

HIGHWAY SAFETY

HEARING
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE
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FEBRUARY 27, 2002—WASHINGTON, DC

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HIGHWAY SAFETY

WEDNESDAY, FEBRUARY 27, 2002

U.S. SENATE,
SUBCOMMITTEE ON TRANSPORTATION
AND RELATED AGENCIES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9:35 a.m., in room SD-116, Dirksen Senate Office Building, Hon. Patty Murray (chairman) presiding.
Present: Senators Murray and Campbell.

OPENING STATEMENT OF SENATOR PATTY MURRAY

Senator MURRAY. This subcommittee will come to order.

Good morning. This is our subcommittee's third hearing this year on the President's request for the Department of Transportation for 2003. During our first two hearings, we examined in detail the multi-billion dollar increases that are being proposed to enhance transportation security. Just within the budgets for the Coast Guard and the new Transportation Security Administration, the Administration is requesting increased funding of more than \$5 billion.

This funding is intended to protect the American public against several serious threats, some of them unknown. The goal is to keep the horror of the World Trade Center tragedy from repeating itself, and I firmly support that goal.

But today's hearing is about the funding needed to combat a known threat, the fact that tens of thousands of citizens die on our highways each and every year. In 2001, we experienced almost 42,000 deaths on our highway. That is equivalent to more than one World Trade Center tragedy per month.

We do not know if or when the Al Quaida network will again strike the American people, but we do know for sure that absent a dramatic change in attitude, leadership and action at the Federal, State and local level, highway deaths in 2003 will rise for a fourth consecutive year.

We know how to prevent many highway fatalities. We know that improved seat belt use saves lives. We know that keeping drunk drivers off the road saves lives. We know that strapping babies into approved child safety seats saves lives.

As a society, we made great strides during the 1980s and 1990s in changing driver behavior and reducing highway deaths. Much of the credit for those advances belongs to the Mothers Against Drunk Driving. So I am especially pleased and honored that Millie Webb,

the president of MADD will deliver her first testimony before Congress during our hearing this morning.

Perhaps more than any other organization, MADD has pushed our society to do the right thing in getting drunk drivers off the roads. Their efforts are born out of shocking and horrific losses that their members have endured.

Yet for all of the advances we made in the 1980s and 1990s, we are now seeing a reversal of this trend.

Highway fatalities rose again last year and alcohol-related highway fatalities rose even faster. I am sorry to say that when it comes to the percentage of highway fatalities that are alcohol related, my home State of Washington is persistently above the national average. It is especially true for accidents involving individuals that are certifiably drunk, not just accidents involving people that have been doing some drinking.

My State has sought to do the right thing. We lowered the admissible blood alcohol content for drivers before this subcommittee required it as a matter of Federal law. But Washington, like all other States, has a long way to go.

The time has come for us to admit that when it comes to reducing highway fatalities, the easy things have already been done. The time has now come to take on the harder challenges: Challenges like getting repeat drunk drivers off the road and keeping them off the road permanently; challenges like addressing head-on the needs of certain target populations who bear a much higher risk of dying on the highway than the average American.

African-American children from ages five through twelve face a risk of dying in a car crash that is almost three times as great as that of white children. Highway death rates for Native Americans are a disgrace that should worry all Americans.

Precisely at this time when we should be taking on these tougher challenges, the Bush Administration has abdicated its leadership on this issue.

This Administration has requested a \$5 billion funding increase for transportation security, and I support that. When it comes to addressing another scourge that kills a great many Americans, the Bush Administration has requested a 22 percent funding increase for the National Cancer Institute, and I support that.

But when it comes to addressing the number one cause of death for Americans between the ages of 4 and 33 years old, this Administration is proposing an increase of four one-hundredths of a percent. That is effectively a hard freeze on funding.

When you dig into the details of the Bush Administration's proposal, you find that very real cuts and terminations are recommended for initiatives that address the most critical problems in highway safety. Under this budget, funding for drunken driving prevention has been decreased by 22 percent. Funding to boost seat belt use has been reduced by 14 percent, and funding for safety standards is reduced by 20 percent.

Last year despite the fact that it was not requested by the Administration, the subcommittee earmarked \$10 million for the Click It or Ticket campaign, a program that's designed to boost seat belt use. We did it for one reason only: Because data supplied by the National Highway Traffic Safety Administration indicated

the program works in getting more people to buckle up. But the Bush Administration budget proposes that this effort be terminated in 2003.

Last year, the Bush Administration submitted its performance plan and established a goal to boost seat belt use to 86 percent in 2001 and 87 percent in 2002. For 2001, they missed the goal by a huge margin, 13 percent.

So today, we find that the Administration has just given up. They lowered their goal for 2002 to 78 percent. Rather than redoubling their efforts to save lives, they're writing those lives off and cutting their safety budget.

These proposals, in my view, are unacceptable and irresponsible. It is my fervent hope that when it comes time for this subcommittee to mark up the 2003 transportation appropriations bill, we will have the resources to reject those cuts.

We must move our States and local law enforcement authorities forward and get our nation back on track to further reduce death and destruction on our highways.

Senator Campbell, if you have an opening statement.

Senator CAMPBELL. Madam Chairman, it is my understanding we are going to vote in about 20 minutes, is that correct?

Senator MURRAY. Correct.

Senator CAMPBELL. With your permission, I will just submit my opening statement for the record and if we can get through it, I do have a couple of questions I would like to ask on truckers' hours of service and the new directive that will be coming through with more Mexican trucks coming north, and maybe a couple of questions on motorcycle safety too.

Senator MURRAY. Very good.

We will then turn to our witnesses this morning. We will begin with the Honorable Jeffrey M. Runge, M.D., Administrator, National Highway Traffic Safety Administration.

STATEMENT OF HON. JEFFREY W. RUNGE, M.D., ADMINISTRATOR, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Dr. RUNGE. Thank you, Madam Chairman. My oral comments will summarize written remarks, which are submitted for the record.

Senator MURRAY. I would like to remind all of our witnesses to limit their oral statements to 5 minutes.

Dr. RUNGE. Thank you. I will do my best.

I am pleased to make my first appearance before your committee, Madam Chairman, on behalf of NHTSA. I welcome the opportunity to testify on traffic safety issues, which are of national importance, and on our fiscal year 2003 budget request. I am also honored to appear with my fellow witnesses, whom I know and hold in high regard.

Before I begin, I want to express my appreciation for your support for the agency's programs in the past year and for the particular interest you have shown during my short time here at NHTSA. I look forward to continuing to work with you and your staff on the Committee.

The top goal of Secretary Mineta and the Administration is transportation safety and security. NHTSA's focus is on keeping people safe on our nation's roads and highways.

We use the resources we are given in programs and services that are results oriented. We strive to use only effective, cost-efficient countermeasures to address the safety needs of our citizens.

SAFETY PARTNERSHIPS

We work in partnership with a broad array of safety professionals, including those organizations represented here today. We understand our pivotal role in working with the traffic safety community in States and local jurisdictions, the private sector, and with safety advocates. We also recognize that our influence extends internationally as we work to influence safety worldwide.

As you said in your statement, Senator, the numbers speak for themselves, 41,821 dead on our highways in 2000; 16,600 from alcohol impairment; and 9,200 died because they were not buckled into a seat belt or a child safety restraint.

We know that to fulfill our duty to the American people we must bolster our current efforts with new approaches, especially in the areas of driver impairment, seat belt use, speeding, and other unsafe practices like distracted and arrogant driving.

To assist in these efforts, we are requesting \$430 million in fiscal year 2003, which is an increase of \$6 million over the current budget. The budget will support a balanced approach to increase the safety of vehicles, as well as to tackle the human causes of crashes in this growing transportation sector.

TRAFFIC SAFETY—A PERSONAL RESPONSIBILITY

As a physician, I come to the table with decades of experience treating victims of crash injury. I came to NHTSA committed to ramp up our efforts to prevent crashes and to reduce death and injury when those crashes do occur.

Although we will provide the science, the programs, and the regulations, highway traffic safety is everyone's responsibility. People in this country must take personal responsibility to drive sober and responsibly, and to buckle themselves and their children into safety restraints.

Private corporations must take responsibility to make the safest possible vehicles and equipment and ensure that their products can be used safely.

Our government partners are likewise committed to providing safe and efficient roadways on which to travel. This has a very successful legacy in keeping our citizens safe. In cooperation with our partners, our programs have had a long-term influence in reducing traffic crashes, deaths and injuries. But as you said, the easier gains have been made. We are seeing that the gains now are much harder to come by.

NATIONAL PUBLIC HEALTH EMERGENCY

Despite consistent progress in the numbers since NHTSA's inception in the 1960s, the tragic fact remains that traffic crashes are

the leading cause of death for Americans from four to 33 years of age.

Every day 115 people are killed on our highways. Over 3 million are injured annually. And we expect the numbers to be about the same in 2001 as they were in 2000.

Unfortunately, in 2001, we saw the first increase in alcohol related deaths that we have seen in many years. And motorcyclist deaths are up significantly, as well.

This is a national public health emergency. It is a disease that is both predictable and preventable, and it has a cure and a very effective vaccine. The most effective safety vaccine available to us is the safety belt and the child safety seat.

SEAT BELT USE INCREASE

I am happy to tell you that seat belt use did increase six percentage points from 1999 to 2001, boosted by a high visibility enforcement campaign across the Southeast.

The bad news is that, although this is the most effective tool we have against one of America's most urgent public health problems, we have an unbelievably difficult time getting people to use it.

PRIMARY BELT LAWS REQUIRED

Belt use has been improving by a meager two percentage points each year. NHTSA will need to mount more aggressive, more effective programs. But, realistically, reaching 90 percent belt use, or even getting the nation over 80 percent belt use, to join the rest of the developed world is not going to happen unless States enact and then enforce primary belt laws.

The 28 percent of Americans who are not buckling up today are much more difficult to convert than those who have converted in previous years. We have the data on how to do it. It will require consistent laws and enforcement throughout the States.

NHTSA can help with programs such as Click It or Ticket. But the States have to take responsibility for the laws they pass or that they fail to pass to safeguard their citizens.

IMPAIRED DRIVING

Impaired drivers are a nationally recognized menace, and stopping them is one of my top priorities.

Our program supports what our research shows works: DWI enforcement coupled with swift sure sanctions, strong laws for repeat offenders, .08 laws to lower the average BAC on the roads, administrative license revocation, and vehicle sanctions, as well as widespread public education, including designated drivers.

We are running a five-State demonstration of strong enforcement, and we are witnessing improvements in alcohol related deaths compared to areas without that similar enforcement.

OTHER DANGEROUS DRIVING BEHAVIOR

Our budget is designed to address other dangerous behaviors, including aggressive driving, speeding, and driver distraction. Our programs will focus on effective traffic law enforcement, demonstra-

tions in automated enforcement and speed management, as well as major public education programs.

STRONG VEHICLE SAFETY COMPONENT

We have a strong vehicle safety component planned as well. It includes vehicle crash worthiness and crash avoidance initiatives and continuing to advise consumers about the relative safety performance of new vehicles.

A strong research program is the underpinning for all vehicular and behavioral safety programs, including our crash injury data systems used worldwide to guide decision making about everything from driver behavior programs to vehicle and road design.

COMPLIANCE TESTING

The fiscal year 2003 request also provides resources for vehicle safety compliance testing for new defect investigations and recall efforts including full implementation of the many provisions of the TREAD Act.

CONCLUSION

Madam Chairman, in closing, I want to repeat my thanks for your support. I will look forward to working with you and your committee in carrying out what we believe will be a strong performance-based program that will achieve our national safety goals. I would be pleased to answer your questions.

PREPARED STATEMENT

Senator MURRAY. Thank you.
[The statement follows:]

PREPARED STATEMENT OF JEFFREY W. RUNGE, M.D.

Madam Chairman and members of the Committee: I welcome the opportunity to appear before you today to discuss the fiscal year 2003 budget and programs of the National Highway Traffic Safety Administration (NHTSA). As the new Administrator for NHTSA, I am looking forward to working with you. The long-standing support of this Committee has allowed NHTSA to make significant advances in highway safety for the Nation. I am very pleased to appear with the other panel members to discuss significant highway safety issues.

NHTSA's fiscal year 2003 budget request of \$430 million supports the Administration's goals of providing a citizen centered, results oriented, and market based government. In concert with the Department of Transportation's priorities of safety and security, growing transportation system capacity, and fostering competition, NHTSA's budget supports programs directed at significantly improving the Nation's highway safety by reducing the number of highway-related fatalities and injuries and the resultant traffic-related health care and other economic costs. The agency's highway safety programs continue to place primary emphasis on developing, promoting, and implementing national educational, engineering, and enforcement programs aimed at reducing the number and severity of road collisions and mitigating the consequences of crashes.

NHTSA's programs have demonstrated a long-standing positive influence on decreasing highway traffic-related injuries and their devastating economic impact, which amounts to over \$150 billion annually. We are pleased to report that the Department has met both the highway fatality and injury targets established for fiscal year 2000. As a result of NHTSA's continuing program support, traffic fatalities decreased from 51,091 in 1980 to 41,821 in 2000. Non-occupant fatalities also continue to decline, and fatalities among children aged 0 to 4 and 5 to 15 are steadily decreasing. The child passenger restraint use rate has also risen radically over the past few years, as child passenger fatalities continue to decline. From 1990 to 2000, the number of younger drivers (aged 15 to 24 years old) involved in fatal crashes

declined 14 percent, and the percentage of intoxicated drivers in the 16 to 20 year old group who are involved in fatal crashes declined by 29 percent. In addition, passenger vehicle occupant fatalities and non-occupant fatalities both declined, 0.1 percent and 4.6 percent, respectively, from 1999 to 2000.

However, despite this impressive track record, recent statistics reveal motorcycle fatalities are up 15 percent from 1999; vehicle crashes continue to be the leading cause of death for persons aged 4 to 33; and although seat belt use increased by 6 percent from 1999 to 2001, it improved by only two percentage points over the last 2 years. In addition, alcohol-related fatalities increased from 38 percent in 1999 to 40 percent in 2000. Obviously, much more needs to be done, and NHTSA is dedicated to meeting the challenges.

PROGRAM HIGHLIGHTS

Results Oriented Performance Measures

NHTSA's fiscal year 2003 budget is both performance-based and results oriented. In order to assure that our programs are working, we need to have reasonable targets and reliable methods to measure our progress. To that end, one of the most significant changes in the way we conduct business is our recent development of improved and more realistic methods used in establishing and measuring the alcohol-related fatality target and the seat belt use target.

Alcohol-related Fatality Target Revision

The targets specified in the Agency's fiscal year 2001 and fiscal year 2002 performance plans were interpretations of a goal to reduce alcohol-related highway fatalities to 11,000 by 2005. The measure used to track progress toward those targets, percentage of highway fatalities that are alcohol related, does not present an accurate picture of progress. This is because, as overall fatalities decline—due to increases in seat belt use and effects of other safety countermeasures—the percentages of alcohol-related fatalities could increase. NHTSA is currently analyzing data from previous years and developing a more realistic performance measure and target.

Seat Belt Use Target Revision

Seat belt use in 2001 increased to 73 percent—an all-time high. Yet, this rate was well below the 86 percent target for 2001. That target was based on a stretch goal of 90 percent use by 2005. NHTSA determined that this performance target was also unrealistic and required revising. The agency has set a 2003 seat belt use target of 78 percent. NHTSA reviewed the individual State seat belt use goals for 2003 and the results of the analyses led the agency to determine that the appropriate target for 2003 is 78 percent. This goal is reasonable and challenging. Over the past several years the agency has been converting approximately 8.5 percent of the non-seat belt users, each year, to seat belt users. Continuing to convert this number each year becomes more difficult, as the set of "hard core" non-users becomes a higher proportion of all non-users.

Current seat belt use saves 11,000 lives and prevents 2 million injuries every year. For each percentage point increase in seat belt use, 3 million more people buckle up, saving approximately 226 lives and preventing over 3,700 injuries each year. Achieving the 2003 target will result in 15 million more people buckling up, saving 1,130 more lives and preventing 18,500 additional injuries.

Citizen Centered Programs

Americans expect the government to assure their safety on the highways. NHTSA is responding to the public's insistence on safer vehicle travel and is taking the lead in developing new and supporting proven program interventions. The fiscal year 2003 budget request includes a strong commitment to changing driver behavior, improving vehicle crashworthiness, and sustaining research and development activities to support the agency's behavioral and vehicular programs.

The agency has provided the American public with strong behavioral programs centering on the highway transportation environment. These include impaired driving, occupant protection, and high visibility traffic law enforcement. Recent success in the Click It Or Ticket campaign demonstrates the efficacy of working with our State and local partners to achieve our priorities of increasing seat belt use and reducing impaired driving.

Involvement of our partners in the State and local governments, safety organizations, law enforcement and judicial areas, and the private sector has proven to be the most valuable asset to NHTSA's program success. Throughout fiscal year 2003, we will continue to rely on their expertise and dedication in adapting and implementing innovative and proven strategies, as well as their continuing feedback on

successful techniques that the agency can incorporate in future NHTSA programs. Emphasis will be placed on such programs as passing primary enforcement laws, increasing enforcement of current laws, and expanding public education on the benefits of child safety seat and seat belt use.

The success of these partnerships is demonstrated through last year's new Internet-based child safety seat fitting station locator service. Using this on-line service, consumers may obtain local contact information for a child safety seat fitting station or certified child passenger safety technician in their area to ensure safety seats are installed and used correctly. As of December 31, 2001, the website locator had 3,464 child safety seat inspection sites listed, and there were a total of 22,381 certified technicians and 1,037 certified instructors. This year, NHTSA is partnering with Daimler Chrysler to expand and improve our services by adding a toll free number, allowing those without access to a computer to receive fitting station and technician information.

In addition, the NHTSA Auto Safety Hotline will continue to educate the public about vital transportation safety issues and provide a mechanism by which consumers can report potential safety defects in motor vehicles and motor vehicle equipment. In fiscal year 2003, the Hotline will be upgraded; using advanced features that customers have come to expect from a hotline service.

NHTSA Programs Promote Safety and Security Priorities

Safety

We are conducting research on vehicles equipped with advanced occupant protection systems, child restraints, and vehicle tires; new technologies for field data collection; and modifying the existing electronic data collection system; improving National Automotive Sampling System data variables; and continuing to collect data to determine real world effectiveness of child safety seats in reducing injuries to children in motor vehicle crashes. Additional activities include expanding our compliance test program to incorporate proposed new standards and revisions to existing standards that become effective in fiscal year 2003 and beyond.

Fiscal year 2003 will be the first year of implementation of the Child Restraint Ratings Program and the Dynamic Rollover Rating Program for passenger vehicles. Funding in fiscal year 2003 will be used to conduct tests for these two new programs and to develop and disseminate the ratings information to consumers. Other efforts to improve the safe transportation of children in vehicles will be supported through testing to address issues that arise following publication of the final rule on the upgrade to the child restraint standard, FMVSS No. 213. Following the issuance of final rules for new tire pressure monitoring systems, upgraded tire standards, and improved tire labeling for light vehicles, by fall of 2002, the agency will investigate the safety issues concerning retreaded tires on heavy trucks to reduce crashes involving tire failures in heavy vehicles.

