

Chapter 4: The Federal Role in Highway Safety

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Search

[Home](#) / [President Dwight D. Eisenhower and the Federal Role in Highway Safety](#)

Highway History	
Interstate System	>
Federal-Aid Legislation	
History of FHWA	
General Highway History	
FHWA By Day	

Chapter 4: The Federal Role in Highway Safety

BPR's Report to Congress

Secretary of Commerce Sinclair Weeks, who had served as Secretary since the start of the Eisenhower Administration on January 21, 1953, left office on November 10, 1958.

Three days later, Lewis L. Strauss became Secretary.

On February 27, 1959, Secretary Strauss submitted a report to Congress by the BPR on *The Federal Role in Highway Safety*. The report had been required by Section 117 of the Federal-Aid Highway Act of 1956, which called for a study of actions the Federal Government could take "to promote the public welfare by increasing highway safety in the United States."

On page 1, the report noted that, "The alltime high of 39,969 highway deaths in 1941 has not been exceeded since, in spite of a doubling of the miles driven since that year." Much of the improvement in recent years had occurred in urban places, where deaths had dropped by a third, mainly in reduced pedestrian deaths. Mainly because of single-vehicle accidents, deaths in rural areas had increased.

Looking ahead to 1975, the report said the prospects were grim. By then, registered vehicles would total 110 million, licensed drivers would equal 111 million, and traffic volumes would increase to 1.1 trillion miles of travel. Although the study estimated the fatality rate would decline from 5.6 in 1956 to 4.6 in 1975, total highway deaths were estimated to reach 51,000 and an economic cost of \$9.5 billion. The study predicted that between 1958 and 1975, more than 700,000 people would be killed in motor vehicle accidents and the total economic cost would exceed \$120 billion.

Adding up the fatalities since the introduction of the motor vehicle, the study said nearly 1.3 million people had been killed and 3 to 4 million had suffered permanent injury. Total property damage to date was estimated to be \$90 billion.

Despite progress in holding deaths below 1941 levels, the report called for an "improved approach." It said:

President Dwight D. Eisenhower and the Federal Role in Highway Safety

Preface

Introduction

Chapter 1: President Harry S. Truman's Highway Safety Conferences

Chapter 2: A Crusade for Safety

Chapter 3: Maintaining The Focus

Chapter 4: The Federal Role in Highway Safety

Epilogue: The Changing Federal Role

Appendix

The bulk of the attack on the present annual level of 37,000 fatalities, millions of injuries, and billions of dollars in economic loss is still typified by "cut and try" measures and by propaganda of uncertain worth. Involving nearly our entire population as pedestrians, 82 million as vehicle operators, 68 million automobiles, trucks, and buses, and 3.4 million miles of roads and streets, traffic mishaps continue to store up enough emotion, grief, and financial despair to support many kinds of individual, local, State, and Federal actions aimed at greater safety. Some of these have enjoyed and genuinely deserve success. But for the most part, past efforts have badly underestimated the complexity of the fundamental problem. And in this underestimation, too much reliance has been placed on the results of all too limited trials and evaluation of a welter of prevention campaigns.

Efforts had been aimed at defective drivers, inadequate vehicles, and deficient highways, but "only occasionally at combinations of these factors." The report stated that continuing the "uncontrolled trial and error among the vast numbers of preventive possibilities promises no real solution." Basic and applied research to determine the basic causes of accidents was essential, as was research into the design and application "of the far-flung network of solutions that is so certainly needed." The report said:

Most of all, officials representing government, highway users, and the automotive, insurance, and associated industries urgently need to reach closer agreement on their respective objectives and obligations. They must decide, or face having it decided for them by a public now gradually awakening, how and to what extent they will share in a comprehensive, coordinated highway-safety plan—one truly of their own devising and one that respectfully recognizes the unique competencies and capacities of its many participants.

Government had a clear role to play, but the "front line of the attack must always be manned by State and local authorities." Of the Federal role, the report said:

Federal authority by its Constitution is too remote and unwieldy for direct intervention as such, though continued frustration with the restricted gains has promoted serious consideration of this course among national legislators.

The problem has clearly reached a dimension that warrants consideration of every strategy short of any direct Federal action which might well impair the effectiveness of or impinge on the authority and responsibility of State and local governments.

In this view, the report was consistent with President Eisenhower's longstanding concern about Federal encroachment on State and local authority. As a result, the principal challenge of the Section 117 study was to determine how the Federal Government "can properly take steps leading to a better focus for highway-safety efforts, instill greater working coordination in the weapons of attack, and most effectively develop a cooperative realm of official leadership responsibility."

History of National Highway Safety Conferences

The report summarized the history of national highway safety conferences beginning with the National Conference on Street and Highway Safety sponsored by Secretary of Commerce (and future President) Herbert Hoover in 1924. The conference identified eight areas for intensive study: statistics, traffic control, construction and engineering, city planning and zoning, insurance, education, the motor vehicle, and public relations. A second Hoover conference in 1926 produced a model for a uniform vehicle code that was considered one of the most important achievements of the two conferences. The 1959 report explained:

Consisting initially of three separate acts dealing with registration and certificate of title, with licensing of operators and chauffeurs, and with rules governing the operation of vehicles on highways, the suggested code was the outgrowth of principles agreed upon at the 1924 Conference.

The uniform code had been updated over the years, but other recommendations stemming from the 1924 and 1926 conferences and a 1934 conference "have been less durable, largely because the professional ability and concern accorded the area of traffic legislation was not available or organized as a continuing function."

Another outgrowth of the early conferences was the Manual on Uniform Traffic Control Devices (MUTCD), the first edition of which was produced in 1935 through the joint work of AASHO and the American Engineering Council. The MUTCD standards for traffic signs, signals, markings, and islands were adopted through Federal highway legislation, initially in Section 12 of the Federal-Aid Highway Act of 1944, which required:

On any highway or street hereafter constructed with Federal aid in any State, the location, form, and character of informational, regulatory, and warning signs, curb and pavement or other markings, and traffic signals installed or placed by any public authority, or other agency, shall be subject to the approval of the State highway department with the concurrence of the Public Roads Administration; and the Commissioner of Public Roads is hereby directed to concur only in such installations as will promote the safe and efficient utilization of the highways.

The PRA adopted the MUTCD for purposes of Section 12. (Today, similar language can be found in Section 109(d) of Title 23, United States Code.)

