

Parents sue DOT over rear visibility regulations: Cameron Gulbransen Kids Transportation Safety Act

Posted by Wayne Parsons, September 26, 2013 11:00 AM

Imagine this. You are sitting at your desk and you have the power to write out a simple directive that will prevent 95 to 112 deaths and 7,072 to 8,374 injuries each year. My initial thought is how could I talk anyone out of doing that? What could I say to convince you that preventing 95 to 112 deaths and 7072 two 8374 injuries each year is not the right thing to do?

Maybe you are the President of the United States. Maybe you are a major department head in the federal government. Maybe you are just someone who was given the power to prevent 100 deaths and 7500 injuries each year. What would you do. The US Department of Transportation with the blessings of the Obama administration is stalling and refusing to implement this law.

Two parents backed over their children and killed them. It happened because of blind zones.



The parents will be haunted for the rest of their lives because they failed to see their children. This is not a new story. It is been happening for 50 years. It is gotten worse in recent times because automobiles and trucks have larger blind zones. What do I mean by blind zones? I don't think I need to explain that to anyone who drives a car. It is been getting harder and harder to see what is on the left, on the right, in front of or behind our cars.

The suit today was filed by Dr. Greg Gulbransen, Susan Auriemma, Consumers Union of the United States, advocates for Highway and Auto Safety, and Kids And Cars, Inc., who are all represented in today's action by Public Citizen. Auriemma, of Manhasset, N.Y., backed over her 3-year-old daughter Kate in her driveway in 2005, injuring her; Gulbransen, of Syosset, N.Y., backed over his 2-year-old son Cameron in his driveway in 2002, killing him. The 2008 law is named after Cameron. The legal action came in the form of a petition filed Wednesday in the U.S. Court of Appeals for the Second Circuit, in Gulbransen's and Auriemma's home state of New York. The petition asks the court to declare that DOT has unreasonably delayed the rule,

and to direct DOT and its secretary, Anthony Foxx, to issue the rule within 90 days. The petition argues that the length of time DOT is taking is unreasonable under the Administrative Procedure Act, in light of the timetable set forth by Congress, DOT's failure to show that Congress's original deadline "cannot be met" as required by the statute and the cost to human life. The petition is available at: www.saferoads.org

The Obama administration has repeatedly refused to implement this law. When Congress passes a law it means nothing unless it can be enforced. Before it can even take any practical effect the administration has to instruct the Department of Transportation to issue the regulations. In another sign of political gridlock it is obvious that corporate lobbyists have pressured the Obama administration to delay. Children are dying. Would you think about that? If you are the president would that happen?

It gets even more disturbing than that:

"By DOT's own estimates, its delay past the statutory deadline has so far allowed between 237 and 280 preventable deaths – almost half of which have befallen young children – along with thousands of preventable injuries. By the same estimates, another 118 to 140 people will die in preventable backover crashes before DOT regulates – even assuming that DOT does not extend the date yet again."

Kate was injured and Cameron is dead. Their parents will feel terrible for the rest of their lives for what happened. But they were unaware that their child was behind the car because they did not know about the extent of the blind zone behind the cars. The auto industry however does know about blind zones and so does the DOT. President Obama knows because he voted for the legislation when he was in Congress. And now the law stands unenforced. Janette Fennel is working to educate people about blind zones but enforcing the law requires government action.

The purpose of government is to regulate our society. The speed limit is 55 mph because engineers have determined that it is unsafe on that particular stretch of roadway for someone to drive faster than 55 mph. The purpose of government is to regulate behavior to protect the community. We're in a time where corporate billionaires saturate the television and radio networks with anti-government propaganda. They provide cover for the government to back off on meaningful and important safety and injury prevention measures.

The auto industry should make safer cars. One of the things that irritates me most about new cars is that you can't see to the side and rear of the car. Back windows are tiny. Side windows are tiny. Why is that? Could it be that the automobile manufacturers have concluded that the automobiles can be sold for higher profits by using windows and structural elements that make it hard to see what is beside or behind you as you drive?

I think so.

People are dying and being seriously injured. Children are dying. The blind zone is expanding. A law passed by Congress is not being implemented by the Obama administration. Why isn't there an army of parents and grandparents demanding that the law be enforced?

Is anyone from the Obama administration or the Department of Transportation willing to speak up? Probably not. According to [Robert Weissman](#) who heads up the most credible and effective consumer organization in the U.S., people are dying _ half of them kids _ while the DOT and the Obama administration procrastinate:

Another 118 to 140 people, half of them children, will die in preventable backover incidents by the time DOT issues the rule, assuming the agency does not delay still further.

You can make a difference by getting involved in this debate. It starts right here. Your comments will make a difference. Your voice will be heard. But you have to speak up. 100 kids are going to die in the next year. You may not be able to issue the regulation that the law requires and the president has refused to issue, but you can speak up and now is the time. Call or write the president. Call or write your Congressman. Call or write your Senator.

If you want to get involved with this and other issues that save lives and prevent tragic injuries, call these people:

[Public Citizen](#): Ben Somberg, (202) 588-7742

[Advocates for Highway and Auto Safety](#): Beth Weaver, (301) 814-4088

[Consumers Union](#): David Butler, (202) 462-6262

[KidsAndCars.org](#): Janette Fennell, (415) 336-9279

They depend upon people to get involved and you can make a difference if you care. Reporters wishing to speak to families who have been involved in a backover incident may contact Amber Rollins at (816) 216-7085 or amber@kidsandcars.org.

Tags: [backover](#), [blindspot](#), [blindzone](#), [death or injury](#), [Hawaii](#), [Honolulu](#), [kidsandcars](#), [rollover](#)

<http://honolulu.legalexaminer.com/automobile-accidents/parents-sue-dot-over-rear-visibility-regulations/>

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1. [Parents File Lawsuit Over Obama Administration's Failure to Implement Rear Visibility Standard | Church Wyble](#)

[September 25, 2013 at 5:22 am](#)



[...] in 2008, a bipartisan law was supported by then-senator Obama ordered the Department of Transportation to issue a rear visibility rule by 2011. Every week at least 50 children in the U.S. are run over [...]



2. *Chris Sullivan*

[September 26, 2013 at 5:27 pm](#)



I have just purchased a 2014 Subaru Forester XT Touring model that has a rear camera picture capability and it really makes difference in backing up and being able to see the ground.

I think the kind of accidents that can occur when backing up are the most horrible because they are a form of involuntary causes of death in the 80 percent range of people who are related and pay the highest emotional price.

I the case of the Cameron Gulbransen Law I personally know his grandmother and know the pain and emotional suffering this type of tragedy can cause a family.

Why has this law not been passed when it has such maximum impact on many more people than the child that is killed?

Chris Sullivan