Real world crash statistics indicate that 42 percent of tow away frontal crashes are full frontal, and 56 percent are frontal-offset. Even after all cars and light trucks have frontal air bags, we estimate there still would be 8,000 deaths and 120,000 moderate to critical injuries in frontal crashes each year. This budget supports work that will continue toward the issuance of a rule to address occupant protection in frontal offset crashes. Other important crashworthiness safety standards work will include occupant protection in rear impacts, including improved seat strength; school bus and motor coach occupant protection; and upgraded side impact protection. Support also will be provided for improvements in crash avoidance standards, including upgrades to the braking and mirror standards for heavy trucks, and changes to the light vehicle head lighting standard to address the significant public concerns regarding glare. We will continue to conduct systematic assessments of all of our motor vehicle safety standards to ensure that they adequately address current safety problems and vehicle technology developments.

The Final Rule for frontal crash protection, using advanced air bag technologies, necessitates future air bags to be designed to create less risk of serious air bag-induced injuries than current air bags, and provide improved frontal crash protection for all occupants. NHTSA is conducting cooperative research with industry in the development of further advanced air bag technologies. As part of the research on advanced air bags, NHTSA has completed a series of rigid barrier crash tests with belted 5th and 50th percentile dummies at 35 mph as well as unbelted 50th percentile dummies at 25 mph and 30 mph. The crash test results showed that some of the vehicles are able to meet the injury criteria established in the rule issued in May 2000.

Security

In support of the Department's national security priority, NHTSA's fiscal year 2003 budget includes reviewing and establishing Corporate Average Fuel Economy standards that will contribute towards the more efficient use of fuel necessary for the Nation's transportation needs, as well as decreasing America's dependence on foreign petroleum sources and supply disruptions. Analysis of manufacturers' capability to improve the fuel economy performance of their light duty vehicles; a review of automotive technologies that could achieve higher fuel efficiency; the environmental implications of higher CAFE standards; and the economic practicability of emerging technologies will provide the basis for developing the most cost effective policies to increase fuel economy and to reduce fuel consumption and costs per mile traveled.

In addition, in response to the appalling tragedy of 9/11, our Emergency Medical Services (EMS) program will stress the integration of routine EMS response capacity with terrorism readiness resources. The program will emphasize system upgrades that will serve both routine and emergency incidents and mass casualty needs, such as improving surveillance and data collection and strengthening EMS systems through collaboration with public health officials.

Market Based Programs Fostering Competition

Manufacturers continue to look to NHTSA standards and vehicle safety consumer information as a challenge in creativity to upgrade their products to exceed the Federal standards. These challenges have provided bold and innovative achievements in safer vehicle designs and have helped to stimulate a more competitive market place. In addition to the NCAP frontal and side impact ratings program, and the new Child Restraint and the Dynamic Rollover Ratings programs, this budget also provides for vital work in the areas of safety standards compliance, and of equipment testing, with emphasis on child restraint systems. We are also conducting research in tire debanding and tire strength requirements; possibilities for using advanced state-of-the-art technologies to greatly improve braking in heavy vehicles; upgrading safety standards for frontal crash, side impact, and roof crush protection, fuel system integrity, and vehicle compatibility. NHTSA research provides greater incentives for manufacturers to engage in their own research to improve their products. Our program activities all add to strengthening the American economy and encouraging competition for product safety.

PROGRAM BUDGET DETAILS

Safety Performance Standards Programs

Funding of \$10.4 million is requested to support the Safety Performance Standards programs that include Safety Standards Support, the New Car Assessment Program (NCAP), and the Fuel Economy and Theft programs.

Safety Standards Support

The budget request of \$2 million will support testing and analytical work for issues that arise on the final rule for the child restraint standard upgrade; occupant protection in rear impacts, including seat strength requirements; improving offset frontal crash protection; upgrading safety standards for the next generation of occupant protection systems for school buses; examining standards requirements for potential application to motor coaches; and upgrading side impact safety standards to provide better occupant head protection. Data collection for adapted vehicle safety and for non-crash vehicle related fatalities also would be supported. Crash avoidance rulemaking activities are planned for new requirements for retread tires and tire pressure monitoring systems on commercial vehicles to upgrade the heavy truck braking standard to accommodate electronic control braking systems; to upgrade the heavy truck mirror standard to accommodate cross view mirrors; to upgrade the light vehicle lighting standard to address issues related to night time glare; and upgrade the motorcycle standard to improve motorcycle braking performance. Cost weight and lead time studies for rear impact protection and bus emergency exits and window retention/release rulemakings also will be supported. Consumer information work will consist of developing new campaigns and materials on new and emerging vehicle safety issues, addressing safe towing practices, and continuing and expanding the Tire Safety Information campaign. Work will continue on the technology assessments needed to implement regulatory review for standards that have not had significant updates for many years.

New Car Assessment Program

Funding of \$7.3 million for the New Car Assessment program (NCAP) will support frontal and side impact testing. The testing will represent about 80 percent of

new vehicles when combined with carry-over results from previous years on vehicles whose designs have not changed. The tests will be split almost evenly between frontal and side tests. In fiscal year 2003, tripped rollover resistance using the static stability factor will be measured for approximately 100 vehicles. These tests will provide results for the same percentage of the fleet as for the frontal and side tests. The NCAP program also will support approximately 100 tests to measure braking performance and numerous tests to evaluate headlighting performance for planned NCAP crash avoidance ratings. NCAP funding also supports Consumer Information program activities to develop and deliver NCAP crash test results and safety information through brochures, campaigns, web-site enhancements and marketing initiatives. Increased program funding will allow the agency to meet the requirements of the TREAD Act.

New NCAP information for the Child Restraint Ratings and the Dynamic Rollover Rating programs will be developed and distributed to the public. NCAP funds also will be used to conduct consumer research activities to determine the type of information most helpful to consumers and the best ways to present it; develop information for new campaigns and materials on high interest issues, such as tire safety, braking performance, and other emerging issues; expand the methods for disseminating vehicle safety consumer information to reach more people; and develop diversity initiatives and materials to better reach underserved populations.

Fuel Economy Program

The requested amount for the Corporate Average Fuel Economy (CAFE) program is \$1 million. To allow NHTSA to properly resume its responsibility for evaluating and setting CAFE standards, following the lifting of the prohibition in the fiscal year 2002 DOT Appropriations Act, there are many actions that must be taken in fiscal year 2003. Responses to a Request for Comment published in February 2002 will assist the agency in determining what Model Years 2005–2010 light truck CAFE standards are feasible and provide feedback on the findings and recommendations of the National Academy of Sciences study that was released on January 28, 2002. The agency must publish a final rule by April 1, 2003. Fiscal year 2003 funds will be needed to complete work on several studies, including a manufacturers' capability study, a technology review, an environmental assessment, an economic analysis, and an update and expansion of the CAFE database. These studies are needed in order to ensure that any changes in fuel economy standards or the CAFE program are based on sound science and will improve fuel economy without compromising safety or costing American jobs.

Theft Prevention Program

Funding of \$51 thousand is needed to support data analysis activities. In particular, extensive contract support is required to carry out the analysis of insurer reports required by law. The 49 U.S.C. 33112(h) requires that the insurance information obtained by the Secretary of Transportation from insurance and rental/leasing companies shall be periodically compiled and published in a form that will be helpful to the public, including Federal, State, and local police and Congress. The report focuses on an assessment of information on theft and recovery of motor vehicles (including passenger cars, light trucks, and multi-purpose vehicles), comprehensive insurance coverage, and actions taken by insurers to reduce motor vehicle thefts.

Safety Assurance Programs

The fiscal year 2003 budget requests \$15.8 million for Safety Assurance, which includes the Vehicle Safety Compliance, the Defects Investigation, and the Odometer Fraud programs.

Vehicle Safety Compliance Program

In fiscal year 2003, the agency is requesting \$7.5 million for the Vehicle Safety Compliance program. We will conduct full-scale crash testing of new motor vehicles for verifying compliance with, among other things, the safety standards for frontal occupant crash protection (20 tests); dynamic side impact protection (20 tests); upper interior head protection (15 tests); dynamic rear and side fuel system integrity (20 tests); and side impact pole tests (4 tests) to assess performance of new technology for head protection introduced in new vehicles. NHTSA also will continue its equipment-testing program, with emphasis on child restraint systems. In addition, the agency will expand its compliance test program to incorporate proposed new standards and revisions to existing standards that become effective during fiscal year 2003 and beyond.

Safety Defects Investigation Program

The Safety Defects Investigation Program identifies motor vehicles and items of motor vehicle equipment that contain safety-related defects and ensures that they are either repaired or removed from the Nation's highways. In calendar year 2000, about 14 percent of the recalls for safety-related defects (representing over 54 percent of the vehicles recalled) were influenced by NHTSA investigations. New initiatives under the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act include issuing an "early warning" regulation requiring manufacturers to provide extensive information about possible safety defects. The fiscal year 2003 request for the program is \$8.1 million. In addition to supporting ongoing investigations, these funds will allow NHTSA to finalize acquisition and implementation of a data warehouse for the Office of Defects Investigation (ODI). This data warehouse will accommodate the additional data to be submitted under the TREAD Act and will provide ODI investigators with improved analytical capabilities, allowing the agency to proactively identify potential safety problems in a timely manner. ODI will also continue to address petitions requesting investigations into alleged safety problems; monitor recalls to assure that the scope of the vehicles included and the remedy are adequate; continue its outreach programs; and expand the public's access to ODI files through the Internet.

Odometer Fraud Program

Odometer tampering continues to be a serious crime and a consumer fraud issue. In addition to conducting investigations of large-scale interstate odometer fraud cases for criminal prosecution by the U.S. Department of Justice, the Odometer Fraud staff works very closely with State enforcement agencies, supporting their enforcement programs. The fiscal year 2003 funding request is \$150 thousand. In fiscal year 2003, the agency plans to enter into cooperative agreements with four States to train investigators and support State odometer fraud programs.

Highway Safety Programs

NHTSA requests \$41.2 million for Highway Safety Programs. Funding will continue to deliver an effective behavioral program to reduce traffic deaths and injuries and achieve the agency's goals in reducing impaired driving and increasing occupant protection.

Occupant Protection

The fiscal year 2003 budget proposal of \$11.2 million focuses on three major areas: seat belts, child passenger safety (including booster seats), and air bags, while continuing efforts to reach the national goals of 78 percent seat belt use by 2003 and reducing child passenger fatalities (0-4 years) by 25 percent by 2005. Strategies to reach the goals include expanded partnerships; public education; highly visible enforcement; passage of effective laws; and implementing new technologies. Activities include conducting semi-annual Operation America Buckles Up Children mobilizations; documenting best practices learned from Section 403 demonstration programs and Sections 157 and 405 grant programs; and expanding partnerships with diverse organizations and other high risk and hard to reach populations. NHTSA will also expand its outreach to minority audiences with national media campaigns through the Advertising Council, minority media contractors, and the utilization of credible spokespersons. The Spanish language campaign companion low English proficiency materials will be expanded. Child Passenger Safety technician training will be provided to Spanish speaking organizations, and additional training for Urban African Americans will be conducted. NHTSA plans a community demonstration initiative to increase the seat belt use among sport utility vehicle occupants due to the high rollover rate seen in these vehicles. To improve child passenger safety, the agency will expand and improve a web application designed to provide consumers with information on the selection, use, and installation of child restraints in both English and Spanish; conduct a Child Passenger Safety Week; develop initiatives to increase booster seat use for children between 40 to 80 pounds; and expand the network of public and private sector child safety fitting stations across the country.

In addition, air bag safety activities include educating used car buyers on air bag safety issues; expanding public information and education to promote awareness of existing air bag issues and emerging air bag technologies; and re-educating the public on dangers associated with the interaction between air bags and front seat occupants, including individuals of short stature, pregnant women, infants, and small children.

Impaired Driving Program

NHTSA set a new goal for impaired driving to reduce the rate of alcohol-related highway fatalities per 100 million vehicle miles traveled to 0.53 by 2003. This remains an ambitious goal, since the number of impaired driving fatalities rose in 2000 for the first time since 1995. The NHTSA program, at \$9.6 million, will continue to focus on a four-prong approach: prevention and education; enforcement and adjudication; legislation; and outreach through partnerships. In addition to the current programs, NHTSA will complete highly publicized enforcement demonstrations in five States and promote the best practices that these evaluations produced. We will continue with two additional demonstration States and engage partners in activities to support enforcement and prevention efforts. We will also demonstrate the driver history information records systems data model in several States; continue training for law enforcement, prosecutors, and judges on issues related to detecting and sentencing impaired drivers; support the development of new materials under the You Drink and Drive. You Lose. Campaign; and prioritize and implement recommendations from the Criminal Justice Summit. Physical screening for problem drinkers will be expanded.

Emergency Medical Services

The fiscal year 2003 budget requests \$2.2 million for emergency medical services (EMS) to fulfill NHTSA's leadership and system development roles. The fiscal year 2003 EMS program will stress the integration of routine EMS response capacity with terrorism readiness resources. The program will stress system upgrades that will serve both routine and emergency incidents and mass casualty needs, such as improving surveillance and data collection and strengthening EMS systems through collaboration with public health offices. During fiscal year 2003, the EMS program will maintain focus on the strategic plan laid out in the EMS Agenda for the Future, creating new tools and incentives for mobilizing emergency medical professionals to conduct community injury prevention activities, and developing new methods for assessing the community value of EMS systems. The Education Agenda is a comprehensive plan for building an efficient and effective system for educating new emergency medical technicians.

The terrorist attacks of September 11 highlight the need for better communications systems for emergency medical services. Wireless E9-1-1 systems, in particular, must be improved. NHTSA will disseminate technical assistance to support nationwide implementation of wireless E9-1-1; develop a National Model Scope of Practice for EMS providers; and market EMS programs, including Bystander Care, to State and local affiliates of national organizations.

Drugs, Driving and Youth

The major objective of the Drugs, Driving, and Youth Program is to reduce drug-impaired driving among youth. NHTSA continues to support the recommendations identified in the Initiative on Drugs, Driving and Youth, which addressed strengthening State laws; intensifying State and local enforcement programs; implementing youth-focused education efforts; and providing grants to States to initiate programs and laws focusing on impaired youth driving. In fiscal year 2003, funding in the amount of \$1.2 million is requested. In addition to the current impaired driving programs, NHTSA will expand State enforcement demonstrations in two additional States, Indiana and Michigan. The agency will develop and pilot test new comprehensive strategies, including speeding, zero tolerance, and seat belt violations, for reaching the increasing youth population. NHTSA will continue work with the college community to reduce underage drinking and increase zero tolerance enforcement. In addition, NHTSA will focus on developing additional resources for prosecuting and adjudicating the repeat and high alcohol blood concentration (BAC) offender, including treatment and sanctioning alternatives. Action grants will be awarded to national organizations, advocacy groups, and criminal justice partners to support highly visible enforcement and prevention activities. NHTSA will continue the national impaired driving public education campaign to keep the issue in the forefront of public attention. The agency is continuing to work with States and other partners to implement State alcohol forums to examine State data and develop action plans and coalitions for reducing alcohol-related deaths and injuries.

Pedestrian and Bicycle Safety

The budget requests \$1.3 million to support comprehensive pedestrian, bicycle, and school bus safety programs. The programs focus on developing and implementing strategies to: (1) prevent pedestrian, bicycle, and school bus traffic-related fatalities and injuries from occurring; and (2) prevent and reduce injuries resulting from these incidents. New fiscal year 2003 initiatives include: pilot testing and com-

pleting the school bus driver training program; working with the Head Start program to develop age-appropriate pedestrian safety training programs for children and their care givers; encouraging the adoption of innovative pedestrian enforcement strategies by providing small demonstration grants to communities; and conducting case studies to determine the effectiveness of the Texas mandate for bicycle education in elementary schools.

Motorcycle Safety

The budget requests \$645 thousand to support a comprehensive motorcycle safety program. NHTSA will continue to work with a wide array of partners (e.g., motorcycling organizations, manufacturers, health and medical professionals, and engineers) to support implementation of selected recommendations in the National Agenda for Motorcycle Safety. The agency will continue to support initiatives begun in fiscal year 2002, including identification of best practices in motorcycle training and licensing and identification of potential countermeasures to reverse the increases in fatalities among older motorcyclists. NHTSA will continue to support State efforts to enact motorcycle helmet laws; to respond to repeal efforts by distributing technical assistance materials upon request; to support innovative strategies to prevent impaired motorcycle crashes; and to increase motorist awareness of motorcyclists. Efforts will be made to work with national organizations, especially public health groups, to educate their members about motorcycle safety issues and provide workshops and exhibits at national meetings.

Traffic Law Enforcement

The Traffic Law Enforcement (TLE) request of \$2.1 million supports efforts to increase seat belt use and to reduce impaired driving, speeding, aggressive driving, and other unsafe driving acts and continue its efforts to promote seat belt and child safety seat use as a primary responsibility of our Nation's law enforcement agencies. New initiatives will include the development of model speed enforcement guidelines based on lessons learned from NHTSA and FHWA sponsored speed management demonstration projects; expansion of the community demonstration projects with both the National Organization of Black Law Enforcement Executives (NOBLE) and the Hispanic American Police Command Officers Association to promote traffic safety in diverse communities; expansion of training designed to reemphasize a broad based traffic enforcement program; expansion of training designed to reemphasize a broad based traffic enforcement program; expansion of training for law enforcement, prosecutors, and judges to heighten emphasis on aggressive driving; creation of a model process to help law enforcement agencies improve their traffic safety planning process; sponsorship of a summit to identify the gaps in the criminal justice system and to make recommendations for corrections; and implementation of a traffic enforcement technology project to demonstrate and measure the impact of effective and efficient traditional and automated enforcement technologies. NHTSA will also continue to collaborate with Federal, State, and local partners to address the issue of racial profiling.

Highway Safety Research

The request of \$7.1 million for highway safety behavioral research supports efforts to determine the causes of crashes; identify target populations; measure perceptions and awareness levels; develop and test countermeasures; and evaluate the effectiveness of programs to reduce traffic deaths, injuries, and associated monetary costs. New research and evaluation initiatives in fiscal year 2003 will develop and test strategies to increase correct child restraint seat use; examine various technological approaches to increase seat belt use; analyze belt use patterns from direct recording data; determine the effectiveness of saturation patrols to reduce impaired driving; initiate a study, in cooperation with the European Union, of the incidence of driving under the influence of drugs other than alcohol; evaluate the effectiveness of assessment and rehabilitation programs for older drivers; initiate a field test of a new system to reduce illegal passing of stopped school buses; conduct a national survey of pedestrian and bicyclist behavior; and examine trends in speed related crashes.

Emerging Issues

NHTSA investigates new traffic risks as they emerge, such as driver fatigue, increased use of cellular phones and other electronic devices while driving, and the growing number of older drivers. The fiscal year 2003 request of \$1.2 million funds activities including creating public education and information programs aimed at reducing crashes, injuries, and fatalities resulting from these new safety risks. NHTSA will provide materials to law enforcement officers and the drivers they stop who are drowsy (rather than impaired by drugs or alcohol); broaden the social marketing effort previously targeted to older drivers, their families, and health care pro-

viders to include State driver licensing agencies and the law enforcement community; and use new research findings to further refine public education directed toward users of cellular phones and other telematics and additional distractions to inform drivers about risks to themselves and others.