The report summarized the post-World War II resurgence of traffic "and, with it, an unprecedented problem in traffic fatalities, accidents, and economic loss," resulting in President Truman's Highway Safety Conference beginning in 1946:

Committees of the Conference reported recommendations and findings in eight broad areas of attack: laws and ordinances, accident records, education, enforcement, engineering, motor-vehicle administration, public information, and organized public support. The Conference adopted an Action Program for implementing the recommendations of the committees, and representing what it deemed a positive and practical, balanced program of measures necessary in the interest of highway safety.

The report added that the Conference met periodically after the 1946 conference, "revising on occasion its action program and issuing annual reports of progress."

In 1954, President Eisenhower's White House Conference on Highway Safety was "the heir and successor" to the Hoover and Truman Conferences. The report highlighted the President's Committee for Traffic Safety, formed "to lend the prestige and interest of the President to traffic safety" in 1954.

The broad purpose of the Committee has been to develop an effective follow-up program in support of the Conference objectives and of the recommendations of the seven Conference groups-agriculture, business, labor, media, public officials, civic organizations, and women's groups. It continues to encourage the formation or strengthening of State and local organizations devoted to the application of the techniques of traffic safety set forth in the Action Program, a program of traffic-safety measures, including engineering, education, and enforcement.

Driver Records Clearance Center

The report estimated that 1 million driver licenses were in revoked status (1 percent of all drivers) because these drivers "are a poorer than average risk." Although the States did not issue licenses to applicants who were known to have a revoked license in another State, over half the States do not check and those that do "have difficulty obtaining adequate cooperation from other States."

A clearance center to identify all drivers with suspended or revoked licenses was needed to avoid "inadvertent official action" to issue a new license:

The cumbersome and relatively ineffective clearance processes now in use among the States would be replaced by a modern, efficient, and economical service to those participating. New electronic data processing equipment now makes such as operation practicable at relatively small cost.

The center, the report explained, "would be available to all States on a voluntary basis, enabling them to check the status of all applicants before issuing driver licenses."

Interdepartmental Highway Safety Board

One of the major recommendations of the report was its call for an Interdepartmental Highway Safety Board:

A pressing need exists for greater stimulation of official highway safety efforts. The establishment of an effective national focus for leadership, guidance, and a degree of coordination among the many phases of the official highway safety effort is justified by the large accumulating toll of life and property lost in street and highway accidents.

The President's Committee for Traffic Safety, working through its Advisory Council, "has been most useful" in rallying and directing "the many powerful forces in private life dedicated to traffic-accident reduction." However, the report said, a parallel group was needed in government circles "for developing official programs of equal breadth and for encouraging their application at all levels of government, Federal, State, and local." The report recommended that the Secretary of Commerce serve as Chairman, with other members including the Secretary of Defense; the Secretary of Health, Education, and Welfare; the Chairman of the Interstate Commerce Commission (ICC); and the Chairman of the Federal Communications Commission (FCC).

Safety Factors: The Human Element

The importance of the human element in highway safety was under debate:

Most presentations on the cause of the highway accidents assign responsibility for 9 out of 10 accidents to the driver, with the other one being split about equally between the vehicle and the roadway This assignment may have some value in the promotion of safety consciousness, but it is of doubtful validity in any broad study of the traffic-accident problem.

Assigning such a high responsibility to the driver "overlooks the fact that the interaction between all three creates the successful or unsuccessful driving performance."

In examining the human element, two classes of relevant characteristics were usually considered. One class included characteristics required by all drivers by the very nature of driving: sensory functioning, perception, judgment, analysis, decisionmaking, integration, and translation into action. The second class involved characteristics specific to the individual: intelligence, personality, emotion, and social forces. The two classes were not "wholly independent and they appear to interact to determine the accuracy and efficiency with which any individual carries out the task of driving."

Extensive research had been conducted, according to the report, into the visual characteristics of drivers (visual acuity, glare recovery, color sensitivity and adaptation to darkness) and correlation of motor functions with driving, but the research had not identified any major problems. By contrast, "little experimental research has been done on the more fundamental factors of perception, judgment, analysis, decisionmaking, etc." Given the complex nature of the driving experience, these areas held promise for research.

The report summarized findings on accident proneness ("Accident repeaters are often social delinquents or irresponsibles, as shown by ratings of credit agencies and supervisors."), vigilance and fatigue ("In long-distance driving, loss of vigilance may become an important factor in driving errors."), alcohol ("drinking appears in 25 to 35 percent of many accident reports, and is a factor in up to 50 percent of the fatal accidents"), and narcotics and medical drugs ("may also influence highway safety, although here the relation to accidents is not clear").

Based on the assumption that drivers were responsible for most accidents, much effort had gone into forms of driver control, namely driver education, licensing, and improvement. The best courses "include driving training as well as classroom instruction in all phases of vehicle operation." Although the courses were based on the assumption that training would reduce accidents, research had not confirmed the link:

Many attempts have been made to evaluate the effectiveness of driver-training courses. The research has been less than satisfactory because of poor design, inadequate controls, or lack of statistical treatment.

Similarly, licensing had not resulted in expected accident reductions. In the past 20 years, licensing had increasingly been seen as a way of controlling the quality of driving. However, the standard road test and simple tests of vision and knowledge of driving regulations "have shown little relation to highway safety." Therefore, more intensive screening devices and regular retesting, perhaps based on tests for commercial and military drivers, had been suggested. They posed a problem:

However, such tests usually have had such low validity that in order to eliminate even a small proportion of accident-likely drivers a large number of safe drivers would also have to be rejected.

Because licensing has largely been "unsuccessful and probably will continue to be," additional insight into the basic nature of the driving task was needed.

The State's ability to revoke licenses for repeated traffic violations, via a point system, had been demonstrated to be effective in reducing accidents. However, "the analyses upon which this conclusion is based have certain limitations."

The effectiveness of driver improvement campaigns was also unproven. Advertising campaigns had long been a feature of highway safety campaigns:

It is very difficult to determine whether, or how, most motorists interpret or accept safety promotion information. Utility of such campaigns is especially problematic when most drivers believe themselves to be better-than-average drivers.

Adult driver education classes, particularly for offenders, had been praised "but the evidence is lacking." Given the element of chance in whether a driver has an accident, the fact that a driver who takes such a class is not involved in subsequent accidents "does not necessarily mean that the training was effective." Carefully controlled studies were needed. Such studies would also be needed for a new technique of driver improvement: psychotherapy to eliminate "those personality characteristics, such as aggressiveness and impulsiveness, that give indication of causing accidents." The use of psychotherapy for driver safety, as opposed to other "social areas," was rare and its effectiveness could not be evaluated.

Safety Factors: The Motor Vehicle

The report also discussed the vehicle as a factor in accidents:

[The] vehicle is commonly thought to be involved as a contributing cause in only a small percentage of accidents, but this is due at least in part to destruction or inaccessibility of the evidence after the accident.

