

DSG

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*via
Traffic
Safety*

August 15, 1966

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TO: MEMBERS AND STAFF ASSISTANTS

FROM: Patricia Krause, Research Director

SUBJECT: FACT SHEET 19 -- NATIONAL TRAFFIC AND MOTOR
VEHICLE SAFETY ACT OF 1966 (H.R. 13228;
H. Rept. 1776)

Attached are two copies of the DSG Fact Sheet on the National Traffic and Motor Vehicle Safety Act of 1966. The bill has been granted an open rule with 3 hours of debate and is scheduled to come up on the floor of the House any time after today.

*HOS - mentioned page 4
HOS desk ✓*

NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

Summary of Proposed Legislation: Bill establishes motor vehicle safety standards for motor vehicles and equipment in interstate commerce; expands the national driver register; and provides for safety research and development.

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Administration Recommendation

On March 2, 1966, President Johnson, in his Transportation Message to the Congress, called for enactment of the Traffic Safety Act of 1966 -- a bill designed to improve automobile safety performance.

Bills containing the Administration's proposals in the field of traffic and motor safety were introduced March 2 in the Senate (S. 3005) by Senator Magnuson (D-Wash.) and in the House (H.R. 13228) by Rep. Staggers (D-W.Va.). S. 3005 was referred to the Senate Commerce Committee and H.R. 13228 to the House Interstate and Foreign Commerce Committee.

Senate Action

S. 3005 was unanimously approved in committee and reported out with amendments on June 23 (S. Rept. 1301).

On June 24 the Senate by a 76-0 roll-call vote passed S. 3005 with amendments.

As passed by the Senate, the bill authorizes a three-year \$52 million program under which the Secretary of Commerce is directed to prescribe interim motor vehicle safety standards by Jan. 31, 1967, and revised federal safety standards by Jan. 31, 1968. All standards are to be effective within 180 days to one year after publication, with the initial standards expected to be effective for the 1968 model year. S. 3005 also authorizes the planning and construction of a traffic accident and injury research and test facility and the establishment of a national driver registration service.

House Committee Action

The House Committee on Interstate and Foreign Commerce, under the chairmanship of Rep. Staggers, held hearings on H.R. 13228 and related bills from March 15 through May 13.

After 17 executive sessions, on July 25 by a 26-0 vote the Committee ordered H.R. 13228 reported with amendments. The bill was reported out July 28 (H. Rept. 1776).

Major Provisions of H.R. 13228, the National Traffic and Motor Vehicle Safety Act of 1966, as reported (H. Rept. 1776):

H.R. 13228 authorizes a three-year \$51 million program for the establishment of federal motor vehicle safety standards: up to \$11 million for fiscal 1967; up to \$17 million for fiscal 1968; and up to \$23 million for fiscal 1969.

34
5,80

29
7,45
145
680

It also authorizes \$3 million for the investigation, study and report by the Secretary of Commerce of existing facilities for accident and injury research and traffic safety testing.

For tire safety provisions, it separately authorizes up to \$2.9 million for fiscal 1967; and up to \$1.45 million for each of fiscal 1968 and 1969.

Title I -- Motor Vehicle Safety Standards

1. Includes under the definition of motor vehicle all vehicles driven or drawn by mechanical power. (Senate bill excludes trucks and buses already regulated by ICC.)
2. Imposes a mandatory requirement upon Secretary of Commerce to establish federal motor vehicle and vehicle equipment safety standards -- both for new and used vehicles. Initial federal safety standards based upon existing public safety standards must be issued on or before January 31, 1967. New and revised safety standards must be issued on or before January 31, 1968. Within two years of enactment date of this bill, standards for used vehicles must be established.