Traffic Records and Driver Licensing

The budget request includes \$2.5 million for the Traffic Records and Driver Licensing program to support the agency's increased emphasis on the availability and use of traffic records. The fiscal year 2003 program will continue its efforts to improve the timeliness, accuracy, and completeness of State traffic records systems. Driver licensing and education focuses on implementation of Graduated Driver Licensing (GDL) Systems. Funding will support State and local acquisition and analysis of traffic safety data that is necessary to effectively manage traffic safety activities such as alcohol, safety belt, and GDL programs. These programs have been shown to be an effective means to reduce the fatality and injury crash involvement of young novice drivers, with a 9 percent reduction in Florida, a 26 percent reduction in North Carolina, and a 27 percent reduction in Michigan.

National Driver Register (NDR)

The National Driver Register assists State motor vehicle administrators in communicating with other States to identify problem drivers. The total number of inquiries has increased 69.9 percent from 1993 to 2000. More importantly, during the same time period, the number of the more expensive interactive (real time) inquiries has increased 321 percent (8.5 million to 35.8 million). The fiscal year 2003 program is requesting \$1.1 million. NHTSA will continue to strive to meet its customer service goal of: (1) an average response time of four seconds, with all inquiries responded to within seven seconds; and (2) to be available for operation 99 percent of published operational hours. The Motor Carrier Safety Improvement Act of 1999 requires the States to make NDR inquiries for all license issuances. Currently, States are required to make inquiries for all non-minimum age license applicants and encouraged to check renewals. NHTSA estimates that the number of inquiries could increase 20 to 50 percent. This requirement will have a significant impact on operating costs.

Research and Analysis Programs

The fiscal year 2003 Research and Analysis request, in the amount of \$56 million, consists of support for biomechanics, crashworthiness, crash avoidance, driver/vehicle performance, and heavy vehicle research. The funding requested also supports pneumatic tire research required by the TREAD Act. In addition, the request includes the National Center for Statistics and Analysis, which provides vital data on traffic crashes to the agency, the Department, State and local governments, and the private sector.

National Transportation Biomechanics Research Center (NTBRC)

The budget request of \$14 million represents a continuation of the fiscal year 2002 level, which supports the four major efforts pursued by the NTBRC. Biomechanics research is the cornerstone upon which many of the agency's performance-based occupant safety initiatives are and will be based. NHTSA will continue to fund seven Crash Injury Research and Engineering Network (CIREN) centers, as well as a variety of impact injury research, human simulation and analysis, crash test dummy component development, and biomechanics of air bag injuries research efforts. The agency is continuing its research program to understand the special crash protection needs of the elderly.

Crashworthiness Research

The budget requests \$9 million for the crashworthiness research program. This funding will assist the agency in enhancing vehicle occupant protection by providing improvements in vehicle structural and interior compartment design, in combination with improvements in occupant restraint systems. Achieving these improvements requires research in analysis of real world crash experience; development of test procedures that reproduce the crash environment; evaluation of injury likelihood from crash test measurements; development and evaluation of effective vehicle countermeasures; and estimates of potential safety benefits. To the extent possible, the program also fosters, through research, international harmonization of future standards in the areas of pedestrian, frontal offset, side impact, and vehicle compatibility.

The fiscal year 2003 research program will continue research to support upgrading safety standards for frontal crash protection, side impact protection, roof crush protection, ejection prevention, fuel system integrity, and child safety. The activities include the development of test devices and test procedures suitable for compliance

testing. The agency will continue to conduct research to address the issue of vehicle compatibility by analyzing crash data and fleet characteristics to define the safety problem and to develop appropriate test procedures for evaluating aggressiveness of vehicles. The research program also includes development of suitable countermeasures to address safety problems, and evaluation of the effectiveness of countermeasures developed. The side impact research will continue to include full vehicle crash testing to support the short and long-term rulemaking activities; analysis of the current and future U.S. crash environment; and testing of vehicles to assess potential for harmonization and for generating new consumer information. The program will be expanded to include research on advanced restraint systems, such as adaptive air bags and inflatable belt systems; pre-crash radar and other sensing technologies; and automatically adjusting foot pedal controls to suit various size occupants.

Crash Avoidance

Funding of \$6.9 million is requested to support both driver/vehicle performance and driver behavior programs. A primary emphasis of the program continues to include understanding driver workload and reducing driver distraction from in-vehicle devices. NHTSA research will continue its driver distraction program to support four key objectives: (1) understanding the dimensions of the safety problem; (2) measuring the impact of different distractions on the driving task; (3) identifying equipment interface approaches that minimize driver attention demands; and (4) developing effective social behavioral change programs. A major research initiative on adaptive driver interface to minimize distraction potential and driver workload management is planned. Research will focus on quantifying the safety impact of distraction through unobtrusive observations of distracting driver behaviors on the road; assessing voice interfaces as a possible solution when technologies distract drivers from their primary task of driving; and working with industry to develop requirements for integrated driver support systems to automatically prevent drivers from being unsafely distracted. Research will support behavioral change programs by identifying factors affecting drivers' willingness to engage in distracting tasks and by conducting surveys to determine individual differences in how distracting tasks impact driver performance. Some of this research will be conducted using the National Advanced Driving Simulator (NADS); addressing development and evaluation of new Crash Avoidance technologies and driver behavior, performance and other research issues in the future. Among these is the analysis of the complex driver-vehicle-environment interactions that are a contributing cause of more than three-quarters of all vehicle crashes. Furthermore, the development of standardized NADS test procedures and scenarios will ensure comparability of data collection across the range of studies planned and allow the development of a comprehensive driver data resource that can support the development of models to help predict driver behavior and performance under a variety of conditions. Two additional research programs will be initiated. These include the effects of age-related impairments on driver behavior and performance and the effects of drug use (prescription and non-prescription) on driver.

Pneumatic Tire Research

The TREAD Act requires that the agency conduct rulemaking to revise and update the existing tire standards, Federal Motor Vehicle Safety Standards Nos. 109 and 119. The Act also requires NHTSA to complete rulemaking to establish a regulation to require a pressure warning system in new motor vehicles to indicate when a tire is significantly under inflated. In fiscal year 2001, NHTSA initiated a tire pressure survey; an assessment of pressure warning systems in light vehicles; and research into such crash prevention aspects of tire performance as high speed capability, endurance capability, and tire distortion from normal road and maneuvering conditions. This research provided a solid foundation for the required regulatory actions program for upgrading the standard, conducting a tire pressure survey, and conducting research on several types of pressure warning systems. It also provided a basis for additional efforts to improve the safety performance of tires. Research was also initiated to study tire debanding and tire strength requirements. In fiscal year 2003, \$613 thousand is requested to continue pneumatic tire research in these and other areas, such as adhesion performance of internal components of tires, accelerated aging of tires, and testing tires under aged conditions.

Heavy Vehicles

Funding of \$2.2 million is requested for NHTSA's efforts under the Department's initiative to reduce fatalities in heavy vehicle-related crashes by 50 percent by the start of the year 2010. The major focus of NHTSA's heavy truck program will continue to be improving braking performance. Decreases in stopping distances from

highway speeds of up to 30 percent are believed to be possible by using disc brakes, much more powerful front axle brakes, and electronic control of brakes. Development of pre-crash data recorders will help to better define the causes of heavy vehicle crashes. The agency is evaluating the feasibility of using aerodynamics, similar to devices used by NASCAR race cars. We also are investigating adaptive suspension systems, which could be used to counteract incipient rollover; and stability enhancement systems that can be made a part of electronically controlled braking systems. In addition, research on improved side and rearward visibility and the elimination of blind spots will continue, as will research into improved truck occupant protection countermeasures. The agency is researching the possibility of future replacement of mirrors in heavy trucks and buses with video systems. This could result in eliminating blind spots, providing vastly improved vision at night, and reducing the wind resistance of heavy vehicles, resulting in greater fuel economy. Beginning in fiscal year 2003, the agency will initiate a long-term research program to study the human factors associated with these closed circuit video systems.

Intelligent Vehicle Initiative (IVI)

The Intelligent Vehicle Initiative (IVI) is focused on improving safety through the use of advanced intelligent technologies for collision avoidance purposes. The aim of this departmental research program is to develop a better understanding of why crashes occur and to determine how advanced technologies can be utilized to reduce the number of crashes and mitigate injuries when crashes do occur. Design improvements are accomplished by ensuring that the introduction of new in-vehicle systems does not degrade safety and by facilitating the development, deployment, and evaluation of effective driver warning collision avoidance systems. In fiscal year 2003, NHTSA accomplishments will include: (1) completion of the Automotive Collision Avoidance System Field Operational Test; (2) initiation of the data collection phase of the Road Departure Crash Warning System Field Operational Test; (3) completion of the majority of work on the Collision Avoidance Metrics Partnership project to develop fundamental pre-competitive research on crash avoidance technology, human factors, and creation of safety-focused map data bases; (4) initiation of a Field Operational Test of a heavy vehicle, driver drowsiness alerting system; (5) continuation of the development of realizable vehicle-based countermeasures for collisions that occur at intersections; and (6) continuation of efforts to find solutions to the problem of distraction from in-vehicle systems. Funding in the amount of \$22 million is included in the Federal Highway Administration's (FHWA) budget. This amount is for the total IVI research program. A portion of this amount will be allocated to NHTSA for the light vehicle research component of the IVI program.

National Advanced Driving Simulator (NADS)

The National Advanced Driving Simulator installation, testing, and acceptance at the University of Iowa have been completed. NADS became operational in June 2001, thereby completing Phase II of the TRW development contract. No funding is requested for the NADS development in fiscal year 2003. However, funding has been requested under the Crash Avoidance Program for NADS-based research, which includes support for both ITS and human factors safety-related programs. Currently, NADS research is underway to investigate how drivers react to sudden tire failures.

National Center for Statistics and Analysis (NCSA)

The budget request for NCSA is \$22.3 million. Funding provides for collection and analyses of data on traffic crashes and their outcomes. These activities are vital to the traffic safety programs of NHTSA, FHWA, FMCSA, and other Departmental programs, State and local governments, as well as vehicle manufacturers, insurers, and highway safety public interest groups.

NCSA operates the Fatality Analysis Reporting System (FARS). This data collection system provides a census of all fatal highway crashes in the United States. It is an essential data source for its customers (internal agency and departmental modes and offices, other Federal agencies, States, research organizations, and interest groups). These data are analyzed and disseminated for widespread use. Activities will include: collecting and coding the data from all 50 States, Washington, DC, and Puerto Rico; creating the electronic data files, consisting of about 41,500 crashes; and creating and delivering FARS system-wide training to all analysts. New initiatives include geographical coding of all FARS cases to provide locational analyses capabilities; improving customer service through FARS website enhancements; and linking the FARS data base with other national data bases.

Additionally, in-depth information on traffic crashes is obtained through the National Automotive Sampling System's (NASS) Crashworthiness Data System (CDS). A network of over 60 trained automotive crash investigators conduct approximately 4,000 detailed crash investigations in 24 locations throughout the country. Nation-

ally representative data on crashes occurring in the United States is vitally important to the agency and to other users. NASS data are used to assess the tendency and magnitude of the crashes in this country, and the NASS Crashworthiness Data System provides more in-depth and descriptive data of occupants and vehicles in real world crashes. The fiscal year 2003 budget request is \$10.57 million. New initiatives for fiscal year 2003 include improved access of data files for on-line data retrieval and analysis; improved crash severity indicators used on regulatory initiatives; conducting investigations on vehicles equipped with advanced occupant protection system devices, child restraints, and vehicle tires; new technologies for field data collection; improving current NASS data variables; and continuing to collect data to determine real world effectiveness of child safety seats in reducing injuries to children in motor vehicle crashes, in support of the TREAD Act.

The Special Crash Investigation (SCI) program, requesting \$1.7 million for fiscal year 2003, identifies and documents the effects of new technologies in a timely manner so that the impact on motor vehicle crashes can be assessed quickly. SCI investigation is the only method to document the crash circumstances, identify the injury mechanisms, evaluate safety countermeasure effectiveness, and provide an early detection mechanism for alleged or potential vehicle defects. In fiscal year 2003, SCI will investigate over 200 crashes, including those involving advanced air bag systems, side air bags, and children in LATCH safety seats. The latter will allow NHTSA to evaluate the effectiveness of these emerging occupant-protection systems in real-world crashes.

The Data Analysis Program, requesting \$2 million, provides critical analytical support to the various agency program offices to accomplish their missions, such as the development of crashworthiness and crash avoidance rulemaking, identification of target populations, and monitoring and reporting of traffic safety trends. New initiatives for fiscal year 2003 include: reviewing new technology to upgrade, as appropriate, the current customer service response and tracking systems; improving timeliness of responding to customers' requests for the latest traffic safety crash data and information through technological and process improvement activities; reviewing and updating, when appropriate, of existing periodic reports; and conducting analyses and providing reports in support of agency programs.

The State Data Program is also a part of the NCSA. State crash data provide information for analyses and data collection programs that support NHTSA's mission. Program activities assist analysts and States in their efforts to understand how to improve the quality and utility of their crash data files. In fiscal year 2003, the program is requesting \$2.5 million in funding. A major activity will be to support implementation by all States of a uniform guideline for State crash data. NHTSA promotes the linkage and use of linked crash and injury State data through a collaborative funding program for States. When merged, the linked data have extraordinary value for highway safety at the national level. In the process, the linked data will be standardized, and quality measures will be developed. Technical assistance, sponsoring research and meetings, demonstrating linked data base usefulness, and awarding grants to additional States as they qualify with the necessary crash and medical outcome data files will continue to be priority activities.

HIGHWAY TRAFFIC SAFETY GRANTS

Through our performance-based grant program, NHTSA has assisted all States in identifying their unique highway safety issues, developing strategies, and implementing effective programs. NHTSA's State grant programs support key Departmental initiatives, including goals for increasing seat belt use nationwide and reducing alcohol-involved fatalities. Each State has a critical role to play in the broad-based regional and National strategic plans developed to meet the National goals. The requested \$225 million in State grant funds for fiscal year 2003 is critical to meeting the departmental highway safety goals. In view of the high economic toll caused by traffic crashes, over \$150 billion annually, our budget request is a small investment in State highway safety support.

The Section 402 State and Community Formula Grant Program request for fiscal year 2003 is \$165 million. It provides for a coordinated national highway safety program in every State, the District of Columbia, Puerto Rico, the Trust Territories, and the Indian Nations for the purpose of reducing highway crashes, deaths, and injuries. In fiscal year 2003, all States and territories will be continuing the performance-based management process. Section 402 formula grants support programs, developed and managed by the States, to address their highway safety goals, performance measures, and strategic plans.

The fiscal year 2003 Section 402 formula request will support national priority programs, such as encouraging proper use of occupant protection devices; reducing

alcohol and drug-impaired driving; reducing motorcycle crashes; improving police traffic services; improving emergency medical services and trauma care systems; increasing pedestrian and bicyclist safety; improving traffic record systems; and improving roadway safety. In addition, this funding will enable States to continue and expand the Safe Communities initiative, a community-based injury control approach to reducing traffic-related injuries.

Incentive grant programs provide States with extensive flexibility. States have the option to apply for these grants. If a state chooses to pursue a grant, the State may choose which legal and program criteria to implement. NHTSA's incentive grant programs are:

—Section 410 Alcohol-impaired Driving Countermeasures Incentive Grant Program (requesting \$40 million for fiscal year 2003) rewards States that enact stronger laws and start effective programs to stop drunk drivers and States that demonstrate consistently high performance in reducing alcohol-related fatality rates.

—Section 405 Occupant Protection Incentive Grant Program (requesting \$20 million for fiscal year 2003) rewards States that implement strong laws and programs to increase safety belt and child safety seat use.

Formula funds are spread over a wide range of highway safety issues, according to goals and priorities set by the States, and much of the funding is focused on community-level programs. Incentive funds target national priority initiatives that can make the biggest impact on the safety bottom line. Incentive funds are used to encourage States to implement tough laws and programs Statewide. When the States take the hard steps, the reward is extra funding to help support their efforts.

CONCLUSION

Madam Chairman, this concludes my prepared remarks. In closing, I would like to thank you for your continued support of highway safety. I look forward to working with you in developing a strong and productive performance-based, results-oriented, fiscal year 2003 highway safety budget that will provide National leadership through effective and efficient programs. I would be pleased to answer any questions.

Senator MURRAY. The Honorable Marion Blakey, Chairman of the National Transportation Safety Board.

STATEMENT OF HON. MARION C. BLAKEY, CHAIRMAN, NATIONAL TRANSPORTATION SAFETY BOARD

Ms. BLAKEY. Good morning, Madam Chairman, and good morning, Senator Campbell. I am very pleased to be here to represent the National Transportation Safety Board, and I am particularly pleased to be here today in my first appearance before the Committee with a group of people who really are leaders in the field of highway safety. They have made important contributions over the years.

I have had the pleasure of working with Millie Webb for many years, Jeff Runge, Superintendent James McMahon. As I say, this is a group of people who really know the field, and I am delighted you have assembled such a panel today.

I do want to say that the Board has worked in the field of highway safety in a broad range of issues. I have summarized those in my testimony, which I would like to submit for the record. But I would like to just briefly focus today, if I might, on four specific issues that I think are of critical importance and I hope will supplement some of the issues that others here are referring to.

These are the use of booster seats by children between the ages of four and eight; the need for State laws on graduated licensing; the importance of having standard mandatory seat belt laws, primary laws; and finally the issue of drinking and driving. I think these are four areas that the Board has exercised real leadership

on. And I would like to just tell—quickly tell you where we are on this today.

Madam Chairman, the more we learn and understand about highway safety, the more we know that the citizens of ours that are at the most risk, the most vulnerable are our children and young people. They are truly our most vulnerable passengers.

The National Highway Traffic Safety Administration points out that over 90,000 children died in motor vehicle crashes, and over 9 million were injured during the 1990s.

Of the children who died, 8,600 were between the ages of four and eight. In 1999, more than 70 percent of those children between the ages of four and eight were totally unrestrained when they died; and 13 percent were wearing lap and shoulder belts that their parents no doubt put on them thinking they were protecting them and, in fact, they were fatally injured.

I think this is an issue we absolutely must address. The chilling numbers really should call us to action on this. It should be noted that Washington State was the first State in the country to enact booster seat legislation, and that is what I am really talking about today, the need for this.

I applaud the Senate also for passing Senate Bill 980 on Monday, which, in fact, established a comprehensive approach to child passenger safety and child restraints. Too many parents buckle their children into adult restraint systems thinking they are protecting them, and they simply do not.

Booster seats need to be recognized by the public as something that really provides a continuum in the protection of our children. When a child outgrows a child safety seat, they need to be put in a booster seat. And this is unfortunately something that most of our parents, I fear, still do not know.

