

Group takes fight for rear-view cameras to court

By [KEVIN ROBILLARD](#) | 9/26/13 5:16 AM EDT



Backers of the mandate argue it would save dozens of children's lives each year. | Reuters

A five-year-old debate over whether to mandate rear-view cameras in new vehicles got new life Wednesday, but the rapid adoption of the technology has scrambled the issue's long-standing talking points.

The feud among safety advocates, the Department of Transportation and automakers re-emerged Wednesday when a coalition of consumer groups asked a federal judge to force the department to issue a long-delayed rule aimed at preventing "back over" crashes. The department tried on Tuesday to pre-empt the request by adding the cameras to its list of recommended — but not required — equipment for new car buyers.

Backers of the mandate argue it would save dozens of children's lives each year and is more than worth the \$3 billion it could cost automakers. And they say consumers, who increasingly elect to buy cars with rear-view cameras, have driven down the price of the regulation.

"For many consumers, backup cameras have reached the same status as air conditioning or cruise control," Karl Brauer, a senior analyst at Kelley Blue Book, said in a statement. "While not standard on every car sold in the U.S., these features have become so common that drivers are surprised and disappointed when a vehicle doesn't have them."

The industry has a different take on that expectation, saying it shows consumers can make wise safety choices without government guidance.

The rule has its origins in a unanimously passed 2008 law named after Cameron Gulbransen, a 2-year-old whose father accidentally backed over and killed him in 2002. Advocates estimate that 200 people die and 17,000 people are injured each year in "back over" crashes. Forty-four percent of those killed are children younger than age 5.

The law directed the National Highway Traffic Safety Administration to set federal standards for cars' rear visibility by 2011. In 2009, the agency decided that meant rear-view cameras. But the White House Office of Management and Budget balked at the rule's potential \$3 billion price tag, and automakers, which initially supported the law, say the one-size-fits-all rule ignores less expensive options like extended mirrors or sensors.

In June, as one of his final acts as transportation secretary, Ray LaHood said the rule needed additional research and set a new deadline of January 2015.

Cameron's father, Greg Gulbransen, is one of the plaintiffs in the lawsuit, along with Susan Auriemma, who struck her 3-year-old daughter in a nonfatal accident in 2005. Other plaintiffs are Public Citizen, Consumers Union, Kidsandcars.org and Advocates for Highway and Auto Safety.

The lawsuit was filed in Auriemma's and Gulbransen's home state of New York and asks the court to force Transportation Secretary Anthony Foxx to issue the rule in 90 days.

Based on the department's own estimates, the rule could have saved more than 200 lives since its initial deadline. Advocates say more than 50 children are injured and two are killed each week the rule is delayed.

"The process has failed and it's time for us to force the department to do what Congress directed it to do," Auriemma said on a conference call with reporters on Wednesday.

But since that initial rule, the popularity of rear-view cameras has spiked. The once-futuristic technology is now commonplace. Eighty percent of car models now include cameras as an option, and they come standard with 53 percent of new models. Next year, the cameras will be standard on all Honda and Acura models.

The auto industry argues that those results show that safety-conscious shoppers are picking the features that work best for them.

"We think that consumers should be in the driver's seat," said Gloria Bergquist, a vice president at the Alliance of Automobile Manufacturers. "And consumers are so safety-savvy today."

But advocates argue that consumer choice is too fickle to protect Americans.

"We don't think consumers should pick and choose if they have safe brakes or a safe steering column, or seat belts or air bags," Joan Claybrook, a former NHTSA head who is also the president emeritus of Public Citizen, said on the conference call. "And this is no different. There are certain minimum standards."

The advocates and Brauer said the \$3 billion price tag attached to the regulation may be too high today, as manufacturers and suppliers have built up the capacity to build more of the cameras. Advocates also pointed out that the cameras are often a part of more expensive upgrade packages that include nonsafety features.

A day before the lawsuit was filed, NHTSA took a smaller step by adding rear-view cameras to its list of recommended features. The Department of Transportation doesn't comment on pending litigation.

"As we've seen with other features in the past, adding rear-view video systems to our list of recommended safety features will encourage both automakers and consumers to consider more vehicles that offer this important technology," Foxx said in a statement. "While adding this technology to our list of safety features is important, I remain committed to implementing the rear-visibility rule as well."

That move wasn't enough for the safety groups.

"If I had heard that five or six years ago, I might have had hope," Greg Gulbransen said on the conference call. "But at this point, I don't trust the process. No, it's not a substitute."

Senate Commerce Committee Chairman Jay Rockefeller (D-W.Va.), who has consistently pushed for the rule, also said it wasn't enough.

"It's tragic every time a young child is killed or injured this way," Rockefeller said in a statement. "When the experts tell me that installing rear cameras in cars could save the lives of hundreds of young children and prevent thousands of heartbreaking injuries, I want action. I've supported this safety rule for a long time. I continue to believe the administration needs to move forward with this common-sense safety measure."

<http://www.politico.com/story/2013/09/safety-rear-view-camera-cars-fight-court-97369.html>

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