In the establishment of standards, H.R. 13228 also:

- A. Directs Secretary to work with other federal departments and agencies, and interested state public and private agencies in preparing standards.
- B. Provides that every order establishing a safety standard shall specify its effective date, which is not to be sooner than 180 days or later than 1 year from the date order is issued, unless in the public interest.
- C. States that whenever federal safety standard is in effect, no state or political subdivision shall establish or keep in effect any safety standard not identical to federal standard, unless stricter.
- D. Authorizes Secretary to amend or revoke safety standards issued.
- E. Directs Secretary to consider relevant safety data, consult with the Vehicle Equipment Safety Commission and other similar state or interstate agencies, determine the reasonableness, practicality and appropriateness of a standard for a particular vehicle before it is prescribed, and consider extent of standard's contribution towards reduction of traffic accidents.
- F. Forbids ICC to adopt or continue in effect any safety regulation covering a motor vehicle (subject to part II of Interstate Commerce Act or Transportation of Explosives Act) which differs from a safety standard issued by Secretary, unless ICC regulation is stricter.

- **3. Creates the National Motor Vehicle Safety Advisory Council, an advisory council to be made up of five members of the public, five members of industry, and three members of state or local governments, to advise and consult with Secretary on standards. Secretary shall appoint members and designate chairman.
4. Provides for judicial review -- based on comparable provisions in the Food and Drug Act -- of any order issued.
5. Requires Secretary to conduct necessary research, testing, development, and training related to traffic safety, while avoiding duplication of work done by other departments and agencies.
6. Prohibits manufacture, sale, or importation of vehicles or equipment which fail to meet federal safety standards.
7. Encourages the establishment and expansion of state inspection systems.
8. Provides civil penalty of up to \$1000 for each violation (not to exceed \$400,000 for any related series).
9. Permits Secretary to seek injunctive relief -- through U.S. district courts -- to restrain violations.
10. Provides for reimbursement to distributors or dealers who have purchased vehicles or equipment which do not conform to standards.
11. Authorizes inspections necessary to enforce safety standards, requires manufacturers to keep records to enable the Secretary to determine compliance, and requires that performance date be given to the Secretary and the first purchaser. Protection is also provided for trade secrets.
12. Requires manufacturers to give notice of defects to known first purchasers and in some cases to subsequent purchasers (transferred warranties) and authorizes Secretary to require additional notifications.
13. Requires manufacturer or distributor to issue a certificate that his product conforms to federal safety standards, effective date on which first standard is established.
- **14. Establishes a National Traffic Safety Agency in the Department of Commerce to be headed by a Presidentially appointed Administrator.
15. Continues existing hydraulic brake fluid and seat belt laws only until such time as they are amended or repealed by the Secretary or a court.
16. Directs Secretary to make annual report on administration of this bill on March 1 of each year. Report must include accident and injury statistics; list of federal standards; degree of observance of standards; summary of current research grants and contracts; extent to which technical information was disseminated to scientific community and consumer-oriented information to motoring public; and recommendations for additional legislation to strengthen program.

Title II -- Tire Safety

- 1. Requires tire manufacturers to furnish consumers information as to identification, plies, maximum load, and compliance with safety standards.
- 2. Requires either manufacturer or purchaser to equip new vehicles with tires which meet maximum permissible load standards when fully loaded with passengers.
- 3. Directs Secretary to prescribe a uniform quality grading system for tires within 2 years of date of enactment of this bill.

(NOTE: The Senate's Auto Safety Bill, S. 3005, does not contain provisions for a tire safety program. These were contained in a separate Tire Safety Bill, S. 2669, which passed the Senate March 29, 1966. H.R. 13228 incorporates the tire safety provisions of S. 2669, thereby combining auto and tire safety programs in one bill.)

Title III -- Accident and Injury Research and Test Facility

- 1. Authorizes Secretary to conduct a study of existing facilities and need for new facilities for traffic safety research, development and testing.
- 2. Authorizes \$3 million for study and report, which must be presented to Congress by December 31, 1967.

(NOTE: Senate bill, S. 3005, actually establishes the facility and provides for its planning and construction.)

Title IV -- National Driver Register

- 1. Amends present law to expand existing register -- to be maintained by Secretary of Commerce -- to include name of every person who has been denied a driver's license or had his license revoked or suspended.

**Similar to National Highway Safety Advisory Committee and National Highway Safety Agency established under H.R. 13290 (Highway Safety Act of 1966).

8/15/66