional descriptive definitions which rate the performance of signs based upon visibility distance at a given speed. One method would be the creation of a so-called interim transitional definition that would coordinate the Snellen chart with sign heights by the use of charts. A more advanced approach to a coordinated standard could account for driver reaction time. As with the previous example of traffic signal placement, it is seen that in order to design operations properly in a certain traffic situation, it would be necessary to apply only the signing standard and the highway speed limit to determine the appropriate location of the sign.

EXAMPLE 3

Rearview Mirror Visibility and Geometric Design of Highways

Operational difficulties of significant proportions are implied by conceptual incompatibility between the standard for rearview mirror ^{1/} visibility and allowable forms of geometric highway design adopted by the Bureau of Public Roads as suitable for the Federal-Aid Highway System. The Federal-Aid Highway System and the Interstate System not only allow, but frequently employ, entry of vehicles into traffic lanes at such angles that visibility of approaching vehicles is not assured by the Federal rearview mirror requirements or by other requirements for vision directly through windows.

Figure 1 and Figure 2 show several of the types of intersection design allowable on the Federal Highway System in which vehicles must merge into another lane or perform a weaving maneuver while potentially being overtaken by traffic approaching from the left or right rear. These Figures are examples only, and many other illustrations are shown in A Policy on Geometric Design of Rural Highways. ^{2/}

Figure 1 shows weaving sections in which vehicles transfer from one road to another by crossing all lanes from the left to right to left. Figure 2 shows types of rotary interchanges in which vehicles must enter lanes tangentially from the right. In dual rotary roadway (Type D, Figure 2), a vehicle must cross a lane in which traffic may be approaching from the

^{1/} Motor Vehicle Safety Standard No. 111, Rearview Mirrors, DOT, FHWA, NHTSB, Effective 1/1/68

^{2/} A Policy on Geometric Design of Rural Highways, American Association of State Highway Officials, Washington, D. C., 1965.

left rear. These traffic maneuvers are acceptable on all Federal-Aid Highways. Tangential entries are allowable on the Interstate System, and in fact are the normal method of entry to high-speed lanes on that System. These geometric design policies state standard conditions which must be met by vehicles. However, there are no numerical descriptions that can be related to vehicle vision.

The other type of standard is the Federal Motor Vehicle Safety Standard No. 111 which specifies "requirements for rearview mirrors to provide the driver with a clear and reasonably unobstructed view to the rear." This standard requires an inside rearview mirror which provides the driver a view to the rear of at least 20° . The line of sight, however, may be partially obscured by seated occupants or by head restraints. Since the degree of obscuration is indefinite, almost any proportion of obscuration is allowable under the standard. In practice, in such vehicles as station wagons, the obscuration may approach 100 percent, so that an outside mirror on the driver's side is also required. This standard provides a view having a horizontal angle such that all points up to 8 feet out from a tangent plane 35 feet behind the driver's eyes can be seen. Again, the line of sight may be partially obscured by rear body or fender contours. The meaning of the word "partially" is not definite. The standard speaks of linear dimensions related to the vehicle, but analysis of the position of the point which must be seen shows that it approximates an angle of vision to the left rear of 13° leftward from the axis of travel of the vehicle. This means that the driver cannot reliably see a car to his left rear in the outside mirror until his vehicle has turned sufficiently so that it is within about 10° of the axis of the lane with which he seeks to merge.

Now let us see what happens. If the driver approaching the lane cannot see approaching traffic in his inside rearview mirror (and this is normally the situation), he looks to the left rear through the side windows of the vehicle by twisting his head and upper body to the left rear. While doing this, it is extremely difficult to see forward. The view to the left rear under this circumstance through the windows is not assured under the windshield defrosting and defogging standard^{3/} nor the windshield wiping and washing standard,^{4/} nor is there assurance that the outside rearview mirror will be operative in weather. A driver who wishes to be assured of adequate vision in this direction during merging must roll down his window whenever the glass is obscured. At that time, those inside the car will be subjected to whatever wind or weather may enter through that window.

It is very evident that this situation is not only undefined by the standards, but under weather conditions, is downright hazardous whenever the side windows are partially obscured. Drivers may, in this circumstance, come to a complete stop in a lane which does not require stopping, and they may be approached by other vehicles from the rear proceeding at reasonable merging speeds. When a driver seeking to merge is second in line among cars seeking to merge, he must simultaneously observe the merge and the car ahead to determine whether its driver will be successful in merging or will stop. It is virtually impossible under these circumstances to maintain adequate vigilance both forward and to the left rear.