Without a booster seat, what essentially happens is that a child can slouch, slide forward. They can sustain abdominal injuries because of the ill-fitting belt. Often I think we have all seen children take that shoulder belt, put it behind them, because it cuts into their neck. It is highly uncomfortable. And what then occurs, of course, is we see head injuries. We see fatalities that never should have happened.

Unfortunately, only eight States so far have enacted booster seat legislation. The Safety Board believes that all children of all ages should be properly restrained and covered by our child—by the State's restraint laws.

We also think that NHTSA needs to look at the issue of the booster seat standards. Right now, they have standards up to 50 pounds. They really need to go up to 80 pounds. And we think this is important.

NHTSA also needs to publish a performance standard to prevent the degradation of seat belts when we are using seat belt adjusters for children. And they also need to require the installation of lap/shoulder belts in the center seat position in automobiles. And this, we believe can be done without duplicate testing.

Now, a second area of board concern I would like to touch on is the issue of the disproportionate number of highway crashes that are sustained by teenagers. These are drivers between the ages of 15 and 20, who just recently obtained their license.

It is really a national tragedy. What we see here is that young people ages 15 to 20 comprise less than 7 percent of the driving population; yet they are involved in twice that number of highway fatalities, 14 percent.

Graduated licensing is an appropriate and important step in addressing this problem and reducing these needless injuries and deaths. What we essentially are talking about is giving young people a chance to adjust to the new challenges and responsibilities they have.

Beginning drivers should be introduced, as the term implies, gradually to the responsibilities of driving. And this is something the States are more and more recognizing, but we need to exercise real leadership on this, because it is effective. And if we encourage States, we should have a continuum of responsibilities given to drivers on a graduated basis.

A third issue that affects not just teenagers and children, as I have been talking about so far, but one I would like to touch on, is—because it is so critically important, is the issue of standard enforcement for safety belts. This is something where—we have before talked about it as primary enforcement, et cetera. And I think probably everyone in this room knows what is at issue here.

It means that law enforcement officers need to be able to issue a citation, pull a driver over when a safety belt is not being used by a passenger or by the driver themselves, even if they do not have another reason to stop the vehicle.

It is important because of some of the issues I was just touching on, in particular—and I think we forget this—adults who do not buckle up, they do not buckle up their children either. They do not exercise caution about others in the vehicle.

So this is not just a question of individual driver rights responsibilities. A recent study found that when a driver is wearing a safety belt, 94 percent of the children in those vehicles will be buckled up.

Do you know what the reverse is? They are not buckled up, only 30 percent. So I think we really have to recognize that we are addressing a bigger problem, and we are addressing vulnerable passengers, as well as those who are behind the wheel.

Primary enforcement is one of the best ways to address the broad problem that Dr. Runge was referring to. Just as it is illegal to drive without your headlights on at night, it ought to be illegal to drive without a seat belt on.

The final issue I will touch on—and I will do this briefly because we have got the world's best advocate on this front—is on the dangers of drinking and driving. This has been an issue that I have worked on for many years. I think it is terrifically important in terms of the attention of this committee.

And in particular, I would like to touch on the issue of the hard-core drinking driver, which is an issue that the National Transportation Safety Board has worked long and hard on, in connection with MADD and others. These cause a substantial number of alcohol related fatalities on the highway, these individuals.

According to NHTSA, over a 15-year period, between 1993—1983 and 1999, at least 137,000 people died and almost 100,000 people were injured at the hands of hard-core drinking drivers. These are

the repeat offenders. These are truly the bad actors, people who are driving with a high blood alcohol concentration of usually over .15 percent.

We believe that the Department of Transportation should evaluate changes and modifications to T21, the Transportation Equity Act for the 21st Century, and look at this issue of hard-core drinking drivers with new eyes, so that we can be more effective in addressing the problem with the States and developing a comprehensive system, which we fundamentally believe could turn that situation around.

PREPARED STATEMENT

I will yield the rest of my time on the issue of drinking and driving to others here. But, Madam Chairman, I would be happy to answer questions. Thank you.

Senator MURRAY. Thank you.

[The statement follows:]

PREPARED STATEMENT OF MARION C. BLAKEY

Good morning Madam Chairman and Members of the Committee. It is a pleasure to represent the National Transportation Safety Board (NTSB) before you today on the subject of highway safety.

This is my first appearance before the committee and I welcome the opportunity to talk about the Board's work in highway safety. As you would imagine, sometimes our investigations and research into making our roads safer do not receive the prominent attention that aviation safety receives. And yet, 90 percent of all transportation related fatalities occur on our nations roadways. Therefore, highway safety will always be one of our highest priorities as we fulfill our mission to make recommendations to improve safety, reduce accidents and injuries and, most importantly, save lives.

The more we learn and understand about highway safety, the more it becomes clear that young adults and children are especially at risk each time they travel in a motor vehicle. Simply stated, our children are our "most precious cargo" and also our most vulnerable.

According to the National Highway Traffic Safety Administration's (NHTSA) Fatality Analysis Reporting System (FARS), in the 1990s, over 90,000 children died in motor vehicle crashes, and over 9 million were injured. Of the children who died, 8,600 were between the ages of 4 and 8. That equates to about 16 children between the ages of 4 and 8 being killed each week in motor vehicle crashes. In 1999, more than 70 percent of the children between the ages of 4 and 8 killed in automobile accidents were totally unrestrained, and 13 percent were in lap/shoulder belt restraint systems designed for adults.

These chilling numbers should be a call to action for all of us. At the Safety Board, we have a "Most Wanted" program that highlights safety recommendations the Board believes should be acted on as soon as possible because they have the most potential to reduce accidents and save lives. The list contains several highway issues that focus on our young people. Before discussing on-going concerns, it should be noted that as a result of Board safety recommendations, many improvements in highway transportation for our young people have been made. For instance:

- Airbags are being de-powered in new vehicles and in some instances an airbag on/off switch has been provided to prevent serious injury and death;
- A nation-wide campaign was initiated to educate parents about the importance of putting children in the back seats of vehicles with air bags;
- Child safety seat fitting stations are available nationwide to assist parents and caregivers in properly installing child safety seats; and
- Shoulder belt anchor locations have been lowered in some vehicles to better fit older children who no longer need a child safety or booster seat.

While this is a start, there remains much more to do.

An issue that needs additional attention, and one that is on the Board's "Most Wanted" list, involves the use of booster seats by children between ages 4 and 8. Too many parents buckle their children into adult restraints believing that their child is safe. We know this is not the case. Booster seats need to be recognized by

the public as the next step in child passenger protection after a child outgrows a child restraint system.

Vehicle seat belts, like air bags, were designed to protect adults, not our smallest passengers. According to the Centers for Disease Control Prevention, children who have outgrown their child safety seats should ride in a booster seat that positions the shoulder belt across the chest, and with the lap belt low across the upper thighs. Without a booster seat, a child can slouch and slide forward, causing the vehicle lap belt to ride up on to the child's abdomen, resulting in serious or fatal injuries.

Unfortunately, only eight States—Washington, California, Arkansas, New Jersey, Oregon, Rhode Island, South Carolina and Tennessee—have enacted some form of booster seat law. The Safety Board believes that children of all ages need to be properly restrained and should be covered by the States' child restraint and seatbelt use laws.

With respect to the States and industry's efforts to address child passenger safety, we look to NHTSA to continue to move forward on some of our critical recommendations. I would like to cite these recommendations that will require NHTSA support:

- An increase of booster seat standards from a maximum of 50 pounds to a maximum of 80 pounds. This increase is being considered under an upgrade to Federal Motor Vehicle Safety Standard 213. Until this change occurs, many States have been hesitant to upgrade their child restraint laws.
- NHTSA published a notice of proposed rulemaking in August of 1999 to amend NHTSA's consumer information regulations and requests information on the use of warning labels rather than establishing a minimum performance standard for seat belt positioners. The Safety Board views the changes to the agency's consumer information regulations as an interim approach that would not be an acceptable alternative to the intent of the Board's recommendation that performance standards be established for seat belt adjusters. The Board believes a performance standard is necessary in order to prevent degradation in performance of seat belts when seat belt adjusters are used.
- Finally, NHTSA has issued a final rule enabling all vehicle manufacturers to install and test lap/shoulder belts at the center rear position without the need for duplicate testing. Although NHTSA's study on the effectiveness of lap/shoulder belts in the back seat did not examine the effectiveness of center rear lap/shoulder belts because of the limited number of vehicles equipped with center rear lap/shoulder belts, the Safety Board continues to believe their installation should be required because of the added protection they afford to anyone seated in the center rear position.

Madam Chairman, another area of Board concern is the disproportionate number of highway crashes that involve teenage drivers between the ages of 15 to 20, young people who have only recently obtained their license to drive.

Young drivers age 15 to 20 years comprise about 6.7 percent of the driving population, but are involved in 14 percent of the highway fatalities. Like other States across the country, your State of Washington, Madam Chairman, has seen a disproportionate number of fatal crashes involving drivers between the ages of 15 and 20. They were involved in 25 percent of the highway deaths in 2000 that occurred in Washington. Traffic crashes account for 40 percent of all deaths among 15 to 20 year olds, making traffic crashes the leading cause of death for this age group. Further, population trends indicate that the problem is likely to worsen as the teen population increases.

Graduated licensing, also an issue on the Board's "Most Wanted" list, was first recommended to the States by the Safety Board in 1993, and is an important step that will reduce needless deaths and injuries on our highways and help thousands of young drivers to adjust to their new driving responsibilities. The current system does not teach young people to drive; it teaches them to pass a test. Learning to drive is a long-term process, one that cannot be effectively managed through the traditional driver education program. Once the mechanics are learned, additional training must be "on the job," without necessary distractions, and with the assistance of a more mature and experienced driver. As their skills and maturity develop, new drivers can then proceed to full licensure.

Beginning drivers should be introduced gradually to the driving experience. They should be provided the maximum time to practice, under the safest possible real-world conditions. For our young drivers to have the chance to develop, we need to create a support system that involves parents and guardians.

Graduated licensing is effective, and provides the opportunity to save the needless loss of many of our younger citizens. Currently there are five States without any form of graduated licensing and 14 other States only have partial systems. We need to encourage and support these States in their efforts to strengthen their graduated licensing laws.

An issue that affects not only our young people but all drivers is the need for standard enforcement of mandatory safety belt use laws. Standard enforcement means that law enforcement officers may issue a citation any time they observe an unbelted driver or passenger. The current secondary enforcement law allows an officer to issue a citation only if the officer has stopped the vehicle for some other reason.

Increasing the safety belt use rate is a valuable measure for protecting children and is the most effective way of cutting the highway death toll. Adults who do not buckle up also do not buckle up their children. A study of crash data by Ford Motor Company found that when the driver is wearing a safety belt, 94 percent of the children in the vehicle are buckled. However, when adults are not wearing a safety belt, the portion of children restrained is only 30 percent. A national survey by the National Highway Traffic Safety Administration found similar results.

Seatbelts are an important part of the safety equipment that is in every vehicle on our nation's roads. And I wish to acknowledge your commitment and efforts, Madam Chairman, to increase seat belt usage in your State. At nearly 83 percent seat belt usage, Washington has one of the highest rates in the country. But as you realize, Madam Chairman, we cannot be satisfied until each driver and passenger buckles up. Primary enforcement of seat belt usage is one of the most effective ways to increase seat belt usage in a State. Just as it is illegal to drive without headlights during darkness, so also should the States require that seatbelts be used by all occupants of all motor vehicles.

Another issue that has been of concern to the Board for many years is the dangers of drinking and driving. Although public attitudes toward drinking and driving have changed significantly since the early 1990s, we recently saw a rise in the number of alcohol-involved fatalities. Hard-core drinking drivers, those drivers who repeatedly drink and drive and those who drive with high amounts of alcohol, over 0.15 percent blood alcohol concentration in their systems, cause a substantial number of the alcohol-related fatalities.

According to the National Highway Traffic Safety Administration, from 1983 through 1998, at least 137,338 people died in crashes that involved hard core drinking drivers. NHTSA's data also indicate that 99,812 people were injured in fatal crashes involving hard core drinking drivers during that same period.

In 2000, the Safety Board issued a report regarding actions to reduce fatalities, injuries, and crashes involving the hard core drinking driver. The report outlined a model program that included sobriety checkpoints, administrative revocation of driver's licenses, adoption of an aggravated DWI offense, use of vehicle sanctions, alternatives to jail and use of jail/treatment combinations and recommended that the States establish such a program. The Board also recommended that the Department of Transportation evaluate modifications to the provisions of the Transportation Equity Act for the 21st Century so that it can be more effective in assisting the States to reduce the hard core drinking driver problems.

We believe the adoption of our recommendations will go a long way to reducing the incidence of alcohol-related crashes, injuries, and fatalities caused by hardcore drinking drivers. School bus transportation is the safest means to transport students to and from school. In a special NTSB investigation report on the use of 15-passenger vans for school transportation issued in June 1999, it was determined that State laws regarding student transportation do not provide uniform safety, and we expressed concern at the trend toward using nonconforming vehicles rather than school buses in pupil transportation. A nonconforming bus, such as a 15-passenger van, is a vehicle used for student transportation that meets the Federal definition of a bus but not the Federal occupant crash protection standards of school buses. This type of vehicle is frequently used to transport college sport teams, commuters, and church groups. When States allow children to be transported in vehicles not meeting Federal school bus construction standards, they undermine the Federal Government's intent of protecting school children. This trend is potentially serious because it puts children at greater risk of fatal or serious injury in the event of an accident.

As a result of the Board's special investigation, the NTSB recommended to the States that all vehicles carrying more than 10 passengers and transporting children to and from school and school-related activities meet the school bus structural standards or the equivalent. We are encouraged that many of the States have responded favorably to our recommendation.

In April 2001, NHTSA concluded that 15-passenger vans are more likely to roll over when fully loaded with occupants than when lightly loaded. NHTSA issued an advisory warning to users of 15-passenger vans urging that experienced drivers operate the vans and that occupants use restraint systems to improve occupant protection.

Through on-going investigations, we have also become concerned that large vans have a propensity to roll over. Therefore, the NTSB is, therefore, conducting a safety study to determine other vehicle, driver, or highway characteristics related to large van accidents and the likelihood of rollover.

Madam Chairman, before closing I would like to discuss an issue that is the subject of recent Safety Board recommendations, commercial truck and bus drivers who do not have proper medical certification to operate their vehicles.

Medical certification, which qualifies an individual as being fit to drive a commercial vehicle, became a Federal requirement under the Motor Carrier Act of 1935. The qualifications have been modified and expanded three times since then, with the most recent major modification occurring in 1970.

The Federal Motor Carrier Safety Administration (FMCSA) has medical oversight over approximately 400,000 interstate carriers and 9 million commercial drivers. FMCSA oversight of the biennial medical certification process is accomplished almost exclusively by three full-time individuals. State oversight of the medical certification process for interstate drivers is not mandated by Federal regulations, and the decision to certify a driver as fit to drive typically rests with the individual examiner performing the physical examination on the driver.

On May 9, 1999, in New Orleans, Louisiana, a motorcoach accident killed 22 passengers. Despite suffering from potentially incapacitating medical conditions, the driver involved in the accident was able to obtain a medical certificate by falsifying and omitting crucial health history information from the examination form. The examiner was able to determine that the driver had heart disease, and possibly kidney disease, but she believed that the Federal regulations did not preclude the driver from obtaining a medical certificate.

Serious flaws exist in the medical certification process for commercial drivers. The ease in which the current medical certification procedures can be bypassed virtually assures that some unfit drivers will find their way behind the wheel of a commercial vehicle, endangering themselves and the motoring public. As a result of the Board's investigation of the New Orleans accident, the Safety Board recommended that the FMCSA and the American Association of Motor Vehicle Administrators develop a comprehensive medical certification program for both interstate and intrastate truck drivers. Implementation of these recommendations can help to make our highways safer.

Madam Chairman, that completes my testimony and I will be happy to respond to questions.

Senator MURRAY. Ms. Millie Webb, President of MADD.

STATEMENT OF MILLIE I. WEBB, PRESIDENT, MOTHERS AGAINST DRUNK DRIVING

Mrs. WEBB. Good morning, Madam Chair and Honorable Senator.

MADD is a grassroots, non-profit organization with more than 600 chapters nationwide. Our mission is to stop drunk driving, support the victims of this violent crime, and to prevent underage drinking.

I am honored to be here today to testify in such good company. Dr. Runge and Chairman Blakey and Superintendent McMahon are three of the nation's top safety leaders.

I also want to thank you, Madam Chair, and the members of this subcommittee for your leadership in the passage of a lifesaving national .08 blood alcohol concentration standard. We are looking forward to working with the subcommittee.

But last year, the nation experienced the largest percentage increase in alcohol-related traffic deaths on record. In 2000, an alarming 16,653 people were killed in traffic crashes involving alcohol, representing 40 percent of the 41,821 people killed in all traffic crashes. Each of these deaths, the deaths of our precious loved ones, was 100 percent preventable.

And as a result of this unprecedented increase in alcohol-related traffic fatalities, MADD held an impaired driving summit in Janu-

ary. Many of the country's safety experts came together to discuss what could be done in the short-term and long-term to save lives and prevent injuries.

Formal recommendations from the summit will be released in the spring, but I can tell you that life-saving legislation, aggressive enforcement, effective prosecution and significant funding will be among the top recommendations.

As someone whose life was forever changed because of another's careless decision to get behind the wheel after drinking, I would like to briefly share my story as a way to define the need for appropriate and aggressive funding for traffic safety programs.

On August the 14, 1971, Roy and I were returning home from Nashville in our car with our 19-month-old nephew, Mitch, and our 4-year-old daughter, Lori. At the time I was 7 months pregnant, but suddenly and tragically, our lives were forever changed.

A man with a blood alcohol concentration of .08 rear-ended our car causing it to burst into flames. My family was catapulted into the roadway. Roy with his bare hands extinguished the flames that engulfed Lori and little Mitch and myself.

With a broken neck and burns that covered over 73 percent of my body, doctors and nurses worked very hard to save me and the life of my then-unborn daughter, Kara. Our condition was so precarious that it would be weeks before Roy and I were told that little Mitch died 6 hours after the crash, and that our beautiful daughter Lori suffered for 2 weeks before dying from her burns that covered 75 percent of her body.

Although born prematurely and legally blind as a result of the crash, Kara overcame her limited sight through her determination not to be imprisoned by negativity or darkness. While her sight may be weak, her insight has been great.

NHTSA's traffic safety budget is woefully inadequate. Each year traffic crashes cause the loss of over—over 40,000 lives and hundreds of thousands of serious injuries. The resulting damage to America's economy is over \$150 billion each and every year.

In spite of these appalling human and economic losses, NHTSA's annual budget is only \$400 million. Currently, NHTSA's overall budget does not reflect the importance of a drunk driving problem.

Effective solutions to America's drunk driving problem require effective resources. The fiscal year 2003 requested budget reflects a nearly \$3 million decrease for the impaired driving division from the fiscal year 2002 enacted budget.

Although alcohol is a factor in 40 percent of all traffic deaths, only 26 percent of all funding available to the States through T21 is spent on alcohol driving—alcohol-impaired driving countermeasures. Too often, highway safety funding made available to the States is used for highway construction projects or other projects that do not advance our mutual goals to save lives and prevent injuries.