Still, the vehicle was "an extension of the driver's own capabilities and desires." Because "the surprise element" was the common denominator in most traffic accidents, "it is imperative that the driver, or a fully proved fail-safe mechanism, have the best possible control of the vehicle." Therefore, the vehicle should be examined as a factor in highway safety.

Although the automotive industry "feels an intense pride in safety advances that have been made in the vehicle," the vehicle was not as safe as it could be. The shape and design of bumpers, for example, "often seem to be dictated . . . by styling considerations." Moreover, the "projectile-like components of the bumpers and bumper guards of some cars are largely nonfunctional and present needless hazards to pedestrians, as do some other embellishments, including projecting hood or fender ornaments."

The cars of the 1950's were lower than their predecessors, lowering the vehicle's center of gravity and providing "improved stability and riding quality on curves." At the same time, the lower position of the driver produced "complications in seeing and being seen over

undulations in the highway." Truck drivers also had difficulty seeing "the low-silhouette passenger car traveling in the lane to the right of the truck."

The report praised the "increasing glass areas" on cars, but said, "the sweeping tail fins tend to obscure rear vision in backing." The lack of defoggers or defrosters on rear windows was "a serious impairment." Wraparound windshields had a "salutary overall effect," but wipers were too small to clean the ends of the windshields in bad weather. Outside rear-view mirrors were often "of little use because of their inaccessibility for adjustments by the driver."

Other elements of motor vehicle design cited in the report were controls and instruments ("appear to have had only limited consideration from the viewpoint of safety"), brakes ("Improvements are needed in the brakes of all types of vehicles"), lighting ("being manipulated to a considerable extent for appearance purposes"), and horsepower ("a powerplant capability far in excess of the needs for speed and acceleration").

Safety Factors: The Highway Element

The report also evaluated the highway element of the accident picture. The highway "is the one permanent structure of highway safety, working 24 hours a day every day in every year to fulfill its public-service function." Much of the Nation's existing highway network had been built in the 1920's and 1930's "to obtain a connected highway system and to get the farmer 'out of the mud.'" The highways were suited to the low-volume, low-speed traffic of the day. "No one foresaw the great surge of highway transportation that lay ahead and, in any event, available funds and experience were limited." The result was:

Nearly 30 percent of the State rural primary highway systems now serving intercity and interstate traffic are relics of an earlier era with surfaces less than 20 feet wide-a width of at least 4 feet narrower than present standards prescribe. One-third of this mileage carries 1,000 or more vehicles per day. These highways may have been built to standards adequate at that time, but they are far too meager for today's traffic.

Although all highways could not be rebuilt, a "massive attack" on deficiencies was underway as a result of the "expanded Federal-aid highway program" launched in 1956. To focus limited resources, an "effective and lasting" solution would involve improving highway design where the accidents take place.

The National System of Interstate and Defense Highways, which constituted only 1.2 percent of the Nation's road and street mileage, would "alleviate the traffic and accident problem to only a small although important degree." While the design standards issued by AASHO and adopted by the BPR for the Interstate System were being "followed faithfully," the States were also applying the two policies issued by AASHO for other roads: *A Policy on Geometric Design of Rural Highways* (1954) and *A Policy on Arterial Highways in Urban Areas* (1957). These policies "are the nurtured products of long experience and research, including countless observations and analyses of traffic performance and driver behavior, key factors in safe highway design."

The report considered the many elements of highway design, including traffic lanes ("lane width of 12 feet is necessary on primary highway facilities"), shoulders ("at least 10 feet wide to accommodate trucks and still permit a nominal clearance from the traffic lanes"), safety cross-sections ("lessens the likelihood of vehicles overturning"), sight distance ("must be consistent with the speed of traffic"), and

bottlenecks and danger points ("corrective treatments can be undertaken on a selective schedule to reach the most urgent needs first").

Skidding was also considered because it "is a far more serious factor in highway accidents than is generally realized." The construction of tires and pavement surfaces to provide the greatest traction and antiskid qualities was essential. The report noted that several State highway departments had effective programs for testing friction characteristics of wet road surfaces, "but in most States little or no consideration is given to this factor."

Full control of access, a standard feature of the Interstate System, was seen as a major safety factor as documented by the BPR on the basis of accident data from 30 States:

Accident and fatality rates on fully controlled access highways have consistently been only one-third to one-half as great as those on highways with no control of access. This is not due wholly to the control of access feature but to grade separation of intersections, provision of separate roadways for opposing directions of traffic, and other design refinements customarily employed in conjunction with access control.

The report recommended:

As construction of the Interstate System proceeds, it will be important to evaluate the effects of various design features and standards on accident rates so that they can be improved and refined, as needed, for portions of the Interstate System yet to be built.

Much remains to be learned, the report said, "in making this comparatively new type of facility serve traffic with the highest degree of efficiency and safety."

Report Recommendations

Traffic Safety, noting that some of the report's findings were "contrary to widely held views on traffic accidents," summarized the eight-point program recommended in the report for an adequate highway safety program:

1. Effective identification of the traffic accident-scientific determination of the what, who, where, when and why of the event.
2. Enlargement of fundamental knowledge-through scientific data obtained by people without other roles in the particular event.
3. Support for highway research-including a central organization to plan, conduct, finance and coordinate research.
4. Leadership and administration-"The responsibility for direction of the highway safety effort is clearly official. Federal, state and local governments have dealt hardly at all with the problem in a coordinated way up to this time, often relying on interested non-official groups to stimulate conferences and other joint action. Lack of an official working focus in the federal government may well have been a contributing factor."
5. Professional and technical competence-especially in engineering and behavioral sciences.
6. Legislative action-appropriate committees are desirable in state legislatures and city councils to deal with safety legislation.
7. Better coordination and support of closely related activities-"A major factor long neglected is the development of adequate coordination within, between, and outside governments on highway safety activities." There is also need for government-industry liaison activity, and with other mutual interests.

Epidemic on the Highways

Daniel Patrick Moynihan, a native of Tulsa, Oklahoma, was raised in Indiana and New York City. After serving in the U.S. Navy, he earned bachelor, masters, and doctoral degrees at Tufts University and was a Fulbright Scholar at the London School of Economics in the early 1950's. In 1954, he campaigned for Averill Harriman, New York's Democratic candidate for Governor, and served on Governor Harriman's staff until he was defeated for reelection in 1958 by Republican Nelson Rockefeller.



Daniel Patrick Moynihan's first published article was on highway safety.

