

## Delays litter long road to vehicle rearview rules

*New US vehicle standards to help prevent tragic 'backing accidents' face years of delays*

**AP** By Lisa Leff, Associated Press, December 26, 2012



*Associated Press - In this Saturday, Dec. 22, 2012 photo, Judy Neiman holds a photo of her daughter, Sydnee, in front of her 2006 Cadillac Escalade at her home in West Richland, Wash. Sydnee died in late 2011 after Neiman accidentally backed over her with the SUV. Although there is a law in place that calls for new manufacturing requirements to improve the visibility behind passenger vehicles, the standards have yet to be mandated because of delays by the U.S. Department of Transportation. (AP Photo/Kai-Huei Yau)*

SAN FRANCISCO (AP) -- In the private hell of a mother's grief, the sounds come back to Judy Neiman. The SUV door slamming. The slight bump as she backed up

in the bank parking lot. The emergency room doctor's sobs as he said her 9-year-old daughter Sydnee, who previously had survived four open heart surgeries, would not make it this time.

Her own cries of: How could I have missed seeing her?

The 53-year-old woman has sentenced herself to go on living in the awful stillness of her West Richland, Wash., home, where she makes a plea for what she wants since she can't have Sydnee back: More steps taken by the government and automakers to help prevent parents from accidentally killing their children, as she did a year ago this month.

"They have to do something, because I've read about it happening to other people. I read about it and I said, 'I would die if it happens to me,'" Neiman says. "Then it did happen to me."

There is, in fact, a law in place that calls for new manufacturing requirements to improve the visibility behind passenger vehicles to help prevent such fatal backing crashes, which the government estimates kill some 228 people every year — 110 of them children age 10 and under — and injures another 17,000.

Congress passed the measure with strong bipartisan backing, and Republican President George W. Bush signed it in 2008.

But almost five years later, the standards have yet to be mandated because of delays by the U.S. Department of Transportation, which faced a Feb. 28, 2011, deadline to issue the new guidelines for car manufacturers.

Transportation Secretary Ray LaHood has pushed back that deadline three times — promising this past February that the rules would be issued by the end of 2012.

With still no action, safety advocates and anguished parents such as Neiman are asking: What's taking so long to remedy a problem recognized by government regulators and automakers for decades now?

"In a way, it's a death sentence, and for no good reason," said former Public Citizen president Joan Claybrook, who once directed the federal agency responsible for developing the rules.

The proposed regulations call for expanding the field of view for cars, vans, SUVs and pickup trucks so that drivers can see directly behind their vehicles when in reverse — requiring, in most cases, rearview cameras and video displays as standard equipment.

The National Highway Traffic Safety Administration, charged with completing the new standards, declined requests to discuss the delays. Spokeswoman Karen Aldana said the agency would not comment while the rulemaking process was ongoing but was on track to meet LaHood's latest cutoff date. In a letter to lawmakers in February, LaHood said his agency needed more time for "research and data analysis" to "ensure that the final rule is appropriate and the underlying analysis is robust."

Others insist the issue is money, and reluctance to put any additional financial burdens on an industry crippled by the economic crisis. Development of the new safety standards came even as the Obama administration was pumping billions of dollars into the industry as part of its bailout package.

"They don't want to look at anything that will cost more money for the automobile industry," said Packy Campbell, a former Republican state lawmaker from New Hampshire who lobbied for the law.

NHTSA has estimated that making rear cameras standard on every car would add \$58 to \$88 to the price of vehicles already equipped with dashboard display screens and \$159 to \$203 for those without them.

The Alliance of Automobile Manufacturers, a lobbying group that represents automakers, puts the total cost to the industry at about \$2 billion a year. The organization endorsed the 2008 law after a series of compromises. But last December, eight days after Sydnee Neiman's death, its leader met with White House budget officials to propose a less

expensive alternative: reserving cameras for vehicles with extra-large blind zones and outfitting the rest with curved, wide-angle exterior mirrors.

The alliance declined comment, but earlier this year the group's vice president, Gloria Bergquist, told The Associated Press that it urged the government to explore more options as a way to reduce the costs passed on to consumers. "There are a variety of tools that could be used," she said, adding that automakers also were concerned that the cumulative effect of federal safety regulations is driving up the average price of a new car, now about \$25,000. Industry analysts also question whether cameras are needed on smaller, entry-level class cars with better rearview visibility.

"It may just be a couple hundred dollars, but it can grow pretty significantly if you are talking about ... an inexpensive car that was not originally conceived to have all these electronics and was only going to have a simple car stereo," said Roger Lancot, an automotive technology specialist.

Before the delays, all new passenger vehicles were to carry cameras and video displays by September 2014. The industry has now asked for two more years after the final rules are published to reach full compliance.

