

NHTSA sends rear visibility rules to White House for review

David Shepardson, January 2, 2014 at 12:52 pm, Detroit News Washington Bureau

Washington — The Transportation Department sent its long-delayed rules mandating back-up cameras back to the White House for review — a sign that the regulations may be finalized before the January 2015 deadline.

In June, the Transportation Department said the National Highway Traffic Safety Administration was conducting a new analysis of its proposal setting rear visibility standards and didn't expect to finalize the requirements until as late as January 2015. The announcement was the fifth time the rules have been delayed, and a clear victory for automakers that have fought the mandate, saying it is too expensive.

The White House Office of Management and Budget — which gives final approval on new regulations and reviews the costs and benefits — received the latest version on Dec. 25 from NHTSA, according to a report posted Thursday. It's not clear how long OMB will review the latest proposal. NHTSA didn't immediately respond to a request for comment.

Congress approved legislation in 2007 that was signed into law by President George W. Bush requiring the government to set rear visibility rules by February 2011, the Transportation Department has repeatedly exercised its power to delay the rule.

The regulation is aimed at helping eliminate blind zones behind vehicles that can hide the presence of pedestrians, especially young children and the elderly. NHTSA said adding cameras to all vehicles would reduce fatalities in back-up crashes from a range of 95 to 112 annually out of the nearly 300 annual back-over deaths.

NHTSA notes that about 100 children age 5 or younger die annually in backup crashes and "there are strong reasons... to prevent these deaths." More than half of those 100 are 1 year old or younger.

In September, advocates for mandatory rear cameras filed suit-seeking to compel the Obama administration to set long-delayed regulations.

The suit was filed by Consumers Union — the parent of Consumer Reports — Advocates for Highway and Auto Safety, Kids And Cars Inc., and two parents: Dr. Greg Gulbransen and Susan Auriemma.

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 2002, killing him.

"It's mindboggling that two more children like Cameron are killed every week, yet the administration is content to postpone doing anything about it," said Gulbransen. "This isn't some technical abstraction, it's about actual people being injured and killed."

The petition filed in the 2nd U.S. Circuit Court of Appeals in New York, asks the court to declare that the Transportation Department has unreasonably delayed the rule, and to direct Transportation Secretary Anthony Foxx to issue the rule within 90 days.

Last month, the Transportation Department told the appeals court it should dismiss the petition and disclosed that NHTSA is examining "real-world evidence to analyze the performance of rearview video systems and how the drivers in those vehicles used the systems in the course of actual backover accidents.... The utility of rearview video systems will depend on an array of technical specifications set out in the proposed rule." It gave no indication of when a regulation would be finalized.

NHTSA is encouraging automakers to add the cameras by proposing to disclose which cars have the cameras in the government's New Car Assessment Program.

Under legislation approved by Congress in 2007, the regulation was supposed to be fully implemented by September 2014 and was estimated to cost the auto industry \$1.9 billion to \$2.7 billion annually. Automakers say the cameras are now an option on up to 80 percent of new vehicles, but actually included on about half of all vehicles sold.

U.S. Sen. Jay Rockefeller, D-W.Va., chairman of the Commerce Committee, has criticized the delays.

"The fact is simple — installing rear cameras in cars will prevent injury and death," Rockefeller said. "The administration needs to move forward with this commonsense safety measure because children's lives are in jeopardy."

In 2010, NHTSA acknowledged that on a cost-benefit analysis, the proposal on rear visibility doesn't save money — on a net basis it will add \$700 million to \$1.6 billion in added costs by 2014. But the agency has argued it is still worth the costs. NHTSA uses a statistical figure of \$6.1 million as the value of a human life and says under a best case-scenario, the proposal will cost between \$11.8 million and \$19.7 million per life saved.

Had it been completed on time, 10 percent of new vehicles would have had to comply by September 2012, 40 percent by September 2013 and 100 percent by September 2014. Automakers get at least 18 months before new requirements take effect, so rear camera rules aren't likely to take effect before the 2017 model year.

DShepardson@detroitnews.com From The Detroit News:

<http://www.detroitnews.com/article/20140102/AUTO01/301020092#ixzz2pHdeGyjh>