While working for Governor Harriman, Moynihan served on the New York Traffic Safety Policy Coordination Committee and became its Chairman in 1958. His research into highway safety and his work on the committee provided the basis for his first published article. "Epidemic on the Highways" appeared in *The Reporter* issue of April 30, 1959. The article began, as Presidents Truman and Eisenhower had, with a reference to wartime losses, but this time with a switch:

At the height of the Korean War, the United States Air Force suddenly found itself seriously interested in traffic safety down on the ground: it was losing more men from automobile accidents than from enemy action. A further check revealed this was true of the entire armed forces. Moreover, the automobile injuries were generally more serious and required longer hospitalization than the battle casualties.

Because of the continuing highway safety problem, Moynihan said, "the uneasiness in Washington grows." Members of Congress, even "conservative Southern congressmen," and other influential people and organizations, including the American Medical Association, were reaching a single conclusion: "that something more effective than simply urging people to stop killing each other must be done, probably through the intervention of the Federal government." These leaders had been able to "get beyond the slogans to learn some of the facts about what actually causes automobile accidents."

Highway deaths and injuries appeared inevitable because they seemed to "arise so naturally out of the environment." This appearance of inevitability resulted in misconceptions about its causes. Moynihan said the misconceptions are shared even by those who are "intimately involved with the problem." He added, "The National Safety Council is a case in point."

He criticized the Council on many aspects of its work, including its best known publicity peg, the pre-holiday death predictions:

As a matter of fact, the Safety Council often predicts a holiday toll that is below the day-to-day average for the year. The 390 deaths predicted for last New Year's weekend, for example, would have been ten per cent below normal, and the actual toll was 377.

Moynihan also criticized the Council's focus on the number of deaths and the fatality rate. The number of deaths "has tended to decline slightly of late," he said, while the fatality rate "had been declining steadily for thirty years." He explained:

This phenomenon occasionally gives rise to paeans of self-congratulation among the safety professionals. The cover of the March issue of *Traffic Safety*, the Safety Council publication, proudly proclaims, "1,700 LIVES SAVED!" But what brought about the decline? There is certainly no evidence that it was accomplished by any form of safety program, or even that the figures will be as low next year.

He thought the most probable explanation "is that doctors are simply getting better at keeping people alive, so that fewer victims die of trauma whether on the battlefield or the highway." The focus on deaths, Moynihan said, "distracts attention from the fact that automobile accidents maim their victims much more frequently than they kill them."

He also objected to the Council's figures for motor vehicle deaths and injuries, but especially the latter, compared with data compiled by the U.S. Public Health Service. For example, he compared the Council's figure of 1.4 million injuries in 1957, with the Service's figure nearer 5 million. The difference, at least in part, may have resulted from a different definition of injury, but for Moynihan the key point was that while the fatality rate had been declining, the injury rate had been increasing in New York and, he suspected, in other States.

These faults aside, Moynihan stated that the Council's "most serious disservice to traffic safety" was its emphasis on individual responsibility for accidents:

The basic message of the enormous flood of material, publicity, and information that emerges from the Safety Council is that accidents are caused by individual carelessness and can be prevented if drivers will only pay attention.

While granting that an individual could take actions to reduce his or her own risk, Moynihan dismissed the publicity solution to highway safety. He said that "admonishing individuals to drive carefully seems a little bit like trying to stop a typhoid epidemic by urging each family to boil its own drinking water and not eat oysters."

The Council's focus "shifts public attention from factors such as automobile design, which we can reasonably hope to control, to factors such as the temperament and behavior of eighty million drivers, which are not susceptible to any form of consistent, over-all control-certainly not by a bunch of slogans." Moynihan had concluded that because of the wide range of personal characteristics, "it is hopeless to think of doing anything about them for the limited purposes of traffic safety."

He also questioned the focus on enforcement of speed limits. "The basic fallacy behind the crackdown-on-speeders approach is in the unspoken assumption that the legal speed limits somehow define the safe speeds." Citing research on the subject, Moynihan said that two-thirds of road deaths occur at speeds under 50 m.p.h., and that 74 percent of accidents resulting in injuries occurred at speeds under 60 m.p.h. He also cited a recent BPR finding that more accidents occur on high-grade roads in open country at 35 m.p.h. than at any other speed.

The other problem with enforcing traffic laws is the assumption that "the law prescribes measures that would have any effect if they were enforced." There had, he said, "never been any serious effort to find

out." He explained:

Our laws are a patchwork of what seemed like a good idea at the time they were written and could be got through legislatures always wary of offending the Motorist, who has become practically synonymous with the Citizen.

The result was that most traffic safety laws have "as much scientific validity as wrapping a dirty sock around the neck to cure a sore throat."

Moynihan was encouraged by one recent development, the involvement of the "American doctor in the guise of the epidemiologist":

For clinical medicine, disease is described as it occurs in individuals; for epidemiology, disease is described as it occurs in an aggregation of individuals, with as much attention being paid to the environment in which it occurs-the highway-and the agent through which it is transmitted-the automobile-as to the "host"-the driver-who gets the disease.

In treating disease, the doctor can alter the factors affecting the agent or the environment. Moynihan illustrated by citing the experience of Jonathan B. Bingham, who had served as secretary to Governor Harriman and the first Chairman of the Traffic Safety Policy Coordination Committee (and as Moynihan's political mentor) before running successfully for Congress in 1958. In studying the traffic-safety problem, Bingham "quickly found that none of the usual information and assumptions held up under scrutiny." The doctors he consulted had more questions than answers, but they "by instinct turned away from the problem of driver behavior to that of automobile design":

To them it seems much more sensible to put off the problem of influencing the behavior of eighty million drivers and concentrate on a matter that in the United States is subject to control by perhaps a dozen persons.

The doctors, Moynihan said, realized that an accident may occur for many reasons (speed, inadequate highways, poor judgment, and so on), but injury occurs primarily because "of faulty interior design of the automobile." He quoted Dr. C. Hunter Shelden who wrote in the *Journal of the American Medical Association*:

"Faulty" is actually a gross understatement, as there is almost no feature of the interior design of a car that provides for safety. The doors, seats, cushions, knobs, steering wheel and even the overhead structure are so poorly constructed from the safety standpoint that it is surprising anyone escapes from an automobile accident without serious injury.

Shelden estimated that eliminating "the mechanically hazardous features of interior construction" would prevent 75 percent of the fatalities or 28,500 deaths each year."