Despite its resistance, the industry on its own has been installing rearview cameras, a feature first popularized two decades ago in Japan and standard on nearly 70 percent of new cars produced there this year. In the United States, 44 percent of 2012 models came with rear cameras standard, and 27 percent had them as options, according to the automotive research firm Edmunds.

Nine in 10 new cars had console screens available, according to market research firm iSuppli, which would put the price of adding a camera on the low end of the NHTSA's estimates.

These backing crashes are hardly a new phenomenon. Emergency room doctors, the National Centers for Disease Control and Prevention and the NHTSA have produced dozens of papers on the problem since the 1980s.

Researchers at the University of California, Irvine, started looking into the issue in the 1990s after noticing toddlers showing up in hospital databases of injured child pedestrians. They found that many of those children had been killed or hurt by vehicles backing out of home driveways.

In 1993, the NHTSA sponsored several studies that noted the disproportionate effect of backup accidents on child victims. One report explored sensors and cameras as possible solutions, noting the accidents "involve slow closing speeds and, thus, may be preventable." Still another 1993 report estimated that 100 to 200 pedestrians are killed each year from backing crashes, most of them children.

Three years later, Dee Norton, a reporter at The Seattle Times, petitioned the NHTSA to require improved mirrors on smaller commercial trucks and vans after his 3-year-old grandson was killed by a diaper delivery truck that backed over him.

The NHTSA started looking into technology as a solution, but in one proposal — issued in November 2000 — it noted that sensors, cameras and monitors were still expensive and promised to later reevaluate the feasibility of such emerging technologies.

Adding to the scrutiny was the advocacy work of a child safety group called KidsandCars.org, which in 2002 started trying to persuade federal regulators to take on the problem. After the groups' president, Janette Fennell, brought the issue to the attention of Consumer Reports, the magazine started measuring "blind zones" to determine how far away a toddler-sized traffic cone had to be before a driver looking through the rear window, rearview mirror and side mirrors could see it.

The research found an overall trend of worsening rear visibility — due in part to designs favoring small windows and high trunk lines, said Tom Mutchler, the magazine's automotive engineer.

"Cameras are basically the only technology that is going to let you see something right behind the bumper," he said.

With a growing body of research, better statistics and inaction by regulators, advocates such as KidsandCars.org's Fennell and Sally Greenberg, then with Consumers Union, turned to Congress for a solution.

In 2003, U.S. Rep. Peter King, R-New York, introduced the Cameron Gulbransen Kids and Cars Safety Act, named for a 2-year-old Long Island boy whose pediatrician father backed over him in their driveway. Five years later, it finally became law.

While no one doubts that cameras could help reduce deaths, they aren't regarded as a perfect solution either.

One recent study by a researcher at Oregon State University found that only one in five drivers used a rearview camera when it was available, but 88 percent of those who did avoided striking a child-sized decoy.

In its proposed rule, the NHTSA estimated that rearview video systems could substantially reduce fatal backing crashes — by at least 95 a year — and result in at least 7,000 fewer injuries.

Judy Neiman's 2006 Cadillac Escalade didn't have any cameras installed. They weren't added as an optional package until the following model year. Instead, her vehicle was equipped with a "rear parking assist system" — bumper sensors, an alarm and lights that are supposed to go off within 5 feet of objects or people.

Neither Neiman nor the 10-year-old neighbor boy who had accompanied her and her daughter to the bank on Dec. 8, 2011, would recall hearing any alert, according to a police report.

Sydnee was carrying her purple plastic piggy bank and account book, so she could deposit \$5 from her weekly allowance. After the transaction, Neiman slid behind the wheel and waited for the children. She heard the door slam, then saw the boy sitting on the right side of the back seat as she put the car into reverse.

She figured Sydnee was seated behind the driver's seat. Instead, the boy had gotten in first, telling Sydnee to go around and get in from the left side. He would later tell a police investigator that the girl had dropped her piggy bank on her way around the SUV.

Even if she were upright, at 4 feet, 3 inches tall, Sydnee would have been practically invisible through the rear window, the bottom edge of which was a few inches taller than she was.

As the first anniversary of her daughter's death passed, Neiman hoped that sharing her story might spare other parents from enduring the pain she feels every day.

She tortures herself by replaying a conversation she had with Sydnee the summer before she died. Her daughter always had taken her heart condition, a congenital defect, in stride. She never complained or showed fear, despite her many surgeries.

Then one night Sydnee started crying, and she wouldn't tell her mother what was troubling her until the next morning. "She said, 'I don't want to die, Mom,' and when she died, that's all I could think about. She didn't want to die," Neiman says. "She survived four open heart surgeries. If God had taken her at that time, I could accept it. But who could take her with her being hit by my car? And my hitting her?"

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Associated Press writer Joan Lowy in Washington, D.C., contributed to this story.

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