



Josephine S. Cooper
President

April 5, 2000

The Honorable John Spotila
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
17th Street & Pennsylvania Avenue, N.W.
Washington, DC 20503

Dear Administrator Spotila:

On February 16, 2000 the National Transportation Safety Board (NTSB) and other safety organizations wrote a 3-page letter to Transportation Secretary Rodney Slater:

- strongly opposing a mandatory return to 30 mph rigid-barrier tests with unbelted dummies;
- strongly supporting the need to collect additional real-world data to determine if a return to an unbelted 30 mph rigid barrier test is warranted at *any* point in time; and
- stating that any future decision to reconsider unbelted 30 mph barrier tests should be addressed in a separate rulemaking.

In the letter, NTSB recommends that NHTSA, "...*should expedite a focused examination of frontal crashes...*" to assist such a future rulemaking. NTSB further challenges manufacturers, "...*to show their commitment by providing additional resources to collect and analyze real-world crash data.*"

We accepted the NTSB challenge by committing to a major real-world data gathering program to provide a greater factual basis for future air bag rulemakings. In a March 9, 2000 letter to Chief of Staff John Podesta (copy attached), we outlined this program and discussed it with you during our March 23, 2000 meeting. Below is supplemental information regarding our commitment. We intend to undertake this program regardless of the final outcome of the current rulemaking.

We have committed to contribute to the NHTSA public crash investigation database system, by collecting data focusing on the two "gaps" in the existing data set that must be filled prior to any further rulemaking requiring a mandatory return to a 30 mph unbelted rigid-barrier test scheme. The first is the need to provide data substantiating the superior effectiveness of the air bag made possible by the current SLED test requirements (depowered air bag) as compared to "first generation air bags" designed to a 30 mph unbelted barrier test. The second is to further investigate the contribution to high-speed crash injuries and fatalities from "first generation air bags" as preliminary studies by the Insurance Institute for Highway Safety (IIHS) indicate. This type of detailed analysis of high-speed crashes involving unbelted occupants has typically not been conducted. Instead, NHTSA has focused appropriately on crash events which occur at relatively low-speed events.

Member Companies

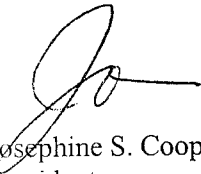
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In order to contribute to the public database recommended by the NTSB, the Alliance and its members have committed to a 3-year data gathering effort to begin this year. Each year approximately 300 special crash investigations will be studied. These special investigations would supplement the roughly 300 cases for which NHTSA has requested funding in its FY2001 budget request submitted to Congress.

To ensure: (1) **a transparent process**, (2) that the data collected and analyzed is available to all safety researchers and engineers, and (3) consistency with TEA-21 directives, **we will arrange for this program to be managed by an independent, third party with oversight provided by a "Blue Ribbon Panel" consisting of representatives from government, industry (including suppliers), insurers, and other consumer-oriented safety organizations.** Our plan is to work with the other stakeholders early in the process to agree on a "going-forward" approach. The goal is to develop a rigorous investigation program and database to assure that future regulatory decisions concerning the appropriateness of returning to a 30 mph unbelted rigid-barrier requirement are based on solid facts and sound science.

Thank you again for our March 23rd meeting. If we can provide any additional information please advise.

Sincerely yours,



Josephine S. Cooper
President

cc: John D. Podesta
James E. Hall
Rodney E. Slater
Nancy McFadden
Rosalyn G. Millman



Josephine S. Cooper
President

March 9, 2000

The Honorable John D. Podesta
Chief of Staff
The White House
Washington, DC 20500

Dear Mr. Podesta:

In the attached letter to Transportation Secretary Slater, the National Transportation Safety Board (NTSB) and other safety organizations proposed a sensible solution to the contentious issue of unbelted occupant testing. Adoption of their proposal--collecting additional data so as to have a sound, scientific basis of how unbelted occupants are injured or killed in high-speed crashes--would allow this important rulemaking on advanced air bag systems to move forward, a goal we all share. We want you to know that we accept the NTSB challenge to provide additional resources to collect such data.

We are hereby committing to a major real-world data gathering program to provide a greater factual basis for future air bag rulemakings. As you know, we support almost all elements of the rule proposed by the National Highway Traffic Safety Administration (NHTSA), but share the concern of NTSB and the other safety groups about a possible return to a 30 mile-per-hour unbelted barrier test. This is not about saving money; it's about saving lives. Our members are already introducing advanced technology systems that meet the objectives of TEA 21. Because we share the belief of most of the safety community that such a requirement will not improve occupant protection and may increase risks from air bags to children and others, a return to such a test, even if several years in the future, is not in the public's interest.

As you may be aware, the issue surrounding the unbelted occupant barrier test speed is focused on how real, unbelted people are being harmed in high speed crashes and whether measurements on test dummies reflect these events. Due to a paucity of real world data, advocates on either side of the issue appear unable to convince each other, or NHTSA, on the best course of action to protect the public. The NTSB, et al, recommendation tackles this issue head-on by suggesting that more data (the scientific "facts" upon which such an important regulatory decision should be based) be collected, before there is any return to a 30 mph test. This is an eminently reasonable proposal.

Member Companies

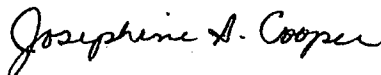
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NTSB's letter also recommends that automobile manufacturers "should show their commitment by providing additional resources to collect and analyze real-world crash data." Our members are strongly supportive of a coordinated and centrally managed real-world crash data collection and analysis program as proposed by the NTSB, and we are committing significant resources to support such an effort. For example, we understand that the proposed fiscal year 2001 budget for NHTSA includes 300 crash investigations to collect the type of data recommended in the NTSB proposal. We are prepared to at least double the number of crashes that can be analyzed. The result, we feel, will be a much better knowledge base on which to make a decision on the unbelted barrier test issue.

In addition, while all interested parties continue to work to improve air bag safety, there is a continuing need to work for increased seat belt use, so that there are fewer unbelted vehicle occupants of any size in the future. Our members are the principal funders of the Air Bag & Seat Belt Safety Campaign, which works with NHTSA to help achieve the President's goals of increasing seat belt use to 85 percent by the end of this year and 90 percent by 2005, as well as reducing child fatalities by 25 percent. It is essential that these national goals be met in order to produce meaningful safety.

Thank you for your consideration of this proposal. We look forward to discussing it with you in the very near future.

Sincerely,



Josephine S. Cooper
President

JSC/sf

cc: Rodney E. Slater
Nancy McFadden
James E. Hall
Rosalyn G. Millman
John Spotila

Attachment: NTSB, et. al letter to DOT dated February 16, 2000