Most significantly, the purpose of section 402 within T21 is to support State highway safety programs designed to reduce traffic crashes and resulting death and injuries, but only 17 percent of the section 402 funds go to alcohol impaired driving countermeasures.

To combat this public health problem, Mothers Against Drunk Driving calls for the establishment of a dedicated national traffic

safety fund to provide substantially increased resources for priority traffic safety programs.

We know what will work to save lives and prevent injuries on our highways. One of the most effective ways to fight drunk driving is to conduct frequent, highly visible, highly publicized sobriety checkpoints across the country. In Tennessee and New York, these enforcement efforts have significantly reduced drunk driving. Checkpoint Tennessee was a weekly sobriety checkpoint program piloted by NHTSA that resulted in a 20 percent reduction in alcohol-related fatal crashes. MADD would like to request that this Subcommittee dedicate resources to sobriety checkpoint programs.

I want to thank the subcommittee for allocating funds in the fiscal year 2002 budget to conduct paid advertising in conjunction with seat belt enforcement mobilization.

A person's best defense against a drunk driver is his or her seat belt. Additionally, two of every three children killed in alcohol-related traffic crashes died while riding as a passenger in vehicles driven by intoxicated adult drivers. Most of these children were not properly restrained. Clearly, occupant protection plays an important role in the fight against drunk driving.

MADD would like to request that the subcommittee consider allocating money to conduct additional impaired driving enforcement mobilizations. In October 2000, Congress passed .08 BAC as the national standard for impaired driving as part of a transportation appropriations bill, and I want to thank you once more for that action.

Prior to the passage of this law, approximately one State per year was adopting the .08 standard. Since 2001, 10 States have enacted this law. And last week, South Dakota passed a .08 BAC, and this measure is pending in several other States.

MADD will fight any attempt to eliminate or weaken the .08 standard. Nationally, 58 percent of the alcohol-related traffic fatalities in 2000 involved drivers with a BAC of .15 percent and above.

About one-third of all drivers arrested or convicted of driving while intoxicated are repeat offenders. To address high-risk offenders, MADD advocates mandatory sentencing, strict licensing, and vehicle sanctions in efforts to address substance abuse. We will work to incorporate elements from our higher risk driver program into the T21 reauthorization.

In 1998, as part of T21, a new Federal program was established to encourage State adoption of open container laws. Currently 34 States and the District of Columbia have complied with the terms of this law.

However, as written, the law allows for funding to be redirected to either highway safety or hazard elimination. And this ability to direct money into hazard elimination weakens the value of the Federal law. The—this loophole needs to be corrected. Otherwise, many States are simply engaging in a shell game.

In conclusion, I hope my statements today offer some insight into MADD's policy positions and how we can accomplish our mutual goals to save lives and prevent injuries.

With this subcommittee's leadership and the active participation of our Federal, State, local and private sector partners, MADD will

continue our fight to reduce the number of deaths and injuries caused by drunk drivers.

I would like to commend the subcommittee for its continued leadership by scheduling this hearing.

PREPARED STATEMENT

Madam Chair and distinguished members of the subcommittee, I thank you for the opportunity to speak to you today. I would be pleased to take questions now and respond to the answers following the hearing.

Senator MURRAY. Thank you very much, Mrs. Webb.

Mrs. WEBB. Thank you.

[The statement follows:]

PREPARED STATEMENT OF MILLIE I. WEBB

INTRODUCTION

Good morning, Madam Chair and distinguished Members of the Subcommittee. My name is Millie Webb, and I am the National President of Mothers Against Drunk Driving (MADD). MADD is a non-profit grass roots organization with more than 600 chapters nationwide. Our mission is to stop drunk driving, support the victims of this violent crime and prevent underage drinking.

I am honored to be here today testifying in such good company. Dr. Runge, Chairman Blakey, and Superintendent McMahon are among the Nation's top safety leaders but perhaps more importantly, they are three of the Nation's top safety heroes.

I also want to thank you, Madam Chair and the Members of the Subcommittee, for your leadership in the passage of the lifesaving national .08 percent blood alcohol concentration standard. We are looking forward to working with this Subcommittee and with Congress to achieve a fiscal year 2003 transportation appropriation that properly addresses traffic safety and to shape proposals for the reauthorization of the Transportation Equity Act of the 21st Century (TEA-21).

Last year the Nation experienced the largest percentage increase in alcohol-related traffic deaths on record. In 2000, an alarming 16,653 people were killed in traffic crashes involving alcohol, representing 40 percent of the 41,821 people killed in all traffic crashes. Each of these deaths—the deaths of our precious loved ones—was 100 percent preventable.

As a result of this unprecedented increase in alcohol-related traffic fatalities, MADD held an Impaired Driving Summit in January. Many of the country's traffic safety experts came together at the Summit to discuss what could be done in the short-term and long-term to save lives and prevent injuries. Formal recommendations from the Summit will be released in the spring, but I can tell you that life-saving legislation, aggressive enforcement, effective prosecution, and significant funding will be among the top recommendations.

We believe the Summit was an important step forward in the fight against drunk driving. The Nation needs to reenergize and refocus on the fight to stop drunk driving. It's time to get MADD all over again.

The traffic safety field has set the goal of no more than 11,000 alcohol-related traffic deaths by 2005. However, in order to reach the goal, we will need more money to be spent on effective programs and a renewed passion for making progress in this area. We need the public's energy and the political will to shake us out of a deadly plateau and back on the road to progress. Ultimately, one death is too many and MADD would like to reach a goal of zero alcohol-related traffic fatalities.

OVERVIEW

As someone whose life was forever altered because of someone's careless decision to get behind the wheel after drinking, I would like to briefly share my story as a way to define the need for appropriate and aggressive funding for traffic safety programs.

On August 14, 1971, my husband, Roy, and I were returning home from Nashville. In our car were our 19-month-old nephew, Mitchell, and our 4-year-old daughter, Lori. At the time, I was also 7 months pregnant with our second child. Suddenly and tragically our lives were forever changed. A man with a blood alcohol concentration of .08 percent rear-ended our car, causing it to burst into flames. My family

was catapulted onto the roadway. Roy, with his bare hands, extinguished the flames that engulfed myself, Lori, and Mitchell.

With a broken neck and burns that covered 73 percent of my body, doctors and nurses worked to save me and the life of my then unborn daughter, Kara. Our condition was so precarious that it would be weeks before Roy and I were told little Mitchell died 6 hours after the crash and that our beautiful daughter, Lori, had suffered two weeks before dying from burns covering 75 percent of her body.

Despite the loss of my daughter, Lori, and my nephew, Mitchell, my family received a blessing through the birth of my baby Kara. Although born prematurely and legally blind as a result of the crash, Kara has overcome her limited sight through her determination not to be imprisoned by negativity or darkness. While her sight maybe weak, her insight is great.

TRAFFIC SAFETY FUNDING

When our crash occurred, drunk driving laws and public perception were much different than they are today. Since 1982, more than 200,000 lives have been saved through the passage of new laws, strict enforcement and prosecution and increased awareness. But we have not won the war and there is much more work to be done in the fight against drunk driving. Complacency is our biggest enemy.

Madam Chair, as you consider your funding priorities, I would like to provide you and your colleagues with an overview of MADD's transportation appropriation and TEA-21 reauthorization priorities.

NHTSA's traffic safety budget is woefully inadequate. Each year, traffic crashes cause the loss of over 40,000 lives and hundreds of thousands of serious injuries. The resulting damage to America's economy is over \$150 billion each and every year. In spite of these appalling human and economic losses, NHTSA's annual budget is only \$400 million.

Currently, NHTSA's overall budget does not reflect the importance of the drunk driving problem. Effective solutions to America's drunk driving problem require effective resources. The fiscal year 2003 requested budget reflects a nearly \$3 million decrease for the Impaired Driving Division from the fiscal year 2002 enacted budget. With drunk driving deaths on the rise, MADD cannot understand how NHTSA's fiscal year 2003 Impaired Driving Division would be able to reach its goals to reduce drunk driving deaths and injuries with even fewer resources.

Although alcohol is a factor in 40 percent of all traffic deaths, only 26 percent of all funding available to the States through TEA-21 is spent on alcohol-impaired driving countermeasures. Too often highway safety funding made available to the States is used for highway construction projects or other programs that do not advance our mutual goals to save lives and prevent injuries. Most significantly, the purpose of Section 402 within TEA-21 is to support State highway safety programs designed to reduce traffic crashes and resulting death and injuries, but only 17 percent of the Section 402 funds go to alcohol-impaired driving countermeasures.

Drunk driving is a national epidemic that demands significantly more resources than are currently being allocated. To combat this public health problem, Mothers Against Drunk Driving calls for the establishment of a dedicated National Traffic Safety Fund to provide substantially increased resources for priority traffic safety programs. The most effective way to reduce motor vehicle crash fatalities and injuries and the costs with which they are associated is through highway safety programs that focus on the prevention of impaired driving, and increased safety belt and child restraint use.

It has been estimated that for every dollar spent on effective highway safety programs, about \$30 is saved by society in the reduced costs of crashes. MADD recommends earmarked revenues of at least \$1 billion annually for the National Traffic Safety Fund, a sum that is still less than 1 percent of what this public health problem costs Americans each year. It is time to accelerate the Federal government's effort to reduce the devastating and costly consequences of motor vehicle crashes.

The traffic safety and public health community knows what will work to save lives and prevent injuries on our highways. But, we need more funding for programs that have been proven to work. One of the most effective ways to fight drunk driving is to conduct frequent, highly visible, highly publicized sobriety checkpoints across the country. In Tennessee and New York, these enforcement efforts have significantly reduced drunk driving. "Checkpoint Tennessee" was a weekly sobriety checkpoint program piloted by NHTSA that resulted in a 20 percent reduction in alcohol-related fatal crashes extending at least 21 months after the conclusion of the program. The Centers for Disease Control (CDC) recently reviewed six different studies and concluded that sobriety checkpoints were highly effective in reducing alcohol-related traffic fatalities and injuries. However, numerous researchers conclude

that sobriety checkpoints are not being used as widely as needed due in large part to a lack of resources. MADD would like to request that the Subcommittee dedicate resources to sobriety checkpoint programs.

I want to thank the Subcommittee for allocating funds in the fiscal year 2002 budget to conduct paid advertising in conjunction with seat belt enforcement mobilizations. A person's best defense against a drunk driver is his or her seatbelt. Additionally, a recent Centers for Disease Control study found that two of every three children who die in alcohol-related traffic crashes died while riding as passengers in vehicles driven by intoxicated adult drivers. Clearly occupant protection plays an important role in the fight against drunk driving.

MADD would like to request that the Subcommittee consider allocating money to conduct additional enforcement efforts in conjunction with the national "You Drink & Drive. You Lose." impaired driving enforcement mobilizations. Again, highly visible enforcement efforts have proven to save lives and prevent injuries and MADD urges that these types of efforts be given top priority in allocating highway safety funding.

.08 PERCENT BLOOD ALCOHOL CONCENTRATION (BAC)

In October 2000, Congress passed .08 BAC as the national standard for impaired driving as part of the Transportation Appropriations Bill, and I want to thank you once more for that action. States that don't adopt .08 BAC laws by 2004 would have 2 percent of certain highway construction funds withheld, with the penalty increasing to 8 percent by 2007.

Prior to the passage of this law, approximately one State per year was adopting the .08 standard. Since 2001, 10 States have enacted this standard. MADD will fight any attempt to eliminate or weaken the .08 standard.

REPEAT/HIGH RISK OFFENDERS

Nationally, 58 percent of the alcohol-related traffic fatalities in 2000 involved drivers with a BAC of .15 percent and above. About one-third of all drivers arrested or convicted of driving while intoxicated are repeat offenders. Both types of drivers represent a special danger on our roads.

This is why MADD developed the "Higher-Risk Driver Program," aimed at protecting the public from these dangerous drivers while at the same time addressing their alcohol abuse problem. To address high-risk offenders, MADD advocates mandatory sentencing, strict licensing and vehicle sanctions, and efforts to address substance abuse. We will work to incorporate elements from our Higher-Risk Driver Program in to the TEA-21 reauthorization.

States need to focus on comprehensive systems of laws that will address this hard-to-reach population, and all too often this legislation is only enacted on a piecemeal basis. These offenders must receive meaningful license restrictions, effective vehicle sanctions, and adequate treatment for alcohol problems.

MADD will also be working for better data systems. Every State should have an adequate DUI tracking system to record the outcome of each DUI arrest so that it will be possible to identify plea bargains, pretrial diversions, or other operational problems. Such tracking systems would be very helpful in identifying repeat offenders. In too many States, repeat offenders are classified incorrectly as first-time offenders. It is imperative that State data systems are improved and that a better system for States to share this data be put into place.

UNDERAGE DRINKING

Young drivers make up 6.9 percent of the total driving population, but constitute 13 percent of the alcohol-involved drivers in fatal crashes despite the fact that alcohol is an illegal product for those under 21. MADD supports Federal efforts to fund programs that promote greater consistency in the enforcement, prosecution and adjudication of youthful offenders.

Research published in the American Journal of Public Health shows that the earlier a person begins drinking, the more likely they are to suffer from alcohol-related problems later in life including alcohol dependency and drunk driving. Therefore, underage drinking prevention is a key part of preventing future drunk driving tragedies.

OPEN CONTAINER

In 1998, as part of TEA-21, a new Federal program was established to encourage State adoption of open container laws. To avoid the transfer of funds, States must

certify that their open container law complies with certain requirements, that the law is in effect, and that it is being enforced.

Currently, 34 States and the District of Columbia have complied with the terms of this law. However, as written the law allows for funding to be redirected to either highway safety or Hazard Elimination, and this ability to direct money into Hazard Elimination weakens the value of the Federal law.

While the Hazard Elimination program is important, open container is an anti-drunk driving countermeasure, and if States fail to enact the law the redirected money should be spent on highway safety programs that reduce drunk driving deaths and injuries.

Some States have refused to enact open container legislation and have simply transferred funds into their Hazard Elimination programs. This loophole needs to be corrected, otherwise many States are simply engaging in a “shell game.”

CONCLUSION

In conclusion, I hope my statements today offer some insight into MADD’s policy positions and how we can accomplish our mutual goal to save lives and prevent injuries. It is critical that this transportation budget provide adequate and predictable funding for priority traffic safety programs.

With this Subcommittee’s leadership, and the active participation of our Federal, State, local and private sector partners, MADD will continue our fight to reduce the number of deaths and fatalities caused by drunk drivers. I would like to commend the Subcommittee for its continued leadership by scheduling this hearing.

Madam Chair, and distinguished members of the Subcommittee, I thank you for the opportunity to speak to you today. I would be pleased to take questions now, and to respond to written questions following the hearing.

Senator MURRAY. Superintendent James McMahan, New York State Police, General Chair, Division of State and Provincial Police, International Association of Chiefs of Police.

STATEMENT OF SUPERINTENDENT JAMES W. McMAHON, NEW YORK STATE POLICE, GENERAL CHAIR, DIVISION OF STATE AND PROVINCIAL POLICE, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

Mr. McMAHON. Madam Chairwoman, it is a pleasure to be here—and Senator Campbell—representing the New York State Police as a career trooper, and the International Association of Chiefs of Police today in what I think is a very important matter you are discussing.

I have submitted written comments. Many of the comments that I submitted, you summarized in your opening statement.

I am keenly aware of the tragedies of 9/11, having had 500 troopers at the direction of Governor Pataki around the Trade Center working in different areas and which they did for about 5 months down there. Certainly, we saw what the hatred and the murderous acts that people are willing to do has changed our way of life, has certainly changed our focus in law enforcement in many ways.

We now have to balance the potential of that hatred along with our traditional duties of protecting our communities from drugs and violent crime and keeping our highways safer.

Well, we are proud of what we have done in New York State in all those areas and especially in the highway traffic safety area. In the year 2000, our last reportable statistics, we had the lowest fatality rate in New York’s history at 1.15 per 100 million miles driven.

And we had the second lowest percent of alcohol-related fatalities in the United States only exceeded by the State of Utah. We are very proud of that also.

Having said that, there were still 1,444 people killed. You mentioned the over 40,000 in the United States. As a career trooper for 35 years, I can tell you that many of those, if not the majority, are needless and preventable.

We look at it from three factors, two causatives as the leading cause. One is alcohol, which everybody has talked about, impairment, today. You mentioned it. I concur with you. There is an apathy setting in, an apathy in the media in getting our message out, an apathy in the public. We had some great advances. Those are stalled right now.

The area of teenage, underage drinking is a serious problem nationwide and in New York. When you look at the Califano report yesterday, it certainly emphasizes what is going on with our young people there. We do not really have the answer for that at this point.

The second causative factor is speed. We are losing that battle, and have been losing that battle. I think there is something in the Constitution that says it is an inalienable right for Americans to speed. Nobody is addressing that sufficiently. We need research. We see a speed creep that has continued. It is going up.

Our tickets from our troopers are going up about one mile an hour a year. On the interstates the fatality rates maybe are not showing that as much on interstates, but I think we need research to show what the fatality rates are in our rural two-lane highways, because people continue to increase over the 55 mile-an-hour speed limit when they go on the rural roads, like they do on the interstates. And those roads are not built for that.

The third area is the number one preventive area, which we have heard today and that has to do with seat belts. There is no easier way, no matter what the causative factor is, to prevent a fatal accident.

While we continually talk about fatalities, we do not talk about those debilitating injuries enough: People confined to wheelchairs for the rest of their lives; people confined to hospitals with head injuries for the rest of their lives. The majority of those are because they did not buckle up, or they did not have their child in a seat belt.

So that is an area, I think, that needs tremendous focus. We have had great luck with that in New York State and we have had it because of good laws. We have had it from teamwork, and I am joined by colleagues here that have been part of that team. And we have had it because of enhanced Federal funding in the area.

I would like to quickly walk through our program and demonstrate the results, because I think it can be used successfully in many other areas. We had the first primary seat belt law in the country. It was enacted in 1984, passed in 1985.

At that time, there was 12 percent compliance in seat belt use. The first year of that law, primary law, we went up to 50 percent, which is like any law, most Americans are law-abiding.

From 1986 through the early 1990s, we went up to about 70 percent. And at that point, pretty much nationally and in New York State, the emphasis was on education and awareness, as people were becoming aware of seat belts and car seats at that time, not as much on enforcement.

Through the mid-1990s, we became stagnant, pegged at around between 70 and 74 percent in the compliance rate. I was noting accidents, especially accidents with kids, rollover collisions, where people would be ejected and killed when we knew it did not have to happen if they had a seat belt on.

So we started to look at what we could do. We met with Chuck Hurley and Janet Dewey, our partners, and Morrie Hannigan at National Safety Council and our partners at NHTSA. We saw several areas in the country where strict enforcement had worked; zero tolerance, strict enforcement. And we went about creating a program in New York State with partners involved in it from both law enforcement and otherwise to try to make a difference.

We started our Buckle Up New York program. We set a goal. We moved from 74 to 85 percent compliance by the end of the year 2000.

We asked our partners at NHTSA if they could tell us how many lives they thought we could save. They said 148. They also said it would be \$400 million saved in insurance costs and medical benefit—medical costs, if we did that.

