



Congress may act on roof standard Agency told rules can't limit crash victims' rights

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WASHINGTON -- Key U.S. senators warned federal auto safety regulators Wednesday that Congress would act if regulators produce unacceptable and ineffective rules for strengthening vehicle roofs to protect people in rollover crashes.

The debate over the exact cause of deaths in rollover accidents, which claimed 9,362 lives in 2006, and how much blame rests with a vehicle's roof strength has raged for years among safety advocates and automakers.

The National Highway Traffic Safety Administration has been working on a new plan for boosting roof-crush standards ahead of a July 1 deadline, since its first proposal issued in August 2005 faced sharp criticism from automakers and safety groups.

Current rules set in 1973 require car and truck roofs to hold 1 1/2 times their weight. NHTSA's proposal called for vehicle roofs to withstand 2 1/2 times their weight on the driver's side, a change that it estimated would cost automakers \$95 million and save 13 to 44 lives a year.

The proposed rule would also attempt to block state lawsuits over roof-crush injuries, a maneuver the Bush administration has applied repeatedly in rules from several agencies.

Sen. Tom Coburn, an Oklahoma Republican who requested the hearing of the Senate Commerce, Science and Transportation Committee, said NHTSA should be less concerned with hitting the July 1 deadline, and that Congress should act if the final rule is too weak.

The goal "is to have that standard make a difference in American lives," he said.

Sen. Mark Pryor, D-Ark., and Sen. Claire McCaskill, D-Mo., warned the agency that Congress would also overturn the rule if it limited the legal rights of crash victims. McCaskill said Ford Motor Co. has added new safety features to its models "because they were spurred to action by the legitimate claims in courts around this country about their safety standards."

"Why all of a sudden does NHTSA feel compelled to crush the rights of states?" McCaskill asked James Ports, NHTSA's deputy administrator.

Ports said no decision had been made on whether that clause would be in the final rule. Safety advocates, including the Insurance Institute for Highway Safety, maintain that stronger roofs would save many lives in rollover crashes. An institute study earlier this year found that stronger roofs in SUVs could save scores of lives every year.

The industry has long maintained that most rollover deaths and injuries occur because of the movements of a passenger's body in a crash, ejections and people failing to wear seat belts.

Stephen Oesch, senior vice president of the institute, said arguing that stronger roofs would not increase protection for rollover victims "defies logic."

Rob Strassburger, a vice president for the Alliance of Automobile Manufacturers, said making roofs stronger than NHTSA's proposal would hurt fuel economy and perhaps degrade safety because of the added weight.