

October 8, 2013

Fact Sheet: NHTSA Shutdown Endangers American Drivers

The American public has been forced to assume the risk due to the furlough of employees at the National Highway Traffic Safety Administration (NHTSA). The agency has furloughed 333 of 597 regulatory staff, issuing the following statement:

Functions funded by the Highway Trust Fund will continue, while those funded by annual appropriations will be suspended, including safety defect investigations, field crash investigations, review of consumer complaints and notification of new vehicle and equipment recalls.

Additionally, NHTSA's Recall Search portal at SaferCar.gov notes:

Due to a lapse of Federal Government funding, NHTSA is unable to post any new recalls after close of business September 30, 2013. Recall searches will remain available but are only current as of that time. Consumers can continue to file safety defect complaints via this website, but they will not be evaluated by NHTSA staff until funding and services are restored.

What does this mean for Americans?

Recalls not Announced, Drivers not Protected

NHTSA's primary function for 47 years is the power to issue recalls of defective vehicles and notify the public of safety defects in their vehicles. This ability has been suspended pursuant to the furlough. Additionally, vehicle manufacturers who discover defects will be unable to voluntarily report these problems to NHTSA and notify owners. Consumers will have no remedy for safety defects that risk life and property until this power is restored to the agency.

NHTSA oversees nearly 700 recalls every year, affecting 20 Million vehicles. For every NHTSA workday lost to the furlough, an average of 3 recalls covering 80,000 vehicles are delayed indefinitely.

Defect Investigations Suspended

One of NHTSA's primary functions, the investigation of suspected defective vehicles, is suspended. Currently, the agency is conducting a number of investigations where any significant delay can result in loss of life on American roads.

The shutdown would force the delay of major NHTSA investigations into 2009-12 Graco child seats (EA13-001), Jeep Grand Cherokee and Liberty fuel tank crash fires (EA12-005) and dozens of other cases currently under review by NHTSA's Office of Defects Investigation. New cases cannot be opened including a possible investigation into the Tesla battery fire last week.

Consumer Complaints not Processed

Consumer complaints are the lifeblood of NHTSA's defect investigation and recall system. Thousands of consumer complaints are stacking up un-analyzed that may reveal new defects, resulting in fewer recalls and even fewer investigations conducted into potentially life-threatening defects.

NCAP Ratings not Available to Public

NHTSA's New Car Assessment Program (NCAP), which is responsible for the tests behind the ubiquitous 5-Star Safety Rating system, will be shuttered until the end of the furlough. This could not have happened at a worse time, during the introduction period for 2014 model year vehicles. NCAP typically frontloads new models into crash tests during the fall so that consumers have the safety ratings available to them as close as possible to the arrival of the new model year vehicles. This important work now stalled, millions of Americans will be forced to purchase vehicles without crucial safety rating information.

Loss of Other Agency Functions Critical to Public Safety

Additionally, the public stands to lose protection in a number of other significant areas. Manufacturers will be unable to certify vehicles and child safety seats as compliant with Federal Motor Vehicle Safety Standards during the shutdown. Child safety seat ease of use ratings will not be updated. The collection of fatality and injury data on American roads will be halted. Research into distracted driving, airbags, pedestrian protection and countless other subjects important to current and future NHTSA initiatives will be delayed.