

November 6, 2013

The Honorable Richard Blumenthal
Chair, Senate Judiciary Committee Subcommittee on Oversight,
Federal Rights and Agency Action
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman,

We are writing to commend you for holding the hearing, “Justice Denied: Rules Delayed on Auto Safety and Mental Health,” and for your continued efforts to highlight the unacceptable delay in the issuance of a final rule to establish a rear visibility standard for motor vehicles. One of the most important and well-documented motor vehicle safety problems is the blindzone immediately behind passenger vehicles that prevents drivers from seeing pedestrians when backing up. As you are aware, the inability of drivers to be able to see what is in the blindzone results in over 200 fatalities and more than 17,000 injuries annually in backover crashes. Forty-four percent of those killed in backover incidents are children under five years old and, tragically, in over seventy percent of these incidents the person behind the wheel of the car is a parent or close relative.

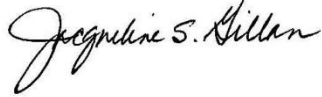
The bipartisan 2008 *Cameron Gulbransen Kids Transportation Safety Act*, Pub. L. 110-189, required that the rear visibility standard be issued by February 28, 2011. The last of four postponements by the U.S. Department of Transportation (DOT) has delayed the final rule until at least January 2015. With each delay, the public is deprived of a proven, life-saving technology and millions of children, pedestrians and others are put at risk of death or serious injury. Repeated postponement of the final rule has resulted in at least 1,100 unnecessary deaths and at least 85,000 injuries of children and other pedestrians in preventable backover crashes.

In response to the inordinate delays, on September 25, 2013, Advocates for Highway and Auto Safety, Consumers Union, and KidsAndCars.org, along with two parents who unintentionally hit their children while backing up, filed a federal lawsuit, in which the advocacy groups and parents are represented by Public Citizen. The lawsuit seeks a court order directing the DOT to promptly issue the final rule as mandated in the 2008 law. This action is necessary because the DOT has unreasonably delayed the action mandated by Congress. The current projected completion date of January 2015 is nearly four years after the deadline originally set by law and seven years after the bill was passed with strong bi-partisan support in the House and Senate and signed into law by President George W. Bush.

Rearview cameras are currently the only technology that is effective in reducing the occurrence of backover crashes with pedestrians located immediately behind the vehicle. Despite industry claims that other technologies such as sensors and mirrors could provide a cheaper option, extensive research has shown that rearview video cameras provide the most comprehensive and realistic view of people and objects in the vehicle blindzone. It is imperative that this critical safety feature be available to consumers as standard equipment to ensure that backover crashes are prevented and lives are saved.

We greatly appreciate your leadership on this important issue and for continuing to exercise oversight on excessive delays on critical public health and safety rules in the federal regulatory process.

Sincerely,



Jacqueline Gillan
President
Advocates for Highway and Auto Safety



Joan Claybrook
Former Administrator
National Highway Traffic Safety Administration



Janette Fennell
Founder and President
KidsAndCars.org



Andrew McGuire
Executive Director
Trauma Foundation



Ami Gadhia
Senior Policy Counsel
Consumers Union



November 8, 2013

Honda North America, Inc.
1001 G. Street, N.W. Suite 950
Washington, DC 20001
Phone (202) 661-4400

Honorable Richard Blumenthal, Chairman
Subcommittee on Oversight, Federal Rights and Agency Action
Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

In his testimony on Thursday, November 7, 2013 before the Subcommittee's hearing on "Justice Denied: Rules Delayed on Auto Safety and Mental Health," Clarence Ditlow of the Center for Auto Safety suggested there was something untoward with the use of the Transportation Research Center (TRC), which is owned by Honda of America Manufacturing, Inc. (HAM,) by the National Highway Traffic Safety Administration (NHTSA). I would like to clarify for the record the relationship among TRC, HAM and NHTSA.

TRC is owned by HAM and is operated, pursuant to a management agreement, by the Transportation Research Center, Inc. (TRC, Inc.,) a not-for-profit corporation established by The Ohio State University with day-to-day management provided by the College of Engineering. TRC Inc. is responsible for all contractual relationships with all users of the facility. HAM has no direct dealings with NHTSA or any other client of TRC. HAM's involvement in TRC is limited to those associated with its ownership responsibilities such as land management and capital improvements.

TRC is used by Honda's research subsidiary, other companies in the automotive industry, NHTSA, and other federal agencies. NHTSA accounts for less than a quarter of TRC Inc.'s workload. NHTSA occupies a dedicated standalone building at TRC which is protected by its own security systems. It maintains 30 federal employees at the facility. Their work is supplemented by 70 additional TRC Inc. full time employees who work exclusively on NHTSA task orders. They work for no other TRC Inc. clients. No Honda associates work at or have access to the NHTSA facilities, and Honda associates have no contact with NHTSA employees other than that may occur as Honda's status as a regulated company.

The operating surplus of TRC Inc. is paid annually to multiple endowment funds at The Ohio State University, which support transportation-related research. To date, more than \$50 million has been contributed to these funds, and the interest generated by the funds provides for the transportation-focused research and educational projects conducted primarily in the College of Engineering.

The cost to replicate the resources of TRC is estimated to be at least \$150 million. Given the management structure, physical security and HAM's lack of economic interest in the operation of TRC, it is difficult to understand Mr. Ditlow's objections to NHTSA's use of the TRC.

Sincerely,

Edward B. Cohen
Vice President
Government & Industry Relations