

Administration sued over delay in backup camera rule

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(Photo: Evan Sears Cars.com)

Advocates for federally required backup cameras have gotten tired of waiting and sued the Obama Administration today. Such a requirement was ordered in a 2007 law passed by Congress with bipartisan support and signed by President George Bush. The law told safety regulators to have a rule for all vehicles in place by 2011, but there have been continuing delays for more study. If the deadline had been met, the phase-in would have required backup warning devices on all cars and SUVs with the 2014 models out now. The law did not specifically say cameras, but that has become the de facto

technology as costs have come down.

Since 2015 models will start arriving by spring, even an accelerated mandate for all vehicles now likely would apply to 2016 models at the earliest.

The delays have come even as rear visibility has declined in recent years. Some of that is due to popular designs, but it also has been a side effect as automakers have shortened and widened pillars to meet to new roof crush regulations and have and decreased glass area to cut weight as they work to meet tightening fuel economy rules.

Consumer Reports, a longtime advocate of better visibility, measures rear blind spots in its testing and its parent, Consumers Union, joined other groups and individuals in the lawsuit today.

The added cost per vehicle of meeting a camera rule would be relatively small -- [National Highway Traffic Safety Administration](#) estimated in 2010 that making them standard would be \$53 to \$88 on cars with a dash display screen (which the majority of vehicles now have, if only for the radio and apps) and \$159 to \$203 for vehicles without them. One of the individuals in the suit is Greg Gulbransen, a pediatrician in New York, who backed up over his young son in 2002. The 2007 law, proposed by his congressman, Peter King, R-N.Y., and Rep. Jan Schakowsky (D-Ill.), was named for his son, Cameron.

Gulbransen [wrote an op-ed piece for the Washington Post today](#) to call attention to the delays and explaining that, "I'm suing the Obama administration to compel it to do what Congress directed."

[In a 2010 report, NHTSA estimated](#) that 228 people die a year in backup incidents "involving light vehicles weighing 10,000 pounds or less. Two particularly vulnerable populations -- children and the elderly -- are affected most. Approximately 44 percent of fatalities involving light vehicles are children under five--an unusually high percentage for any particular type of crash. In addition, 33 percent of fatalities involving light vehicles are elderly people 70 years of age or older."

Gulbransen also writes that the DOT "sent a final draft of its rule to the White House regulations office" in November 2011. Then the delays and additional studies began and most recently, Gulbransen notes, the DOT has told Congress it hopes to complete the rule by 2015.

Gulbransen gives Congress credit for having "stepped up and issued a clear mandate" and blames "the Obama administration -- and, probably, anonymous lobbyists."

It's actually hard to tell who to blame. Safety regulators consistently decline to comment on rule-making in progress. Individual automakers also have been mostly mum, though the Alliance of Automobile Manufacturers trade group has been raised cost as an issue and, according to the Associated Press, met with the White House in late 2011 to propose a cheaper mirror solution for vehicles with smaller blind spots.

There also has been talk that one sticking point is how fast the rule will require the camera image to come up after the vehicle is shifted into reverse.

The good news is that more automakers, in part because they can see a rule coming eventually, aren't waiting for this to be resolved. They are putting cameras in more models as they are redesigned and moving cameras down the auto food chain from high end to entry vehicles, particularly as even subcompact economy cars now have a dash screen. Already, a majority of 2013 model cars and light trucks -- 53% -- have a standard backup camera, reports auto research and shopping site Edmunds.com. And 79% have one available, standard or as an option.

More important than the percentage is that they are showing up on mainstream, high-volume models -- not just premium niche models.

Honda deserves credit for being most aggressive in that regard, making them standard as each vehicle is redesigned. Nine of its 11 models -- 91% -- have one standard for the 2014 model year -- only the entry-level Fit subcompact does not. And when the redesigned Fit arrives next year as a 2015 model, all Hondas will have them.

"For many consumers backup cameras have reached the same status as air conditioning or cruise control," said Karl Brauer, senior analyst at car research site Kelley Blue Book. "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." He notes that unlike AC or cruise "there's a certifiable safety benefit to backup cameras. ... It's time for backup cameras to be a required feature on all new cars sold in the U.S."

The group suing today is represented by advocacy group Public Citizen and includes, beyond Gulbransen and Consumers Union, another parent who struck her child, Advocates for Highway and Auto Safety and child car safety group KidsAndCars.

<http://www.usatoday.com/story/money/cars/2013/09/25/backup-cameras-dot-lawsuit-gulbransen-obama-administration/2870819/>