^{3/} Motor Vehicle Safety Standard No. 103, Windshield Defrosting and Defogging Systems, DOT, FHWA, NHTSB, Effective 1/1/69

^{4/} Motor Vehicle Safety Standard No. 104, Windshield Wiping and Washing Systems, DOT, FHWA, NHTSB, Effective 1/1/69.

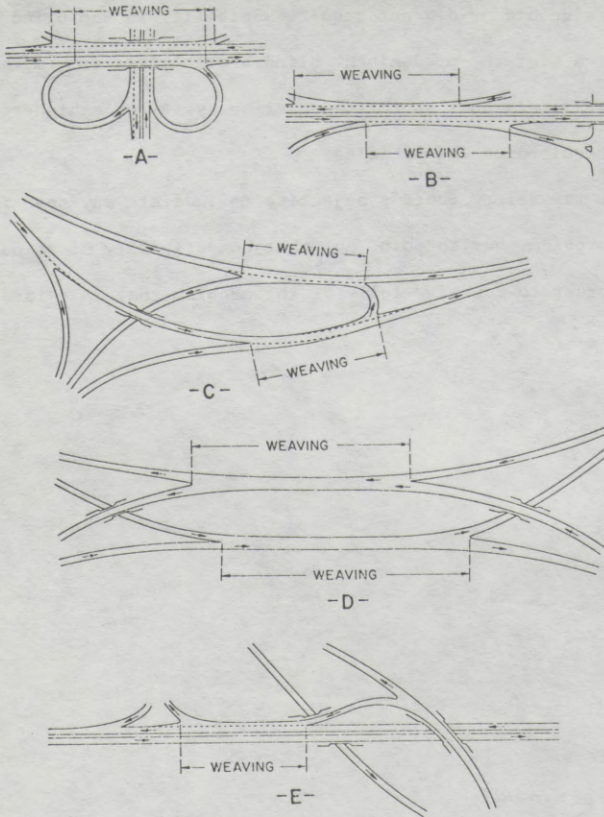
The point in this analysis is not that the situation is hazardous, for anyone who has attempted to merge under these circumstances, in an automobile of current manufacture, is generally aware that a hazard is present. The point is that the standards used to describe the vehicle's vision capability and the standards which describe the road situation are not compatible and do not directly reveal the shortcoming.

It is theoretically possible for highway intersection designs to be characterized by standards language in terms of specific requirements for vision from vehicles necessary to negotiate the intersection safely. For example, a tangential entry into a traveled lane might require angular vision from the driver's location of 90° in both directions from the axis of travel of the vehicle. Such a requirement, of course, would be immediately appreciated as very difficult to obtain by current rearview systems and efforts to design a better system could be begun on a logical basis. On the other hand, if it is not possible to provide vision from the side windows or rearview vision reliably in bad weather, the highway entry might be designed and standardized to allow merges with only forward vision through the windshield.

An example of a description which can be employed to develop a transitional definition is the description of "Field of Vision of the Driver" found in FHWA Notice of Proposed Consumer Information Regulation issued 12/10/68. This description includes a chart which characterizes blindspots of rear vision. Classes of blind areas could be established in this chart and used as a basis for classifying highway intersection designs according to

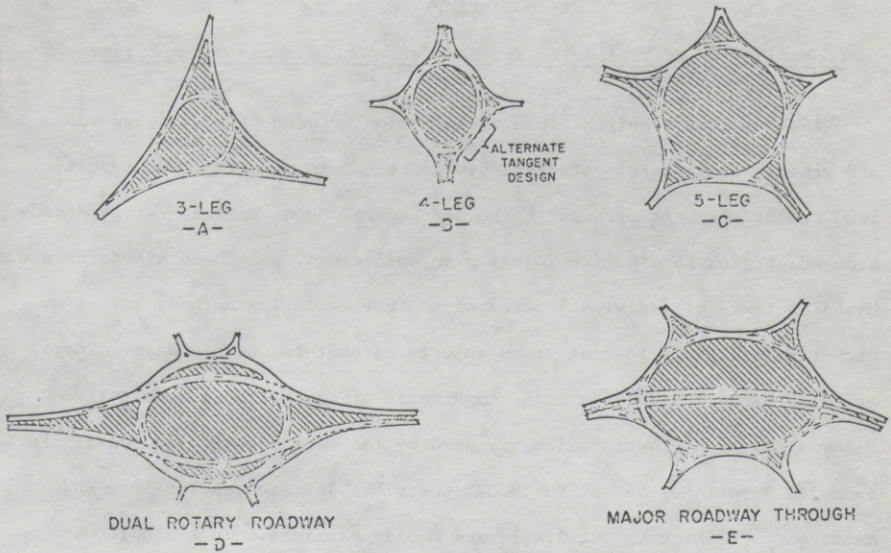
whether the design did or did not require visibility in the blind areas. If designs which meet the predominant blind area classes are impractical, then it is immediately obvious that a superior system or a higher standard of vision is required on the vehicles.

