Case #3 Presentation:  
Road Safety in the United States

Formulating Policy:  
Strategies and Systems of Policymaking in the 21st Century  
December 3, 2018
## Policy-making Tools: An Overview

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Case Example: Motor Vehicle Safety

Source: MMWR 1999;48(18):369-74
Considering Context: Car Culture, Safety, and the Motor City

• Some History
Considering Context: Policy

- **Legislation: Federal Motor Vehicle Safety Standard**
  - Congress passed in 1966.
  - Purpose of the law was “to reduce traffic accidents and deaths and injuries to persons resulting from traffic accidents.”
  - Law grants Secretary of Transportation authority to establish standards that govern the safety of motor vehicles.
  - Law creates the future National Highway Traffic Safety Administration (NHTSA) within the Department of Transportation.

  - Promulgated in 1967.
  - Requires seat belts to be included in all cars manufactured and sold in the U.S. (active protection).
Air Bag Policy in the United States: A Brief Chronology

- Early Promise of A New Technology
  - 1952: first in a series of patents issued in the U.S.
  - 1969: DOT proposed an amendment to FMVSS 208 that would require passive restraint technology
    - Seat belt use rates
    - Industry comments
  - 1970 NATO Conference on passive restraints
Air Bag Policy in the United States: A Brief Chronology

• Politics and Resistance, Part 1
  – Rulemaking procedures
  – Delay and compromise
  – *Chrysler v. DOT*
    • “It is clear from the Act and its legislative history that the Agency may issue standards requiring future levels of motor vehicle performance which manufacturers could not meet unless they diverted more of their resources to producing additional safety technology than they might otherwise do.”
  – Increasing competition from car manufacturers abroad and concern from the White House
  – Ignition interlock proposal
  – Congressional response
  – 1981 DOT cancelled the passive restraint rule (anti-regulatory executive)
Air Bag Policy in the United States: A Brief Chronology

• Politics and Resistance, Part 2
  – *Motor Vehicle Manufacturers Association of America v State Farm Insurance* 1983
  – “For nearly a decade, the automobile industry waged the regulatory equivalent of war against the airbag and lost—the inflatable restraint was proven sufficiently effective. … Indeed, the MVSA was necessary because the industry was not sufficiently responsive to safety concerns. The Act intended that safety standards not depend on current technology and could be "technology-forcing" in the sense of inducing the development of superior safety design.”
  – Secretary Dole’s state law compromise, 1984
  – Lawsuits initiated by those injured in MVC

*Citation abbreviated for space*
Considering Policy Options

- How would you proceed?
Air Bag Policy in the United States: A Brief Chronology

- Resolution and Evolution
  - 1984 Mercedes announces it will equip its cars with air bags
  - 1988 Chrysler President Lee Iacocca announces Chrysler will begin phasing in air bags as part of their investment in safety
  - Ford and GM also announce air bags will be forthcoming
  - 1991 Congress amended the legislation that grants DOT its authority and required that the agency oversee implementation of an air bag standard
  - Since 1999 all new cars and light trucks sold in the US have been equipped with driver and passenger airbags
Questions to Consider with the Benefit of Hindsight

• What were some of the critical points in this policy story?

• If you were advocating in support of air bags, how might you have proceeded at one of these critical time points?

• What was the impact of the adversarial nature of the debate?

• What do you take away from this experience?
Post-Policy Innovations in Air Bag Design and Auto Safety

- Innovations addressing power
  - advanced air bags
  - smart air bags
- Innovations expanding design and application
- Innovations in safety technology generally
  - Passive alcohol sensing technology
  - Autonomous vehicle technology
  - Role of policy?
Conclusion