We looked at the cultural sensitivity factor at the same time. We had Meharry Medical College study which you mentioned today, the over-representation of African-Americans, Native-Americans. The Meharry College medical study said exactly what you were saying.

We looked at a study in Erie County, New York at the Erie County Medical Center that replicated what the Meharry Medical College study said of the over-representation of young African-Americans in unbelted accidents.

And with that and the financial assistance, and the assistance of the National Highway Traffic Safety Administration, we conducted a diversity forum, before we kicked our campaign off in Albany, New York. And we brought representatives in from throughout New York State, Urban League, NAACP, ACLU, different other minority groups to our academy, faith-based groups.

We showed them the Meharry study, indicated what we wanted to do, showed them the over representation of their youngsters being killed in these accidents, and got tremendous support from them in the campaign.

As we opened the campaign in May of 1999, we indicated we were going to have three 10-day waves, zero tolerance waves, but we knew if we were going to make a mark, we had to have the support of local law enforcement. In New York State, we are 5.9 percent of the police staffing levels. We do 41 percent of all tickets, enforcement. We do 23 percent of all DWI. And we were doing over 40 percent of all seat belt enforcement at that time.

If we were going to make our mark, we had to get the help of local law enforcement. In many instances, they do not consider traffic safety a primary function. To do that, we needed Federal funding sources, which was provided by NHTSA through our governor's rep, with innovative grant process that we encouraged local law enforcement to get participation, and ended up with over 400 agencies participating in our waves.

Over seven waves now, starting in May of 1999, we wrote over 300,000 tickets—unfortunately, 9,600 of them for car seats. In to-

day's times, we think that is unbelievable. But our compliance rate went from 74 percent to 88 percent.

Two thousand's figures showed that there were 141 fewer deaths in New York State, so we almost made the 148. And you can figure how much money was saved then. We could not have done that without the Federal assistance and funding levels we had, without our partners in doing it.

The last area we have heard about is child's seats. Again, from a cultural sensitivity standpoint, I have no trouble giving anyone a ticket that does not put their child in a seat. I do, if they do not have the economic wherewithal to get a child seat. So part of our program has been outreach to the minority communities especially, or the poor communities in New York State, and having car seat clinics in those locations.

And if they do not have the financial resources for a car seat, we are providing it and, again, that is from Federal funding through the Governor's Traffic Safety Committee in New York State.

So I think that strategy that saved 141 lives in 18 months can be applied to the alcohol-related area. It could be applied to any of the areas. And if it was done, good laws, primary laws, teamwork, Federal funding, working closely together, we could have an impact if we attack those causative factors of alcohol, speed and the preventative factor of seat belts.

PREPARED STATEMENT

Madam Chairwoman, it is a pleasure for me to be before your committee today.

Senator MURRAY. Thank you very much.
[The statement follows:]

PREPARED STATEMENT OF JAMES W. McMAHON

Good morning Senator Murray. I am James W. McMahon, Superintendent of the New York State Police. I would like to thank you and the entire Subcommittee on Transportation for the opportunity to discuss with you a topic which I consider of the utmost importance in my capacity as both the Superintendent of the New York State Police, and as General Chair of the State and Provincial Division of the International Association of Chiefs of Police. Issues of highway safety have profound impacts on communities in New York State and across this country. Our roads tie those communities together, move our commerce and thereby unite us. Unfortunately, our roads and highways also kill more than 40,000 mothers, fathers and children each year, and the majority of those deaths are needless and preventable.

Highway safety was one of the founding missions of the New York State Police in 1917, and the importance of that mission has never been greater. The New York State Police is not a highway patrol, as such. It is a full service police agency, providing general enforcement and police services to all of New York's rural communities, as well as support services to the State's urban police forces, including a criminal detective force of 980 members. But there is no mission more important, even today, than the safety of our roads and highways, because there is no issue which impacts the lives of the average citizen more often and more dramatically.

We are proud of our highway safety record in New York State. The year 2000 (the last year for which complete statistics are available) was our safest in history, dating back to the early 1920s. Our highway fatality rate of 1.15 deaths per 100 million vehicle miles of travel, was among the lowest nationally, and the percentage of those deaths which were alcohol related was second lowest in the nation. Having said that up front, I can attest to you that those life-saving records could not have been achieved without strict and targeted enforcement, which was enhanced by federal funding to the States through the National Highway Traffic Safety Administration (NHTSA). The same is true of other States with low fatality rates.

New York's highway safety enforcement strategy is data driven and results oriented. We apply significant resources to target three main areas: excessive speed,

impaired driving and failure to wear safety restraints. As I'm sure is the case in other States, these persistent threats are responsible for the majority of highway tragedies. The first two, alcohol or drug impairment and speeding, are causative factors. The third, the use of safety restraints, is the number one factor in preventing deaths or serious injuries, regardless of causation.

Let me begin by talking about the last factor first, because it is the easiest way to improve safety, and it affects the human outcome in all crashes. To do so, I will provide some history and detail of our successful Buckle Up New York Campaign, and the impact this program has had on the safety of all New Yorkers.

New York State was the first State in the nation to enact a mandatory safety belt law in 1984. The law became effective January 1, 1985. It was a primary law from the start, enabling police to stop violators solely for not wearing a safety belt. Prior to the law taking effect, only 12 percent of motorists wore seat belts, and in 1984, 1,012 unrestrained occupants were killed on New York's highways. The year the mandatory seat belt law took effect, seat belt use jumped to 50 percent and the number unrestrained deaths dropped to 644. New York's mandatory seat belt law saved 368 lives that year alone.

Over the next 5 years, compliance with the new law rose steadily to about 70 percent. As with the rest of the nation, these increases in seat belt use were largely the result of programs at the federal and State levels, which placed their main emphasis on education and awareness. But these campaigns reached a level of diminishing returns in New York State by the mid-1990s, and the steady increases in belt use stagnated at 70–75 percent between 1994–1998. At the same time, we in the State Police began to notice a recurrence of crashes where lives were needlessly lost because the occupants were unrestrained, and we began discussions about how to increase the use of safety restraints.

Shortly thereafter, I had discussions with NHTSA administrators and Mr. Chuck Hurley and Ms. Janet Dewey of the National Safety Council's Air Bag and Seat Belt Safety Campaign, about developing a strategy to get the remaining 25 percent of New York motorists buckled up. We studied strategies employed elsewhere in this country and abroad, and determined that the only strategies which were effective anywhere in the world, were those which employed a zero-tolerance enforcement approach. We researched the New York State crash data by location, age and gender to learn about specific target groups. Lastly, we researched the field of occupant safety regarding these target groups, including a landmark literature review by the Meharry Medical College, which identified a significantly at-risk population of young African-American males. Subsequently, we established a goal of 85 percent safety belt use by the end of the year 2000, and developed a strategy of highly visible zero-tolerance enforcement. We presented the plan to NHTSA and asked their experts to estimate the safety impacts of increasing belt use from 74 percent to 85 percent in 18 months. NHTSA estimated that if successful, 148 lives and \$400 million in insurance and medical costs could be saved. With this objective in mind, the Buckle Up New York Campaign was instituted in May 1999.

We in the State Police knew from the start that we could not achieve this objective alone. As is similar in other States, New York State Troopers accounted for 47 percent of all occupant restraint enforcement, 55 percent of all speed enforcement, 23 percent of all impaired driving enforcement and 41 percent of total traffic enforcement in the State, yet comprise just 5.9 percent of police manpower. Despite this enforcement presence, an even more extensive law enforcement commitment would be necessary to change public behavior. The participation and cooperation of local and county law enforcement would be critical.

In some cases, local law enforcement agencies did not, consider traffic enforcement a primary mission. In order to involve them, we needed a complete package. We had an attainable goal. We developed a workable strategy, which involved 3 annual enforcement waves, which supplement year-round enforcement efforts. These waves would be 10 days long and preceded by 10 days of heightened media. But we knew the local agencies would not, and in most cases, could not participate without additional funding for the additional enforcement. For this we needed the assistance of NHTSA, through the offices of our Governor's Traffic Safety Committee.

When Governor George E. Pataki, nominated me as Superintendent of State Police, he provided me a mandate to continue to improve the safety of New York's highways and communities by working in cooperation with local authorities. That is a mandate I take very seriously. But while the governor had made great investments in improving the capability of the New York State Police to safeguard the highways, including 100 additional troopers, new electronic breath test instruments and state-of-the-art speed enforcement instruments, I knew that in this case fulfillment of that mandate meant improving the capability of other agencies. Only by en-

suring funding for the county and local agencies, could we improve the safety of our roads and highways statewide.

NHTSA and the Governor's Traffic Safety Committee responded in dramatic fashion, providing funding to any agency willing to join the enforcement effort. A streamlined funding application procedure was implemented through a State Police law enforcement liaison assigned for this purpose. Letters were sent to each police chief and sheriff, and each was visited personally to enlist his or her support. In addition, an extensive child passenger safety program was implemented in partnership with other State agencies, local law enforcement and other safety practitioners, to improve the safety of our smallest and most vulnerable vehicle occupants. With the support of available federal funding, a comprehensive Buckle Up New York Campaign began to take shape.

In order to build greater support in minority communities, we partnered with NHTSA to host a diversity forum at the New York State Police Academy. In attendance were representatives from the NAACP, ACLU, Local Urban Leagues, educators, and leaders of faith-based communities, some of whom could not have attended without the financial assistance provided by NHTSA. Attendees were informed of the findings of our research and asked to be part of the solution. The result was great community support for our enforcement efforts and relationships which continue to this day.

The second phase of this outreach involved improving the capability of the economically disadvantaged to safeguard their children. While I consider failure to protect child passengers gross neglect and strict enforcement child seat laws is warranted, it is also necessary to ensure that those without the financial means to protect their children, are provided with the means to do so. Once again, we turned to our partners at the Governor's Traffic Safety Committee and NHTSA for federal funding, and today a statewide mechanism is in place to ensure that no care-giver will be denied access to child restraints due to their economic status. This has significantly improved our relationships in minority communities.

Since may 1999, seven Buckle up New York enforcement waves have been conducted, resulting in the issuance of more than 300,000 tickets for failure to wear restraints. More than 9,600 of those tickets were for child restraint violations. The statewide average safety restraint use rate has been measured as high as 88.3 percent, a significant increase from the 74 percent recorded prior to the first wave. Most importantly, 141 lives were saved between 1999 and 2000, nearly reaching NHTSAs estimate of 148.

Throughout the campaign, the involvement of local and county level enforcement grew, which contributed significantly to the outcome. During the first wave, local and county enforcement accounted for about a third of the enforcement effort, but by the end of the seventh wave, accounted for 42 percent. More than any other component, this involvement was critical to the successful and life-saving outcome of the program, and could this not have occurred without significant federal funding.

Please allow me to summarize the main points of our recent experience in increasing safety restraint use in New York State, because I believe the effective strategies used in the Buckle Up New York Campaign, with the support of critical and targeted funding provided by NHTSA, can be replicated in States nationwide.

First, proper use of seat belts and child restraints is the most effective way to prevent needless deaths and debilitating injuries, regardless of the actual cause of any motor vehicle crash. These tragedies exact a great cost and result in widespread suffering in American society, and buckling up is the easiest means of prevention.

Second, enforcement works. When applied across the board by State, county and local agencies, the potential of receiving a ticket for not wearing a seatbelt is the impetus required to achieve rates of seat belt use in excess of 80 percent.

And third, the additional enforcement required to significantly raise seat belt use and thereby save lives and prevent injuries, cannot be accomplished without federal funding. This is especially true in light of recent demands for enhanced security efforts, and their fiscal implications on State and local budgets. Without the federal assistance, lives will continue to be needlessly lost on our highways.

While we have not yet solved the problem of unrestrained occupants in New York State, I believe we have found the formula to address it. We witnessed nearly a 10 percent reduction in fatalities in New York State since implementing Buckle Up New York. It is a model which we adopted from others, and it can work elsewhere in America as well.

In the time remaining, let me turn to the other two highway safety concerns, impaired driving and excessive speed.

There has been great progress made in reducing the incidence of impaired driving in the U.S. in recent years, but I fear that apathy is setting in, and today we are at risk of relinquishing some of the gains made. In highway safety, apathy equals

lives lost. The downward trend in impaired driving deaths has leveled off, and more attention and innovation may be necessary to prevent greater loss of life.

Impaired driving is a continual concern in New York State, particularly where our youngest drivers are concerned. Drivers under age 21 make up just 5 percent of the licensed drivers, but are involved in 14 percent of fatal crashes in New York. Compounding the problems, recent census data indicate that the number of licensed drivers under age 21 in New York State will grow by 25 percent in the next decade. Therefore, if nothing is done, more young lives will be lost.

We are attempting to apply the strategies employed in the Buckle Up New York Campaign to impaired driving and underage drinking. We are developing joint enforcement operations with county and local enforcement agencies and the State Liquor Authority to improve enforcement of underage consumption and sale of alcoholic beverages. In addition, we have the benefit of a State mechanism to fund local impaired driving countermeasures. A State law titled Special Traffic Options Program for Driving While Intoxicated (Stop-DWI), returns fines imposed on impaired driving violators to county level administrators to fund additional enforcement efforts. This law, enacted in 1982, is one of the main factors contributing to New York's success in combating impaired driving. As in the effort to improve safety restraint use, coordinated statewide efforts offer the greatest promise to preventing impaired driving, and continued funding will be necessary to support those efforts.

In the last area, speed enforcement, I dare to say that law enforcement is currently losing the battle. Non-compliance with speed limits is widespread in New York State and nationwide. Like no other law, many behave as though it is their inalienable right to speed, and unfortunately for too many, the results are tragic. In New York State, 24 percent of fatalities in 2000 were attributable to excessive speed. Addressing the issue will take a large scale programming and additional resources to provide new technologies and the staffing necessary to implement them.

In closing, I would like to say what I have said to many recruit troopers at the State Police Academy. It is hard to prevent a murder which occurs behind closed doors, but it is relatively easy to prevent a murder on the highway by stopping a drunk or speeding driver. So too, it is relatively easy to prevent the needless death of an occupant who does not buckle up or of a child who's safety is unconscionably neglected by being left unrestrained. And although we may not remember the faces of the people we save, we certainly do remember the faces of those we fail to save. Both are equally real, and it is incumbent upon us to prevent the latter.

Senator Murray, that concludes my testimony. Again, I want to thank you and the entire committee for this great opportunity to express my views on highway safety. I would be happy to answer any questions you or the subcommittee may have.

TOTALS - WAVES I - VII COMBINED

Number of checkpoints conducted: 4,618

<u>Agency</u>	<u>Seat Belts</u>	<u>Child Restraints</u>	<u>Total</u>	
State Police	102,474	2,010	104,484	(32.4%)
NYPD	80,355	2,917	83,272	(25.8%)
Police & Sheriff	<u>130,477</u>	<u>4,728</u>	<u>135,205</u>	(41.9%)
Total	313,306	9,655	322,961	

Statewide compliance rate:

Pre-enforcement waves	74.6%	Post-enforcement waves	88.3%
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FIRST WAVE RESULTS - MAY 22 - 31, 1999

Number of participating agencies: 330

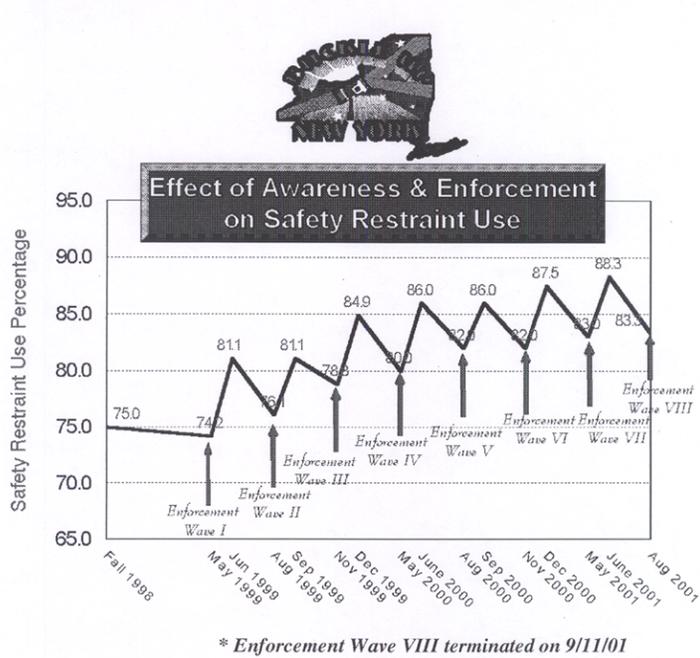
Number of checkpoints conducted: 566

State Police checkpoints: 119

<u>Agency</u>	<u>Seat Belts</u>	<u>Child Restraints</u>	<u>Total</u>	
State Police	12,083	308	12,391	(27.5%)
NYPD	17,035	636	17,671	(39.2%)
Police & Sheriff	<u>14,504</u>	<u>518</u>	<u>15,022</u>	(33.3%)
Total	43,622	1,462	45,084	

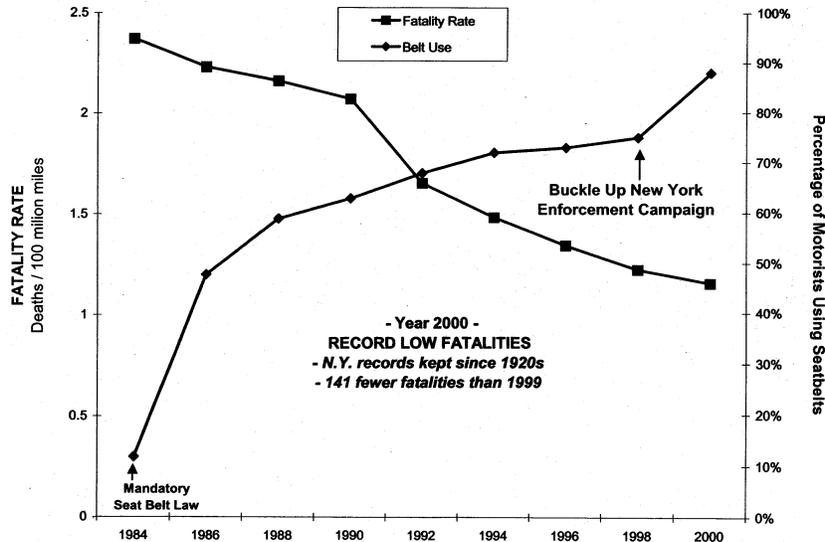
Statewide compliance rate:

Pre-enforcement wave	74%	Post-enforcement wave	81%
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This graph illustrates the effect of the Buckle Up New York Campaign enforcement waves on seat belt use. Seat belt use surveys are conducted before and after each wave of highly visible enforcement. More than 100 surveys are conducted, and at least one is conducted in each county.

NEW YORK STATE
A History of
Safety Restraint Use & Highway Safety



Senator MURRAY. We do have a vote on. We have 7 minutes left in that vote. I am going to ask one quick question and then let Senator Campbell, and we will recess and come back.