Moynihan described how experience with aviation, particularly research by Cornell University Medical College during World War II, had shown what could be done with automobile interiors. Applying the lessons from aviation would involve "relatively cheap and simple innovations such as padded dashboards, recessed steering wheels,

and safety belts, along with a general smoothing off of sharp interior edges and projections." A Cornell University study estimated that 5,500 lives could be saved by the use of seat belts alone.

Moynihan was pessimistic, based on experience, that the auto industry would adopt these features. The industry, he said, had concluded that safety didn't sell. The evidence was a safer car produced by the Ford Motor Company in 1956. While Ford advertised the safety features of its car, he said, General Motors continued advertising the power and sex appeal of its models. The public concluded that the "safe" car was designed that way because it would have accidents-and went to buy the powerful, sexy cars produced by Ford's competitors "that presumably would not have accidents," as Moynihan said. As soon as Ford shifted its advertisements for the car from "safety," sales picked up.

Since then, Moynihan said, "no one has challenged the Detroit tradition that 'safety is a dirty word.'"

Seat belts provided "the clearest illustration" of the problem. Seat belts were available as options, but they were expensive and difficult to install. "Dealers don't like them and discourage customers from getting them." As a result, only about 1 percent of American drivers used them. Public-health officials had suggested that the auto industry install the mounts in all cars at a cost of about 50 cents, so motorists could buy the belts and simply hook them on. Manufacturers refused, he said, "mainly on the ground that they would add to the cost of the automobile!"

Because research demonstrated that some cars were involved in more accidents than other comparable cars, one possibility was to advertise the difference. Moynihan quoted Dr. Sheldon's comment that if the industry would not meet its responsibilities, "the entire matter should be removed from its jurisdiction and be solved by methods employed in any other urgent public-health problem."

The National Safety Council was the most obvious private organization for compiling and publicizing safety comparisons of vehicles. Therefore, the New York Traffic Safety Policy Coordination Committee had asked the Council in 1958 to include a rating of automobile safety features in the Annual Inventory of Traffic Safety Activities:

The reaction of the Safety Council top brass to this proposal was as prompt as it was horrified. Gad, Sir! replied the Major General (Ret.) who was in charge at the time, such a move would be against policy. The New York Committee replied that it was well aware of this fact and was in fact suggesting that policy be changed. The correspondence ceased abruptly.

One inescapable conclusion emerged:

It would appear that the only organization big enough to take on the automobile industry is the Federal government itself.

Moynihan was encouraged, therefore, by the Roberts Subcommittee. Initially, Moynihan said, Roberts thought the "bare facts" were so obvious that "the debate would be all over once they were made public." He soon realized that the design of the automobile was the key. The needed changes were known, but as one doctor testified during the first day of hearings, "there the whole program grinds to a discouraging halt."

In discussing the Roberts bill requiring the Secretary of Commerce to establish safety standards for automobiles, Moynihan explained that the Chairman "feels that there is no longer any point in discussing the

possibility of the industry's regulating itself. The Federal government will have to do the job." To Roberts, the analogy was with the Civil Aeronautics Administration, which had been regulating aviation for 45 years. "If," Moynihan said, "the Federal government were to do no more than duplicate its procedures for aviation safety, great progress could be made practically overnight."

In the short run, he was not optimistic about the fate of Roberts' bill. "Unfortunately, there is no organization that will speak up for Roberts and lobby for his bill." The long run was another matter. Moynihan concluded his article with these words:

But regardless of the fate of this year's legislation, in the long run we can certainly expect some interesting results from the fact that the public-health profession is now turning its attention toward the problem of traffic safety. If any automobile magnate wonders what that can mean, he would do well to run over to Chicago to watch government officials in white coats giving their safety ratings to the sides of beef as they roll off the packing-house production lines.

The National System of Interstate and Defense Highways

From the start, the Interstate System was seen as having a potentially major impact on highway safety. In *Toll Roads and Free Roads*, the 1939 report to Congress in which the BPR provided the first formal proposal for the Interstate System, the safety factor was cited as one of the benefits:

By providing ample capacity and every safety device known to modern highway engineering, the construction of these roads would effect a greater reduction in the highway accident rate than could be made by an equivalent sum spent for highways in any other way.

This idea remained a theme throughout consideration of the concept and was cited by President Eisenhower in support of the Interstate System.

In the aftermath of the Federal-Aid Highway Act of 1956, concerns about the impacts of Interstate highway construction raised parallel concerns from the highway safety community about delays in the program. The control of access feature of the planned Interstate System, one of the main safety features, was a subject of considerable concern because it differed from the full access common on most of the U.S. numbered highways that constituted the existing interstate highway network.

For example, the September 1957 issue of *Traffic Safety* published an article by James D. Saul, a member of the editorial staff, called "Superhighways or Superheadaches?" The subtitle was:

With Planned Access-Beauty, Speed, Safety
Without Planned Access-Squalor, Delay, Tragedy

The article began:

The gigantic federal-state highway building program is ready to roll. Surveyors are sighting through their transits, contracts are being drawn, bulldozers and draglines are even now gouging out the earth in many localities.

Saul stated that because of the Byrd Amendment, the program had been stretched out beyond the original 13 years to 15 or 16 years (named after Senator Harry Flood Byrd (D-Va.), Chairman of the

Finance Committee, the Byrd Amendment required that apportioned funding must be reduced if the Highway Trust Fund was in danger of operating at a deficit). But Saul was more concerned about the requirement for public hearings and their "potential to hamper and delay the program." He considered hearings "all democratic and proper," but he had a major concern about who would show up:

But if history repeats itself, as it usually does, it will be the "agin's" who turn out and give loud cry to protests that they will be hurt by the new location, or by the planned access provisions of the law Officials can expect attempts . . . to influence the location of the route, to violate the principle of access control, or to sidetrack funds to secondary roads.

He understood how a business might want to preserve its "good location" or a town might prefer not to be bypassed. Still, as Saul put it:

The new highways must be built as major carriers of traffic, and planned access preserves the capacity of a road The distinction must be made clear-no road can serve efficiently as a major artery and as a service road.

He argued that to change old patterns of thinking about highways, officials must fight for public support. They must explain that control of access is essential to the "safety and capacity of the modern express highway." The importance of control of access "permits no compromise with this principle." Bypasses usually result in increased property values "because the reduced traffic brings easier shopping." Further, he said, "Bypasses usually benefit the established, stable business houses, while those injured are likely to be the more insecure types." Any disadvantages from the loss of tourist trade would soon be reversed "by increased local trade."

Saul concluded:

The new highway program is under way. We are already paying for it, and will continue to pay for many years into the future. Delays only cost more money. The smart taxpayer can make sure he gets his money's worth by supporting officials who are determined to buy the most road for the money. That means planned access.