It is not the Safety Board's objective to indicate any specific solution to this problem, but to point out that compatibility of standards is necessary in order to conceive fully of the problem that is raised.



WEAVING SECTIONS
Figure 1

Source: A Policy on Geometric Design of Rural Highways, American Association of State Highway Officials, Washington, D. C., 1965; page 545



TYPES OF ROTARIES -DIAGRAMMATIC

Figure 2

Source: A Policy on Geometric Design of Rural Highways,
 American Association of State Highway Officials,
 Washington, D. C. 1965, page 489

EXAMPLE 4

Compatibility of Vehicle Design Standards and Highway Design Standards

Another area requires close coordination between highway standards and vehicle crash safety standards in order to minimize injuries resulting from collisions. At present, there are Federal Motor Vehicle Safety Standards which seek to minimize injuries in collisions, but these standards are based on tests of individual parts of the car employing methods having no direct relationship to real crash objects encountered on highways. There are also highway standards under cognizance of the National Cooperative Highway Research Program which are used by the Bureau of Public Roads. For example, Report No. 54^{1/} of the NCHRP describes location, selection, and maintenance of highway guardrails and median barriers. This Report was circulated to regional administrators and division engineers of the BPR on October 2, 1968. The Director of Public Roads strongly advocates consideration of the information in actions pertaining to barrier and guardrail installation and maintenance.

This document is a considerable advance over the earlier discussions of guardrails, providing warrants for the use of guardrails based upon a variety of highway variables. Variables such as embankment geometry and location of various roadside obstacles are considered. However, the statement in the Report as to performance of the guardrails or barriers

^{1/} National Cooperative Highway Research Program Report 54, Location, Selection, and Maintenance of Highway Guardrails and Median Barriers, Highway Research Board, Washington, D. C., 1968.

indicates that they were tested by only one type of vehicle. That vehicle weighed 4,000 to 4,200 pounds and was traveling at 60 to 65 miles an hour and struck the barrier system at a 25° impact angle.^{2/}

This method of testing is an advance over earlier barrier designs which were often made up locally according to opinions of the person in charge of the highway. The test does not, however, consider what will happen when the barriers are struck by vehicles of less than average test size and weight or vehicles of greater than average test size and weight. The barriers are not standardized for performance, but are characterized by their design and by the amount of deflection which they will allow under the single rather narrow type of test proposed. The various barriers described allow different degrees of deflection under the test collision, but the significance of impact upon the vehicle of the various degrees of deflection is not discussed.

This is a situation in which the state of the art of highway barrier standards and the state of the art of vehicle collision standards are growing but have not yet come together. In a next step it would be quite practical to characterize barriers and other roadside hazard objects by more than one type of performance test and to include a large range of vehicles. It would also be possible to establish standard test objects for vehicle crash impact testing which would represent the various barriers and the other hazardous features of roads, such as embankments, bridge columns, trees, and utility poles.

^{2/} National Cooperative Highway Research Program Report 54, Location, Selection, and Maintenance of Highway Guardrails and Median Barriers, Highway Research Board, Washington, D. C., 1968, Page 6.

The long-range goal of compatible design and construction of vehicles and highways is that vehicles which run off the road into roadside obstacles will be harmlessly deflected and that the injury-preventing features of the vehicles will coordinate with those of the highway obstacles in every case. This goal cannot possibly be achieved unless both the vehicle and the highway obstacles are defined in an interrelated and detailed way. Only a small portion of this task has begun at the present.

(Whereupon, at 1:40 p.m., the subcommittee recessed, to reconvene at the call of the Chair.)

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