REDUCED CORE PROGRAM REQUEST

Dr. Runge, the Administration sent up a budget request that cuts the overall funding for NHTSA's core highway safety programs by 26 percent. We know that 90 percent of all transportation related fatalities occur on our nation's highways, and that motor vehicle crashes are the leading cause of death for ages four to thirty-three.

We also know that cancer is another leading cause of death and the National Cancer Institute's budget received an increase of 22 percent.

Can you explain to us why the Administration, it seems, thinks that highway safety is such a lower priority for this Administration?

Dr. RUNGE. Thank you, Madam Chairman.

I will hope you understand that coming into a department that has faced extraordinary challenges in the last 4 or 5 months has dramatically changed the landscape. We do not have authority over cancer funding or cancer resource deployment, but we do have authority and the responsibility over transportation.

I do believe that the priorities have shifted all over this country and maybe most poignantly within the Department of Transportation. As you yourself said, security somehow has taken on new

meaning. We used to say "safety and security." I think everybody now understands that security has some very unique needs.

You will not find a fiercer advocate for highway safety than I, as I enter future budget processes. I have a very close-to-the-ground view of the highway safety problem.

I do not have a view from the mountaintop, or even much less from the satellite, about the priorities of the Administration, given the limited resources. I would only ask you to please understand the primary predicament that the DOT finds itself in in this particular year with respect to the need to take a stand. DOT is an agency which needs tens of thousands of new employees and frankly, I wonder where all the resources, not just monetary, but all the human resources are going to come from.

So I am sympathetic to the challenges that we face in the Department, and thereby in the entire budget process this year. I fully support the President's budget, and we will try our best to work smarter and more efficiently to do the best we can with the resources that we have.

Senator MURRAY. I would like to explore that a little bit more.

We do have a vote on. I am going to recess temporarily, and come right back, and we will continue this conversation.

Senator MURRAY. This committee will reconvene.

And I will turn the time over to Senator Campbell for questions.

TRUCK AND MOTORCYCLE SAFETY

Senator CAMPBELL. Oh, thanks, Madam Chairwoman.

I have got notes all over the place, so I am going to have to skip around a little bit here, but I wanted to just focus on a couple of things that I know a little bit about, not much, but a little.

One is trucks and one is motorcycles. I was particularly interested in reading the statement by Jeffrey. And I commend NHTSA for all the work they have done in trying to reduce highway fatalities and highway accidents in general.

I note with interest that your statistics say that there seems to be a decrease in automobile deaths and accidents, but increased with motorcycles; so let me start there. I think that one of the problems I have with a lot of just raw numbers is they do not talk about the causal effects about who or why or the circumstances.

And I note that it does not say in your report, Jeff, but I saw in some other reports that the accidents with motorcycles have gone up about 4 percent this year. But it did not say that the numbers of riders have gone up by 10 percent for the last 3 years in a row, roughly 30 percent more now than were riding a few years ago.

And I will tell you I am out there sometimes, so let me tell you who they are. An awful lot of them are 45-to 60-year-old white collar workers earning about \$65,000. That is the demographics from some of the manufacturers. And a lot of them are too macho to take lessons.

And they are guys who Mom told when they were 16, "You cannot have one." Well, Mom is gone. And now they have plenty of money, and they have not been on anything with two wheels since they were 16, and it was a bicycle. And I think that is one of the real problems of why the accidents and deaths are going up if they

are not car/motorcycle related because, as I understand it, if they are car/motorcycle related, about two-thirds of the causes are by the car—the automobile, not the motorcycle.

And, you know, most States have mandatory training. If you want to get a license in high school, you have to take a driving training class. And I certainly support that, but they do not have that with motorcycles.

So too many times, I think, people learn just by hook or crook or by somebody or something. There is no real system by which they learn a safe method of riding.

We do have rider training, but it is strictly voluntary. They do not have to take that. And I am thinking that we ought to be doing more along that line.

The other thing too is that I think the manufacturers are trying to make some more efficient and better safety mechanisms. I remember a few years ago, I read a lawsuit filed against one manufacturer in which a man lost his leg in an accident, and he won that lawsuit, by the way.

But motorcycles do not have the same kind of cruise controls cars do, as you probably know. Most of them are set by a thumb screw, or they are set some way, but you override them by hand. But if you are too damn dumb, and you set it so tight you cannot override it by hand, then you are going to have a wreck. Simple as that.

And that guy did. He set the thing so tight, he came to a corner, and he could not slow down. He went off the road, and he lost his leg. He is lucky he did not lose his head. But somewhere along the line, he should have had some training.

I do not know whose responsibility that is, but it seems to me that that is one of the things that we need to focus on. The other thing, too, is this whole issue of helmets and I support the use of helmets with the youngsters and certainly beginners. I do not use them myself, never got used to the things, unless by law, I have to.

But you probably know that no manufacturer, at least not to my knowledge—I have not seen one manufacturer that will guarantee them over 15 miles an hour. So what the heck good does it do?

I got in a wreck some years ago and I hit some gravel and when I went to the hospital—I broke my arm. And the doctor asked me if I was wearing a helmet. And I said, “On my arm?” I mean, you know, there is a lot of different kinds of ways of getting hurt on those things.

But I used to fly too, and sometimes I think that there are two people that are suicidal: Those who fly when they are drinking, and those who ride motorcycles when they are drinking.

Maybe when you drive a car, it is considered bad judgment. But when you are riding a bike, it is stupid and crazy to do that. Somewhere along the line, more of that has to be done in training and I just want to encourage NHTSA to do more of that.

And certainly from my standpoint on the committee—I will not be quite as hard on President Bush as the Chairwoman was. But I agree with her that we do not have enough money in this budget, for safety training. And I would just want to tell you that I am going to do everything I can to try and make sure it is increased.

Let me just ask—I will not ask anything about motorcycles. Really, I just wanted to point that out.

But I am also interested since last year, as you remember, we got in a terrific fight and the Chairwoman and Senator Shelby and I and several others really opposed the section of NAFTA that would allow Mexican trucks to come north into the U.S.

Well, they are coming, as you probably know. That has been settled. And they are coming. And there has been some safety restrictions put on how they operate and so on.

But my question is: Is NHTSA anticipating that influx of Mexican trucks? And if they are, what are you doing to network with other agencies? Because a lot of the things that we saw in testimony and comments when we were dealing with this last year was that there is very poor training on the part of the drivers from Mexico; sometimes a lot of mechanical errors. They do not keep their log books. All that stuff, that will not be under NHTSA's jurisdiction, but it seems to me there has got to be some kind of interaction.

Dr. RUNGE. Thank you for your question, Senator Campbell. I can tell you that this issue is extremely important to the Department. Deputy Secretary Michael Jackson has taken a very personal interest in this, and has devoted a lot of time to coordinating the agencies responsible for the different pieces of this puzzle.

Our responsibility has to do with the Federal Motor Vehicle Safety Standards. I can assure you that it is our position that the trucks that come into this country need to be as safe as the trucks that are already here in this country, and that we will ensure that they do meet Federal Motor Vehicle Safety Standards.

Our piece of those rule makings has been completed, and the Department will coordinate their release with those of the Federal Motor Carrier Safety Administration.

SHARE THE ROAD

Senator CAMPBELL. All right. Speaking of safety, in the 2002, Transportation Appropriations Bill, we had some language included that provided additional funding for what was called "no zone, share the road." It was an educational program that it dealt with truck driver fatigue and also it was to try to educate people of the dangers of getting too close when they turn, things of that nature. Do you know the status of that funding request?

Dr. RUNGE. Actually, Senator, that is under the authority of the Federal Motor Carrier Safety Administration

Senator CAMPBELL. Okay.

Dr. RUNGE [continuing]. It is not ours, although we do have a great interest in that as well. I have seen the trucks, and they look good.

Senator CAMPBELL. Yes. Well, okay. Maybe I should address some of these questions to the Federal Motor Carriers Safety Administration rather than NHTSA, but I thought you might have some comments about it. Thank you, sir.

Madam Chairman.

IMPAIRED DRIVING PROGRAM

Senator MURRAY. Thank you, Senator Campbell. We will have a hearing on the Mexican truck issue late spring/early summer as well.

Dr. Runge, alcohol-related fatalities were steadily declining from over 17,000 deaths in 1995 to just under 16,000 in 1999. But in 2000, we saw an increase in the number of fatalities. There were 677 more alcohol-related fatalities than in 1999.

The alcohol-related fatality rate in my own home State of Washington is 10 percent higher than the national average, and I find that really unacceptable. But I also find it unacceptable to cut NHTSA's core impaired driving program by 22 percent below last year.

Can you explain to this committee why you decided to cut the funding for your impaired driver program at a time when alcohol-related fatalities are increasing?

Dr. RUNGE. Yes, ma'am. Thank you for the chance to speak about that.

As I think you know already, I am committed to this issue. The Department—NHTSA was asked to submit a level budget request. Our base level lacked the \$2 million that that your Committee gave us for repeat offender programs. So, from base level, it actually, does not represent a decrease. It is flat funding. Is that sufficient to—

Senator MURRAY. My reading of the budget is that the impaired driving program is cut by 22 percent.

Dr. RUNGE. Right. We submitted a flat fiscal year 2003 request over our request from fiscal year 2002. What was actually enacted for fiscal year 2002 was higher.

Senator MURRAY. So you did not look at what the Committee did.

Dr. RUNGE. Yes, ma'am. Actually, as I understand it—and I just came in August, the 2002 budget came rather late in the 2003 cycle. As I understand it, the fiscal year 2003 machine started running before the Committee's fiscal year 2002 enactment actually occurred.

Senator MURRAY. So if this Committee were to increase funding for that this year, you would go back to where you were 2 years ago and go flat again for a year from now?

Dr. RUNGE. Well, let me say that we would use that very efficiently, I promise you. However, I think you said it earlier, if the resources can be found. I believe that we have a budget that reflects our priorities. I can promise you, also, that the money that we have this year will be spent very efficiently. We will use the crosshairs rather than the wide choke on the shotgun.

SEAT BELT USE IN ALCOHOL-RELATED CRASHES

Senator MURRAY. Can you share with this Committee what NHTSA's research shows about the use of seat belts for individuals involved in alcohol-related crashes?

Dr. RUNGE. I am not sure exactly what you mean. I can tell you they work as well as they do for sober people.

Senator MURRAY. Marion Blakey, do you know?

Ms. BLAKEY. I do not know. If I am understanding, the question is if we are talking about people who are impaired, their percentage of seat belt use—

Senator MURRAY. Right.

Ms. BLAKEY. I do not know those figures. Now, we can certainly get them, I believe, for you.

Millie, can you address that?

Senator MURRAY. My understanding is that people who are alcohol impaired are much less likely to use their seat belts.

Dr. RUNGE. Oh, that is correct.

Ms. BLAKEY. That is true. I just do not know what percentages it is.

Dr. RUNGE. I am sorry. I did not know that that was what you were asking. Yes.

Senator MURRAY. Yes. Okay.

Millie, maybe you can help us here. Why do you think there is a spike in fatalities in 2000?

Mrs. WEBB. Well, I think America has, you know, really become complacent. And when I—especially this morning when I heard your remarks, I think we need to have some real education when it comes, you know, perhaps maybe to the Administration.

I deal on a regular basis with friends and loved ones who are battling cancer. But as a victim advocate, and I—you know, I heard you mention the figures, figures of 20 percent increase, yet a—but not that kind of increase for highway safety. And, you know, we have seen 7,000 people die by drunk drivers just since September the 11.

But, you know, as a victim advocate, many years I have worked with victims and, you know, what we have got to make Americans realize is that if they are on the roadway, they are a potential victim. And you can—you know, you can have the research all day about cancer but, you know, I have worked with victims whose loved ones survived cancer only to be killed by drunk drivers. I have been in States where someone who just received a liver transplant is killed by a drunk driver.

You know, we have got to make Americans realize that that is the number one killer that is out there. If you are on our roadways, you are a potential victim. It seems like we still have a lot of education that needs to be done.

Senator MURRAY. Where would you direct the impaired driving funds, if you could?

Mrs. WEBB. Well, I would begin with the sobriety checkpoints. We have seen in States how efficient and how it has worked in my home State of Tennessee. And in Tennessee we saw a 20 percent reduction.

And the thing about that is sometimes we are not successful in some of these States in getting some of the key legislation that we know will save lives like .08 and administrative license revocation. But in my home State of Tennessee, we saw a 20 percent reduction out there each and every week.

People knew that there was that chance that they might be arrested. That is the deterrent factor. And we saw months after that that they would still have the deterrent factor, because they still thought they were going on.

So it is effective. We know it is. This enforcement is so effective. I think that would be the perfect way to start.

Senator MURRAY. Did you have a comment you wanted to add?

Mr. MCMAHON. I agree fully. And when you talk about sobriety checkpoints, whether it is local or State agencies, with all of the other functions they have, that has to bring a certain number of enforcement officers together, and it is usually in addition to their patrol duties. And that is where funding levels are needed to do that. But they have, not only the psychological impact, but the enforcement impact.

On the other hand, enforcement is the key in there, and it cannot just be at sobriety checkpoints. And unfortunately in many areas in the country, the sobriety checkpoints are the only time the enforcement is happening.

So you need to have that 7 by 24, because there are people being killed by drunk drivers in between those enforcement areas. And that is critical. And I am seeing that in many other specialty areas that it is only happening—and that is where leadership comes in, more than money.

Senator MURRAY. All right. Go ahead.

Mrs. WEBB. Another thing that we need to think about, you know, we hear so much about homeland security. The sobriety checkpoints is where Timothy McVeigh was apprehended. And so, we need to think about it in that respect too, not just to deter drunk drivers, but to help us with our homeland security.

UNSPENT ALCOHOL PROGRAM FUNDS

Senator MURRAY. Thank you.

Dr. Runge, let me go back to you for another question. NHTSA also administers grant programs to the States for various alcohol-impaired driving countermeasures, and according to your staff, at the end of 2001, there was more than \$75 million for alcohol programs that remained unspent by the States from previous years. How do you explain that enormous unspent balance?

Dr. RUNGE. Well, as you know, Senator, we have Regional Administrators who are in ten regions in the country. They work very closely with the States, with the governors' representatives for highway safety. Our role is to give them best practices that have been developed through our traffic safety program office and to help deploy them.

We have no control. Congress gave the States the authority to spend what they wanted, when they wanted, and that seems to be what they do.

Sometimes they get their funds late in the year so there is money remaining at the end of the fiscal year.

Sometimes they save money for larger projects and, frankly, sometimes they do not tell us. They have to tell us how much money they have, but not necessarily what their plans are. So there are legitimate reasons for that.

Frankly, there are some States that we would prefer would implement our best practices as soon as they get the money, rather than wait. In some cases, there are contractor problems.

But it is really up to the States how and when to spend those funds. They are—

Senator MURRAY. What is your office doing to make sure these dollars actually get used for alcohol countermeasures?

Dr. RUNGE. We are in the position to give them information and to cajole them and to advise them. We cannot make them. We have had discussions over the last few weeks about a solution for that, which I would be happy to discuss with you.

Senator MURRAY. Okay.

Dr. RUNGE. It is going to have to wait for reauthorization. I really do not want to get into the specifics right now until we flesh it out a little bit better, but I would be happy to discuss that with you when—

Senator MURRAY. As a way to help move the States to—

Dr. RUNGE. Yes, ma'am.

Senator MURRAY. Yes, I would be very interested in hearing that.

Mrs. Webb, you mentioned in your testimony that only 17 percent of the funds, and it says "Section 402 State and Community Programs," are being used for alcohol-impaired driving countermeasures. And you said that overall only 26 percent of all the safety grant and incentive funding is going for alcohol-related countermeasures.

From MADD's perspectives, where are the States prioritizing these funds?

Mrs. WEBB. Well, it varies from State to State. What we are seeing is that some States use their funds for good programs, while other States do not. We have seen in many States—we have been very disappointed that we have not seen the use of open container laws enacted, or those kind of programs enacted. And a lot of that funding has been used for road construction, highway construction.

Senator MURRAY. Should NHTSA take a stronger hand in making sure that that is enforced?

Mrs. WEBB. Well, I think what anything that we can all do, anything that we can do as a partnership to stop the drunk driving deaths and injuries on our roadways will be effective.

Senator MURRAY. Okay. Let me talk about the repeat offenders, because about a third of all the drivers arrested or convicted were repeat offenders. These individuals are over-represented in fatal crashes and less likely to be influenced by education and by legal sanctions.

TEA-21 requires States to enact repeat offender laws or face reduction of highway funds from highway construction to safety or hazard elimination programs. To date, just over half the States have enacted repeat offender laws.

Ms. Blakey, the NTSB put out a report a few years ago on the issue of hardcore drunk drivers and recommended that NHTSA consider changes to TEA-21 to better assist the States in addressing the hardcore drunk driver program.

What does NTSB recommend for getting repeat offenders off the road?

Ms. BLAKEY. Well, essentially, NTSB believes that a system is needed. It is a combination of things that need to be put in place.

Number one, the States need to put a priority on the high BAC and repeat offenders in terms of the way they are treated in the law itself. And this is not just in terms of convictions. It also ought to be an administrative action as well, recognizing those individ-

uals, screening for them and then assessing whether there is a real alcohol problem there that requires treatment. And in those cases, there should be mandatory treatment. The States should step up to the plate on that.

We also think there should be vehicle sanctions. We—alcohol interlock works. Interlock devices on automobiles work. And we have seen over time that the States where they use them, it is an essential part of dealing with these very difficult drivers.

Also there are other things such as confiscation of the vehicle, confiscation of plates. And for the very hardcore offender, we also think it is important to have home confinement. Our jails are full. There are problems in terms of imprisonment.

But if you look at the issue of home confinement, we now have the technology. It really can make that a very effective way of monitoring the behavior, ensuring treatment while the person is under confinement and really sometimes turning those lives around.

Senator MURRAY. What has been the biggest impediment to getting States to implement these kinds of sanctions?

Ms. BLAKEY. I think one of the biggest problems honestly is that there is a patchwork of laws out there. States over time have really tried, but they have not recognized the repeat offender and the hardcore driver as a very separate problem and one that has to be looked at comprehensively. So you have got this patchwork, and sometimes the laws work well together, and sometimes they do not.

We also know that administrative sanctions, not just relying on the judicial system, but looking at it through the Department of Motor Vehicles and looking at what can be done immediately to confiscate licenses and put these people on a track that really focuses on their problem.

The States need to do that. And I think they are coming to recognize that addressing this particular part of the drinking driver problem, they can do better and comprehensively.

And we have seen some States who are doing a very good job. I think Michigan is one of them. Well, I could go through several.

Senator MURRAY. Mrs. Webb, your organization has focused a lot on this. What can you tell us what you think the biggest stumbling block in getting States to enact repeat offender laws is?

Mrs. WEBB. Yes, ma'am. You know, in order to effectively address repeat offenders, States need to have comprehensive laws and they need to make sure that those laws include license restrictions and ignition interlock and other vehicle sanctions—you know, confinement and alcohol assessment and treatment as well.

All too often, we see legislators that think that that is too harsh but, you know, consequently what we see is enacted in many States are a watered-down, piecemeal form that, do not, completely address the problem. They are ineffective. So we need more political will in the States and/or tougher laws at the Federal level.