By 1959, the Interstate Highway Program was in trouble. The BPR had completed a new estimate that increased the cost from \$27 billion to \$41 billion (Federal share: \$37 billion). At the same time, Congress had increased authorizations for construction to counter a recession, but had not increased revenue to pay for the added work each year. Under the Byrd Amendment, this meant the amount available for Interstate construction would have to be cut.

On July 22-24, 1959, the House Ways and Means Committee held hearings on the tax issues resulting from the problem. General Stewart, who had escorted President Eisenhower to the National Safety Council dinner in Chicago the previous year, submitted a statement on behalf of the Council. He began by explaining that because the Council was congressionally chartered, he could not discuss the legal, financial, or political aspects of pending legislation. He would address only the safety aspects.

The Council, General Stewart said, was concerned by any delay or stretch-out in the program "because we believe such a delay or stretch-out will result in more traffic accidents than would occur if construction were completed on schedule. He cited the control of access feature as having proven its potential for saving lives. During

the recent Memorial Day weekend, motor vehicle deaths set a new record of 310, but 16 turnpikes with full control of access had carried 5 million vehicles "without a single fatality and only three serious injuries." For all of 1958, the fatality rate had been 7.3 deaths per 100 million miles of travel on rural roads, but only 2.8 on the turnpikes.

With such evidence in hand, the Council's statistical staff had investigated the safety consequences of any delay in the Interstate construction program:

- Controlled-access modern-design highways already in use are reducing traffic deaths 700 a year below what they would be without these highways.
- With each year's extension of the system, scheduled for substantial completion by 1970, there will be *additional* lives saved which, during the period 1960-1970, will accumulate to a total saving of 30,000.
- Delays or stretch-out in planning construction will result in unnecessary loss of life. For example, if no additional highways were built in 1960, thus delaying completion of the entire system for one year, about 5,700 more deaths would occur by the time the system is completed that would have occurred had the system been completed on schedule.

In short, he concluded, "the National Safety Council believes it to be in the best interest of our people that there be no delay or stretch-out in the construction program of our interstate system of highways."

The Federal-Aid Highway Act of 1959, which President Eisenhower approved on September 21, provided only a temporary solution. It increased the gas tax by 1 cent (to 4 cents) on a temporary basis through June 30, 1961, anticipating that the issue would be addressed permanently after a new President took office in January 1961. Construction funding would have to be stretched out.

Advancing the Action Program

In 1958, the Nation had suffered 36,981 motor vehicle deaths, a decline from 1957 (38,702). But fatalities were up 5 percent in the first 7 months of 1959 (20,430 compared with 19,490 during the comparable period in 1958). The increase was partly a result of increased travel, up 5 percent in 1959, following recovery from the recession, and was occurring principally in rural areas.

These results prompted Chairman Hearst of the President's Committee for Traffic Safety to issue a statement in August reaffirming the Action Program. He began by describing the present situation in stark terms:

The Nation is facing a possible all-time record traffic death toll of approximately 40,000 this year. It is estimated that the death rate per 100 million miles of travel, after a steady decline during the post-war years, will rise fractionally to 5.7 compared with the all-time low of 5.6 in 1958. Traffic safety experts have forecast that the 1960 toll may be even higher, possibly reaching 41,000 unless the trend can be reversed promptly.

Although increased travel was partly responsible, Hearst said the Committee considered that "this upward trend from an already deplorable level is unacceptable to the people of this country." It "must be reversed" by short- and long-term measures.

The Committee members believed that success could be achieved "through vigorous and intelligent application of the tested techniques set forth in its Action Program." This view "is abundantly supported by the accomplishments of states and cities that have applied these

techniques." He listed the "indispensable factors if any substantial and continuing success" is to be achieved, presented here in paraphrased form:

- Every State and community must enact sound, uniform traffic laws and ordinances;
- Enforce the laws and ordinances fairly, firmly, and impartially;
- Ensure that traffic courts dispense fair and impartial justice;
- Impose reasonable but strict requirements for driver licensing;
- Develop adequate and uniform accident reports and use them to determine needs and corrective actions;
- Stimulate construction of new highways and rehabilitate existing roads using the best engineering techniques for maximum safety;
- Inspect motor vehicles periodically;
- Instruct young people in driving practices and attitudes; and
- Progressive improvement of motor vehicle design and construction to afford safer operation and greater protection for occupants.

After summarizing the Action Program, he said:

All of these elements call for a greater degree of continuing voluntary coordination among all public officials who have responsibilities in the field of traffic, and among private organizations engaged in traffic safety work.

The Committee called on its Advisory Council to ask its members to use their resources and experiences "to seek new techniques and fresh approaches to deal with the problem." Beyond them, Hearst called for a broader coalition:

The Committee looks to all concerned: officials, governmental bodies, private organizations, citizen groups and the general public to accept their obligations and perform their duties to the end that our people may be spared the human, social and economic losses caused by traffic accidents.

Action/Inaction in Washington

In July 1959, the Roberts Subcommittee held three days of hearings on several highway safety bills and one on exhaust fumes. The Automobile Manufacturers Association (AMA) termed the bills unnecessary, impractical, or a duplication of effort, and recommended against all of them:

- Regarding the Roberts bill that called for the setting of safety standards for vehicles purchased by the Federal Government, the AMA agreed the Federal Government should set an example, but pointed out that "nationally recognized performance standards already are available."
- On a bill that required safety devices on all motor vehicles sold, shipped, or used in interstate commerce, the AMA concurred in the objective but said that giving the Secretary of Commerce or any other Federal official responsibility for automobile standards would be "both impractical and unnecessary."
- The AMA agreed with the objective of a bill that would require a 100-mile road test before sale, but said it would be a step backwards by about 20 years; existing laboratory tests were far superior.
- The air quality bill, nicknamed the Hydrocarbon Bill, would prohibit the operation of any motor vehicle that discharged substances in amounts the Public Health Service considered dangerous; it could not be "undertaken constructively, pending further breakthroughs in research and testing."

Roberts referred to the AMA's prepared statement as a "yo-yo" because the AMA agreed with the objectives of each bill, but reversed itself in having anything to do with Federal regulations or specifications. Goodwill, he said, is not enough. After describing the accident toll and the hazards of exhaust fumes, he said:

We cannot do this job with a few slogans, warning us from bumpers or signs posted along streets and highways
We need safer vehicles.

Regarding his bill on standards for Federal vehicles, he said that "promoting the production and operation of safer motor vehicles is a field in which the Federal Government has a definite responsibility."

