

# Auto industry, regulators move slowly on automatic braking

17 February 2016, by Joan Lowy



In this frame grab from video provided by the Insurance Institute for Highway Safety (IIHS), taken in 2015, a vehicle closes in on a Strikeable Surrogate Vehicle (SSV) at the IIHS Vehicle Research Center in Ruckersville, Va. Federal regulators and the auto industry are taking a more lenient approach than safety advocates would like to phasing in automatic braking systems for passenger cars, according to the official records of their closed-door negotiations. Systems that automatically apply brakes to prevent or mitigate collisions, rather than waiting for the driver to act, are the most important safety technology available today that's not already required in cars. (Insurance Institute for Highway Safety via AP)

Federal regulators and the auto industry are taking a more lenient approach than safety advocates like when it comes to phasing in automatic braking systems for passenger cars, according to records of their private negotiations.

The technology automatically applies brakes to prevent or mitigate collisions, rather than waiting for the driver to act. It's the most important safety technology available today that's not already required in cars.

Such systems should be standard in all new cars, says the National Highway Traffic Safety Administration. But instead of mandating it, the

government is trying to work out a voluntary agreement with automakers in hopes of getting it in cars more quickly.

But safety advocates say voluntary agreements aren't enforceable and are likely to contain weaker standards and longer timelines than if the government had issued rules.

"Consumers are going to come up the losers in this process," said Clarence Ditlow, executive director of the Center for Auto Safety.

Meeting minutes obtained by The Associated Press of four of the meetings that NHTSA has held with automakers since October show the government is considering significant concessions.

Records of a meeting on Nov. 12 show that automatic braking systems would be allowed that slow vehicles by as little as 5 mph before a collision. Manufacturers would be allowed to exempt 5 percent of their vehicles from the standard. Some automakers had said it would take longer to ready manual transmission vehicles for the technology. The discussion included an additional exemption for models that manufacturers intend to phase out or redesign.

The minutes from the fourth session, on Dec. 9, indicate that some automakers say they won't be ready to include the technology in 95 percent of their vehicles until model year that begins in September 2025. NHTSA and the Insurance Institute for Highway Safety objected, saying such a long timeline "was too late for this effort to be seen as a serious effort." Automakers are now being polled to see if they can equip 95 percent of their vehicles by the model year beginning in September 2022.

The agency is required by law to provide meeting minutes of such negotiations and to make them public. NHTSA provided minutes of three of the

meetings to the AP; the fourth was obtained from safety advocates.

"This is what happens when you start negotiating with the auto industry," said Joan Claybrook, a safety advocate and NHTSA's administrator during the Carter administration. "They want to negotiate this out and they want to negotiate that out," and establish a deadline driven by their production schedules rather than safety considerations.

Besides NHTSA, meeting participants included 16 automakers, two auto industry trade groups and the insurance institute, the insurance industry's safety research arm. Representatives from Transport Canada, the Canadian government's auto safety regulator, also attended.

Mark Rosekind, NHTSA's administrator, has said the federal rule-making process is so cumbersome and time-consuming that a voluntary agreement is likely to get the technology into all cars faster. He said regulations remain an option.

The Association of Global Automakers, which has participated in the meetings, didn't immediately reply to a request for comment.

"Regulations can be too rigid when technology like this is changing quickly," said Russ Rader, a spokesman for insurance institute. "A complicated regulation could make it more difficult for the automakers and their suppliers to continue to develop the systems."

NHTSA expects that any voluntary agreement will include a mechanism for the government and the public to monitor automakers' compliance with it, said Gordon Trowbridge, a spokesman for the agency.

Safety advocates who met with Rosekind this week said he told them he hopes to wrap up negotiations on a voluntary agreement within the month. Safety groups have filed a petition asking NHTSA to issue regulations instead.

Automatic braking is already available in dozens of car models, but typically as a pricey option on higher-end vehicles. Subaru offers it on the

Impreza sedan, for example, as part of a \$2,895 safety package.

Claybrook acknowledged that federal rule-making is too slow, largely because of White House insistence on elaborate cost-benefit analyses of potential safety rules. But she said automatic braking could move more quickly because the technology is available and the government wouldn't have to prove its feasibility. The insurance institute has done extensive testing and analysis of its benefits, she added.

There are about 1.7 million rear-end crashes a year in the U.S., killing more than 200 people, injuring 400,000 others and costing about \$47 billion annually. More than half of those crashes could be avoided or mitigated by automatic braking or systems that warn drivers of an impending collision, NHTSA estimated.

The technology holds the potential to significantly reduce what the insurance industry pays in damage and injury claims. Some insurers offer discounts to customers whose cars have automatic braking. But many don't because it's difficult to verify the presence of an optional system and because there are so many different name brands for the technology that it's hard to determine which ones are most effective.

NHTSA announced last year that it will include automatic braking and other collision-avoidance technologies in its five-star safety rating program to encourage automakers to more widely adopt the technology.

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