ORIGIN OF IMPAIRED DRIVING PROBLEM

Senator MURRAY. We we have funded the National Driver Register Program for years and we still are hearing about terrible, terrible tragedies caused by repeat offenders.

I would just like to ask the entire panel: Where does the problem lie? Is it the States, the National Driver Register, or with the judicial system?

Dr. RUNGE. I would love to begin—

Senator MURRAY. Fine.

Dr. RUNGE [continuing]. To address that, Senator. You very excellently characterized the problem. Chairman Blakey mentioned a patchwork of laws. As Senator Campbell said earlier, in many circumstances, impaired driving of a motorcycle may be viewed as suicidal, whereas driving a vehicle while impaired is viewed as poor judgment.

In fact, it is homicidal. We have regarded this problem with a wink and a nod in this country for as long as I can remember, with the exception of a few people in the law enforcement community and the advocate community and a few public policy leaders who stuck their necks out to say "Enough is enough."

NHTSA has developed best practices through the innovative alcohol programs and so forth, and yet we sit back and watch the States failing to enact what we know to be best practices. There are problems in some States with checkpoints that are Constitutional in nature. But the fact is that checkpoints work. I think our estimate is a 23 percent effectiveness, and that is double-digit effectiveness for something that is very simple.

Superintendent McMahon understands this. New York's impaired driving programs are self-funding. There is an incentive to enforce the impaired driving laws.

Charlotte, North Carolina, runs a DWI court where every repeat offender goes into a court—just like a drug court, with a judge and social workers who follow them along, get them into treatment and supervise them, just as if they were on probation.

There are multiple best practices out there, if we could just get the political will in this country to do something about it.

NATIONAL LEADERSHIP NEED

Senator MURRAY. Political will at the States level?

Dr. RUNGE. Well, it takes leadership, I think, at the national level. You know, the good news is that we live in a federation. The bad news is we live in a federation.

I think when you drive your kids to Disney World, you should be as safe going through South Carolina and Georgia as you are in North Carolina and Virginia. This is a national issue. This is not an issue for the States to decide whether or not they are going to aggressively prosecute and enforce drunk driving laws.

It is going to require national leadership and a national change in the way we think about this particular problem.

Senator MURRAY. Does anybody else want to add to that?

Mr. McMAHON. I agree with Dr. Runge. It needs a national change in how we look at impaired driving, whether it is the initial, whether it is the underage, or whether it is the repeat offender who is definitely in no question, the leading problem in that.

As I said earlier, there is an apathy setting in, whether it is with legislators—I mean, all you have got to do is look at the advertising that is going on. And is there any wonder that kids are drinking what they are, that they are drinking?

When it comes to the repeat offender and tough sanctions, there are legislators who feel that you are impacting on a family, and they weaken down the laws. There is courts that feel there is an overload, so they plea bargain down.

And I often look at it if—and I agree with it, if you are a police officer and you are involved in a domestic violence incident, your gun is gone and your job is gone. But if you have got three and four DWI convictions and they have been reduced down or something, and then we hear this, “Well, you know, his family is going to be impacted,” and it gets reduced down.

I mean, I do not understand, you know, the “Go after the law enforcement’s job,” which I agree, but to let this person continue to drive, continue to—potentially, there will be an accident that is eventually going to kill someone.

And when that happens, and when we cannot get those kinds of laws through and throughout the State, because I talk to my counterparts—how do we as leaders then tell our troopers or patrolmen, “This is important. Get that person off the road. Be out there looking for them?” And then it goes in and gets reduced down. Nothing happens. The person is back driving again.

And part of the issue on the repeat offender, where there needs to be some kind of standard from State to State is those that are driving while they are revoked for alcohol offenses, that should be equally as serious. Cars should be seized. Plates should be seized at the scene. But that should be considered equally as serious as those that are—the repeat offender that is driving with a license again on that in the alcohol related areas. And that is not being addressed.

Ms. BLAKEY. I would mention one other problem in this, and that is that we are seeing an increase in refusing to take blood alcohol tests. So that—we have test refusals out there where people know that they will actually have a lower sanction by simply not taking the test than being convicted on an alcohol-related offense. We think that needs to be addressed as well.

So you have issues before the judiciary. You have issues before the State legislatures. And certainly you all will have an opportunity too with the next version of TEA-21—Next-T, whatever we are terming it—I think to really set some leadership there in terms of the hard-core drunk driver with some of these best practices that Jeff and others have talked about that really do work.

Senator MURRAY. Thank you very much.

Senator Campbell, do—

Dr. RUNGE. Senator, can I add one thing?

REPEAT OFFENDER FUNDS

Senator MURRAY. Yes, absolutely.

Dr. RUNGE. You touched earlier on the repeat offender money that the Committee wanted us to spend this year in 2002. Our earmark this year focuses on educating judges and prosecutors and trying to let them know what is available, interlocks, DWI courts, and so forth.

As Superintendent McMahon mentioned, this is a critical piece of the system, that we think has been neglected, and we appreciate the opportunity to do that.

Senator MURRAY. Okay. Thank you.

Senator CAMPBELL. Thank you, Madam Chairman.

My father was an alcoholic. And, boy, I am going to tell you: All I remember from when I was a kid was how alcoholism can just literally destroy a family. And so I do not drink except an occasional beer on the 4th of July. I do not need it.

But I used to be a police officer years ago, and I guess because of my own background and the experience I had in law enforcement, I am convinced that alcoholism is a sickness that you just cannot cure by tougher penalties. It does not work. It did not work for my dad. And it does not work for anybody else either.

And the trouble with just simply increasing penalties is that you backlog the courts; you need more manpower; you overcrowd the jails. You do all these things that you have got to be prepared to pay for and probably does not cure it anyway, because when the guy comes out of all that, he will go back to drinking unless he has had some treatment.

So it just seems to me that we ought to be focusing more of our resources on treatment and recovery programs too. I do not know if you were watching television last night Madam Chairperson, but there was a part on CBS, Dan Rather, and I think it was on all channels last night, a recent study about teenage drinking in the United States. It said one-fourth of all liquor in the United States now is being consumed by teenagers, one-fourth by teenagers.

And I would assume that those teenagers also are having higher incidences of accidents, if they are doing that much drinking. It also said that the teenagers—in the survey of these teenagers, they said they get involved in binge drinking at least once a month. Tougher penalties are not going to fix that. Something has to kick in about education for those young kids too.

I am on the Treasury Appropriations Subcommittee, and we put an awful lot of money into drug abuse programs, into a national television campaign. We put over half a billion dollars, in fact, the last 4 years on trying to get youngsters to leave drugs alone. And I think that we probably ought to be doing something in the same way along the lines of alcohol too, trying to do some kind of a massive program to convince kids that they do not need it.

But I guess the question I wanted to ask is in two parts. One, what responsibility do you believe the industry has in this? Maybe, Mrs. Webb, maybe you would like to participate in that.

You know, for instance, in our State, one of the largest beer breweries in the country is Coors Beer. I think they have a very responsible program. They encourage not driving if you are drinking. They encourage moderate use and careful use of drinking beer, which is not nearly as bad as some of the hard liquors.

But what should industry be doing and what should we do if we have to get involved in trying to make industry do something?

Mrs. WEBB. Well, what we need to see is responsibility. And certainly there are—I have seen a few of Coors' ads and they are certainly responsible, but you have to look at the other side of the scale for those that are not, those that depict frogs and cartoons and, you know, we hear—we see a lot more of those.

The entire industry does. And the broadcast networks need to be responsible. We need to see the same kind of high standard set for

not just wine and liquor, but—hard liquor, but for the beer industry as well. We need to make you know, our children are being bombarded on a daily basis.

But, you know, what you mentioned about young people and alcoholism and their drinking, you know, MADD realizes that, our young people—you know, you are so right when you said that our young people are drinking at an earlier age, and so we have now tried to educate young people.

And we now have a new program, “Protecting You and Protecting Me,” which educates our young people beginning in grades one through five about the real damage that drinking can do to the brain. And it encourages them to let that brain be the best that it can be and let them then grow to the potential in which they deserve to be.

It also talks—you know, we have mentioned today about the fact that two-thirds of the young people that are killed are killed by someone that is—an adult that has been entrusted to their care. And this tells them, what to do—you know, buckle up—be safe.

We have got to start at a young age, and that—I think that will help you with that question when you ask about “How are we going to deter young people?”

Senator CAMPBELL. Yes. That study, by the way, also mentioned that the effects of alcohol on youngsters is worse than adults, that it actually destroys part of the brain in youngsters that it does not with adults.

Mrs. WEBB. That is exactly what this “Protecting You, Protecting Me” educational curriculum is based on, the fact that the brain is hurt.

Senator CAMPBELL. Yes. And maybe one final question, too, of Mrs. Webb: There are gizmos now, and I do not know what they are called. But you cannot start your car.

Senator MURRAY. Interlocks.

Ms. BLAKEY. Interlocks.

Senator CAMPBELL. What are they called? You have to breathe into—I do not know—some kind of a thing where you cannot start it if there is alcohol on your breath. And I do not know how that works. It is some system. But would you recommend that manufacturers have those required on the cars by law?

Mrs. WEBB. Well, we would like to submit to you our high-risk driver program, which includes—a part of that program is ignition interlock.

But also you mentioned earlier about your father being an alcoholic. You know, we, too, know that we cannot just have punishment. We know that there has to be mental health care and assessment, not just go in and go out, but regular, you know, monthly assessment by caretakers, you know.

No one is happier than Mothers Against Drunk Driving when those people turn their lives around. And I think if you will study our high BAC and repeat offender program, which has had the support of the NTSB and NHTSA, I think you will be very happy about it. And maybe it would have prevented some of the tragedy that your life has held.

Senator CAMPBELL. Yes.

Thank you, Madam Chairperson.

SEAT BELT GOAL REVISION

Senator MURRAY. Thank you. Let me talk about some of the safety goals for 2003 for a minute.

Dr. Runge, as I said in my opening statement, you lowered your seat belt goals from 87 percent in 2002 to 78 percent in 2003. And your 2003 budget proposes to cut core occupant protection programs and Click It or Ticket program by a total of 51 percent.

How do we justify lowering the goal and cutting the budget when over 40,000 people die on the highways every year, and seat belt use is the number one preventative measure that we have?

Dr. RUNGE. Thank you for the chance to clarify that. My goal for seat belt use is 100 percent. It is 100 percent. There should be no one riding around in this country without wearing a seat belt or buckled into a child safety restraint.

What we have done is to try to create some targets that we can actually measure for accountability for ourselves and for our partners in the States, so that we actually look at a realistic number of what we might expect to meet or exceed by the end of fiscal year 2003.

The number of 78 percent was arrived at through two methodologies, and they have both zeroed in on exactly the same number. It has to do with the conversion of non-users.

If we convert eight and a half percent of non-users throughout the States, we will arrive at a nationwide number of 78 percent. This is not backing away from a goal.

My goal is 100 percent seat belt use in this country. We have 90 percent child restraint use for children under two now. That is great. We know that it can be done.

Senator MURRAY. I am confused, because I thought the Administration set goals beginning last year and that by 2005, they had a goal of 90 percent.

Dr. RUNGE. That was actually set in 1995 in the previous Administration.

Senator MURRAY. Okay.

Dr. RUNGE. And if you would look at the trend over time, it is a goal that is not going to be met.

Senator MURRAY. So we just lower our expectation?

Dr. RUNGE. You can say that, but what it really does is introduce some accountability. If we say 90 percent by 2005, we do not have a hope of meeting that goal, so why try?

Let us put into effect a target that we can actually use for accountability. It is based on good data and good science, which with all due respect to those who were there making those goals in 1995.

NEED FOR NEAR-TERM TARGETS

Senator MURRAY. Well, actually, I have to tell you, Secretary Mineta was here a year ago in front of my Committee and said that it was his goal.

Dr. RUNGE. Right. It has been Secretary Mineta's goal. We looked at it this year and came up with the sound methodology for—for having some near-term targets, not for 2005, but for 2003, of 78 percent.

Senator MURRAY. But the goal for 2003 was 87 percent, correct? And we have now lowered it to 78.

Dr. RUNGE. Right. We are at 73 percent now.

Senator MURRAY. So are we just saying we just cannot reach it, so we lower the goal?

Dr. RUNGE. Well, seventeen States have enacted primary seat belt laws. If you look at States across the country with secondary seat belt laws, there is no hope of getting to 85 percent across all those States.

Our data shows that they will generally cap at about 75 percent. So the emphasis has got to be, over the long haul, of getting States to pass primary seat belt laws and getting police officers to enforce those laws.

Senator MURRAY. Now, I—

Dr. RUNGE. That is the only way we are going to get there.

Senator MURRAY. I believe in realistic goals. But I also believe when you lower your goals like that, you send a very bad message about where priorities are and what your expectations are for people.

Dr. RUNGE. That is why I am clarifying that. The goal is 100 percent. The target that we are trying to reach by the end of 2003 is 78 percent, which is a generous increase over the 73 percent we have now. And, in fact, we are talking about a range of 2,000 lives saved if we can get to that point, not to mention mitigating scores and scores of injuries.

CLICK IT OR TICKET PROGRAM

Senator MURRAY. Let me ask you about a particular program, the Click It or Ticket program. We provided \$11 million for that last year and we know that seat belt use jumped by 9 percent during the 2001 demonstration in the Southeast.

Your budget eliminates that funding. Why, when we know that that works? That would help us reach the goal that we have out there.

Dr. RUNGE. There is no question that high visibility enforcement increases seat belt use. I will be coming back to you through the normal processes once we have shown that this methodology works.

I very much appreciate the cooperation of you and your staff in working with us closely on this program. We have 12 States that are geographically and ethno-graphically diverse, but we are going to put the cross-hairs on the more difficult to convert people and recruit not just the State law enforcement, but the local guys, the sheriffs. The local guys have to be the ones to get the job done.

This is a ground war with air support. And the monies you provide will allow that air support to occur through paid media.

Once we have that methodology established, the high visibility enforcement messages can sell not only in the Southeast, but across the country. We will be taking aim at that program in a nationwide campaign.

Senator MURRAY. Superintendent McMahon, New York has one of the programs where we are doing this. Can you talk a little bit about it?

Mr. McMAHON. Yes. And I mentioned it. Let me, if I could, Madam Chairwoman, speak to what you asked Dr. Runge there. I

was not familiar with the reduction, but I agree with attainable goals. That is what ours was.

With the New York program, we had made it to 74 percent. And we were stagnant because you have now reached who you are going to reach with awareness and with education.

From 74 percent on, it is enforcement. You are at the hard core. I have submitted a chart with my testimony, which shows as comprehensive as our effort was, from 74 percent on, each tenth wave of zero tolerance enforcement, we would go up two to four percentage points in compliance.

Between those waves, even with continued enforcement, if it was not there, we would drop down and maybe have a net gain of between one and 2 percent. So from 74 percent on, you are going to get—you know, it is going to be gradual. If you have got a good enforcement program that involves all law enforcement, but it is going to be a gradual, you are not going to see 10 percent jumps. You are not going to see 5 percent jumps at one time.

That is with a primary State. Yet there is only 17 States with primary laws. And you are not going to have strict enforcement with secondary laws.

And the statistics are, I think, it is 15 percent higher compliance rates in the primary States than the secondary States. So I think that is much more obtainable, because if you set goals that are not realistic, and then you do not meet them, how do you go back to law enforcement?

One of the ways that I went to the State and locals, I wrote every police chief, 540 of them, letters. We had our troop commanders meet with every police chief and showed them what this was about, saving lives. It was not about ticket quotas. It was not about making money for the State. It was about saving lives and it is the easiest way.

We had that goal. We hit it. Well, we missed it by seven deaths. We hit 141. And we went back and showed everybody that.

And we had an award system for those departments that participated. If I had set that at 90 percent, which I would have liked to have been to, or 95 percent or 100 percent, I could not have done that. Now, we are moving it up again. But it is going to—it—when we hit that 90 percent, I might move it up by one or 2 percent, because it is going to be harder and harder as we go up in those gains.

So I agree with—I think the initial might not have been attainable at all, especially when you only have 17 States with primary laws.

TARGETING DIVERSE POPULATIONS

Senator MURRAY. Dr. Runge, let me go back to you for 1 second. When I talked in my opening statement, I talked about the fact that black children ages five through twelve face a risk of dying in a car crash that is three times as high as white children; and the need to address motor vehicle deaths by Native American populations.

I did not see any new initiatives obviously in your budget, but is your agency looking at anything to try and address those populations?

Dr. RUNGE. Absolutely. And you should know that part of the Click It or Ticket campaign was in the Southeast and that we are implementing it across the country. We have focused on where we are going to get the biggest gains. I am a pie chart kind of guy. If you look at the biggest possible gains, it is very clear that we need to address the issues of minority belt use and child safety seat use.

There are a host of infrastructure problems that need to be addressed. These are not necessarily behavioral. They include availability of seats, first of all, and vehicles that may not be as crash-worthy and may lack the three-point restraints that newer vehicles have.

But behaviorally, we have several contractors that we work with to help us reach the minority populations and identify what will make them respond behaviorally to do this.

The faith community has been a fabulous ally in the Southeast. I think Superintendent McMahon has had the same exact experience in New York. This is about saving your children and taking care of your body.

It is not necessarily about getting a ticket. We are looking at many programs that are culturally sensitive and that take into account differences that we have in our very diverse population.

We have a program that is called "Corazon da Mi Vida." That is the best Spanish I can muster. It is, basically, "You are the center of my life." It talks about how you do not love a baby by holding it in your lap. You love a baby by putting it in the arms of a child restraint.

So, through programs like that, through the insight of many people that we have been working with, we understand the tremendous importance of that, and intend to use our resources as wisely as we can in those areas.

Senator MURRAY. I appreciate that and look forward to working with you on those initiatives. We are running out of time and I am going to ask one more question, and then we will adjourn for the day.

LOBBYING RESTRICTIONS

Dr. Runge, I am curious. The transportation appropriations bills from the last several years have included language that restricts the agency's ability to lobby on legislation that is pending before State legislatures. Do you believe those restrictions have impeded NHTSA's ability to get its agenda done?

Dr. RUNGE. Yes, ma'am, I do.

Senator MURRAY. If that was not in place, would you intend to travel the State legislators to try and advocate for some of the things we have talked about today?

Dr. RUNGE. I have talked to several of your colleagues, both on the House side and the Senate side about the nature of that. I understand how it happened.

I think some of it was due to some possibly over-zealous materials and some things that resulted in some push back from Congress.

Having said that, the fact is that we have 17 States with a primary belt law. The States can currently request information. They

can request an appearance, but unless they do, we are basically forbidden from getting them the information that they need, once a bill is introduced, to come down on one side or the other.

I absolutely would welcome the opportunity to talk with our colleagues in the States and bring them the technical information that they have been paying for over the years that will—that will give them the data that they need to pass good sound public policy. It is a long yes.

Senator MURRAY. Thank you very much.

CONCLUSION OF HEARING

And thank you, all of you, for coming today on this important topic. We are recessed until a week from tomorrow, Thursday.

[Whereupon, at 11:20 a.m., Wednesday, February 27, the hearing was concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

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