When the subject of seat belts and other safety devices came up, the AMA's representatives, members of its Engineering Advisory Committee, said additional research and experimentation were needed. Under questioning from Roberts, Paul C. Ackerman of Chrysler Corporation acknowledged that seat belts were "probably the most effective means of protecting car occupants" and said Chrysler's 1960 models would have an indentation in the floor pan indicating where holes could be drilled to attach belts. Charles A Chayne of GM said his company gave its dealers information about installing seat belts and felt that was sufficient. Andrew A. Kucher said Ford was considering ways of installing seat belts as inexpensively as possible, but had no definite plans. Representing American Motors, Ralph H. Isbrandt indicated that his company's cars would soon have brackets welded to the floor, possibly by the 1960 models.

Consumer resistance was one of the industry's concerns. Chrysler dealers claimed that less than 1 percent of customers wanted them. Ackerman said a reel device made seat belts less unsightly, but also discouraged their use.

Representative Charles E. Bennett (D-Fl.), who had introduced the bill on safety features on vehicles used in interstate commerce, discussed the cost of adding safety features such as safety padding, bumpers, and visibility aids. Expecting self-regulation by the automakers was "totally unrealistic." In the competitive marketplace, they were "at the mercy of the whims and preferences of the buying public," undercutting the effectiveness of the need for safety devices:

Unfortunately, many or most of the safety features either have no sales appeal or negative sales appeal. What would happen to the public-spirited automobile company which would decide to make less-powerful more manageable cars to save American lives? Purchasers would flock to his rivals and he would lose millions of dollars, as would his chain of dealers.

Or suppose he should decide to incorporate safety features which, though not unattractive, would increase the cost of his product? Again, he would suffer competitively because of price considerations.

Because "inexorable economic laws" doomed self-regulation, he said, Federal regulation of all manufacturers was necessary.

Another AMA, the American Medical Association, testified in favor of the bills. Dr. Horace Campbell emphasized the association's special interest in padding and other features that would prevent head injuries. The industry had incorporated some safety features in the 1956 models and promised more in 1957, but many were optional on all but the most expensive models. He also considered the padding used in the cars to be inferior with a short, useful life. Dr. Campbell

said that "no substantial progress has appeared in either the 1958 or the 1959 models" and he detected that "some regression in car safety has occurred."

The Roberts bill, H.R. 1341, was the most promising of the bills considered during the hearings. It required the Secretary of Commerce to determine which "reasonable safety devices" should be mandatory for non-military motor vehicles bought by the Federal Government and to develop standards for them. Chairman Roberts hoped the bill, although limited to the government, would "hasten the day when such safety features become standard equipment on all passenger-carrying motor vehicles offered for sale to the public."

The U.S. Army, Department of Commerce, and General Services Administration (GSA) expressed concerns about H.R. 1341. The GSA pointed out that it purchased about 10,000 vehicles a year and had the authority to order any safety devices deemed necessary for their operation. The Commerce Department agreed that the Roberts bill was unnecessary because GSA could issue specifications for such items as padding, seat belts, or other features. Roberts agreed, but pointed out that since the GSA had never done so, the Congress should force action.

Roberts realized that H.R. 1341 raised fears about Federal domination of the automobile industry. In response, he said:

I don't see any reason why autos should be any more exempt from federal safety standards than airplanes. There is regulation over civil aviation. It is the same principle as making canned goods and drugs come up to the standards of safety. The auto industry ought to put every known practical device on cars.

He added that the government regulated many areas (such as refrigerator doors, railroads, and flammable fabrics) without taking them over and the government has no intention of taking over the automobile industry. Still, the Federal Government "had accepted responsibility for making safety requirements in all fields of interstate commerce." He added, "Whatever the cost, it will not be unreasonable. No one can put a dollar value on human life."

He added, "This is not regulation, not domination, just federal leadership."

The bill passed in the House but would fail in the Senate.

The President Maps Traffic Safety Strategy

On April 13, 1954, the President had established his Committee for Traffic Safety on an informal basis. On January 13, 1960, he provided a formal status to the Committee by signing Executive Order 10858 "to advance the cause of street and highway safety." In addition to specifying the composition of the Committee, the Executive Order described its purpose:

The Committee, on behalf of the President, shall promote State and community application of the Action Program of traffic safety measures established by the President's Highway Safety Conference in 1946, and revised in 1949, and shall further revise and perfect that Action Program in accordance with the findings of further research and experience. It shall also develop effective citizen organization in the States and communities in support of public officials with Action Program responsibilities.



On January 13, 1960, President Eisenhower signed Executive Order 10858 giving a formal status to the Committee for Traffic Safety. Committee Chairman William Randolph Hearst, Jr., is second from the left.

The Committee would also cooperate with Federal, State, and local officials and interested national organizations and "encourage them to study traffic-safety needs, adopt uniform traffic laws and ordinances, and conduct balanced traffic-safety programs."

The Executive Order authorized the Committee to continue present advisory groups, such as the Business Advisory Council, and form others to carry out its activities. Through these links, the Committee "shall aid citizen leaders in developing effective support organizations, assist public officials in determining specific needs and applying remedial measures, plan and guide nationwide traffic safety educational efforts, and advance all areas of highway safety."

The Executive Order also directed the Secretary of Commerce to provide office space, staff, equipment, supplies, and services available to assist the functions of the Committee. The BPR had long supplied this assistance informally.

In addition to signing the Executive Order, President Eisenhower met with his Committee for Traffic Safety in January 1960, his last full year in office. The Committee could report that the fears expressed in mid-1959 that fatalities would exceed 40,000 had not proven true. The total of 36,223 fatalities was higher than in 1958, but the decline in the second half of the year suggested that efforts to moderate the increase had been successful.

After an intensive 2-day reexamination of its Action Program, the Committee told the President that its members were "more convinced than ever that the principles of the Action Program are right." The Committee noted the heavy 1959 traffic toll, but added that until August, an even worse toll had been predicted:

There can be no question that traffic casualties would have been shockingly higher had it not been for the continuing efforts of public officials and private safety groups to deal with the ever-increasing accident exposure created by more vehicles traveling more miles. In contributing to these efforts, your committee has been guided by your original counsel that it utilize the resources and capacities of existing organizations in achieving the objectives of the Action Program.

The Action Program called for a greater degree of coordination among public officials and private organizations to activate the tested techniques to meet immediate needs and the worrisome development of the immediate future:

With conscientious application of the Action Program by public officials in all states and communities, and with organized public support for this official action, the people of this nation can avoid paying, each year, so high and needless a cost for traffic accidents. By these means, our streets and highways can be safer channels of efficient traffic movement; without them, they will be corridors of death and chaos.

The President approved the Committee's plan to establish subcommittees of traffic safety authorities to re-examine the Action Program to determine if changes are needed; to develop a campaign to popularize the terminology of the technical phrases of the Action Program so they will be more widely understood; and to convene additional regional seminars for State legislative leaders in the fall.

Federal Intervention

President Truman had warned that the Federal Government would not stand idly by if State and local governments did not take steps within their jurisdiction to improve highway safety. President Eisenhower, who strongly supported State initiative, had expressed frustration in his 1957 Governors' Conference speech with the States' efforts. Although traffic safety was "happily" still a State and local responsibility, he said the American people were paying the "fearful price for the failure of the states to agree on such safety essentials as standards for licensing drivers and vehicles and basic rules of the road." He warned the Governors:

We simply cannot let this go on. The cost of inaction is prohibitive. Who is going to fill the vacuum? Some one must, and some one will. Are we willing that, once again, it be Washington, D.C.?

As reflected in the Beamer Amendment of 1958 and the 1959 Report to Congress on *The Federal Role in Highway Safety*, Federal officials were reluctant to usurp State authority or the automobile industry's prerogatives.

By 1960, the Federal reluctance was diminishing. In an address in January 1960, Chairman Roberts said:

It is with the greatest reluctance that I come to the conclusion that we need the legislation mentioned, and other measures The states and local communities could accomplish many of the things that must be done if we are going to reduce the traffic toll The point is that in view of the record, can we afford to wait for the states to do this? For more than 30 years we have been trying to get a uniform traffic code adopted by the various states. Some progress has been made, but we have a long way to go.

He summed up:

My point is that if we are going to get the job done, we cannot self-righteously hide behind the cloak of states rights, or reject steps which are going to cost money.

The Federal Role in Highway Safety had made a similar point. If State and local officials and the automotive, insurance, and associated industries did not reach agreement on their objectives and obligations, they "face having it decided for them by a public now gradually awakening, how and to what extent they will share in a comprehensive, coordinated highway safety plan."

The States recognized the situation. In the July 1960 issue of *Traffic Safety*, L. S. Harris, Executive Director of the American Association of Motor Vehicle Administrators (AAMVA), warned:

If states continue to ignore their responsibility to act-when action is so urgently needed-their default will inevitably result in federal intervention.

He referred to the 1958 Beamer Resolution as a good starting point. Each State, he felt, needed to enact a "Little Beamer Resolution" giving its designated officials the authority to enter into compacts with other States. Such compacts, he pointed out, were common in many areas of government, including allocation of water from the Colorado and Columbia Rivers and forest fire prevention:

So far, not one state has made any move to implement the Beamer Resolution and this lack of activity has not gone unnoticed by the Congress.

Harris stated that at the conclusion of his testimony before the Roberts Subcommittee in 1959, the Chairman had told him:

I remember your organization testified in favor of what was called the Beamer Resolution, H.R. 221, which was passed unanimously in the last session of Congress. I have been a little disturbed by the failure of the States to take any action on that resolution.

With the perception of State inaction, Federal activities were increasing. During the 85th Congress, approximately 50 bills or resolutions had been introduced on traffic safety. *The Federal Role in Highway Safety* summarized the bills:

These bills dealt with a wide variety of traffic safety matters ranging from general proposals to "investigate methods of increasing highway safety" to specific proposals that excise tax on automobile windshields, side windows, and rear windows be imposed on a square-foot basis.

Nearly one-fifth of the bills called for Federal standards for safety devices or practices. Five involved driver education, while another five bills and resolutions authorized congressional investigations of traffic safety conditions. The report summarized the four bills and resolutions that had been enacted:

These included (1) permission for the States to form compacts for promoting highway traffic safety, (2) authorization of awards for acts of heroism involving motor vehicles subject to the regulations of the Interstate Commerce Commission, (3) more adequate and realistic penalties for violation of certain motor-carrier regulations administered by the Interstate Commerce Commission, and (4) economic regulation and, as a result, probably more effective safety regulations for certain formerly exempt haulers of agricultural commodities.

The report also commented on the importance of these four new laws:

Although this legislation has constructive intent and may aid the safety of highway travel, it scarcely deals with the major issues in the highway safety field. That this is true after more than 2 years of intensive and highly useful hearings by the special House Subcommittee on Traffic Safety should provide some insight on the breadth and complexity of advancing safety in highway transportation, viewed in its legislative perspective.

Joint Federal-State Action Committee

On June 24, 1957, President Eisenhower had addressed the Governors' Conference in Williamsburg, Virginia, about the complex issue of intergovernmental relations. To examine the issue in greater detail, he had appointed the initial members to the Joint Federal-State Action Committee on July 20, 1957. The goal had been to strengthen the Federal system by bolstering the States' role as essential components. The committee was assigned the task of developing a rationale for determining which level of government should perform particular functions.

The Cochairmen, Governor Robert E. Smylie of Idaho and Treasury Secretary Robert B. Anderson, submitted the committee's final report to the President on February 26, 1960. They explained that their purpose had been superseded by enactment of Public Law 86-380, which created a permanent Advisory Commission on Intergovernmental Relations. At a final meeting on October 26, 1959, the committee agreed to turn its records over to the Advisory Commission and provide a final report to the President.

During its review, the committee had studied a variety of subjects that were highlighted in the final report to the President:

- Migratory Labor
- Atomic Energy
- Natural Disaster Relief
- Block Grants
- Estate Tax Revision
- Flood Insurance
- Legislative Jurisdiction
- Impact of Grants on State and Local Finances
- Workmen's Compensation Laws and Radiation Hazards

To a lesser extent, the committee had considered other topics, including:

- Federal reimbursement for toll roads and freeways
- Medical education
- National Defense Education Act program
- State income taxation of interstate business
- Federal income tax on life insurance companies
- Federal income tax credit for income tax payments to the States.

The toll reimbursement issue was the committee's only foray into the highway field. The Governors' Conference, in a resolution adopted on May 21, 1958, had asked the committee to work with the appropriate committees of Congress to study the issue of what to do about the State-financed turnpikes incorporated into the Interstate System. The turnpikes had been one of the most controversial topics during the 1955-1956 debates on financing Interstate construction. The States, such as New York, that had taken the initiative to build or plan the turnpikes in Interstate corridors believed they had been shortchanged hundreds of millions of dollars in Federal funds that were going to the States that had not shown foresight in addressing their traffic problems before enactment of the Federal-Aid Highway Act of 1956.

Section 114 of the 1956 Act had postponed the issue by calling for a BPR study of the amount of Interstate mileage built with other funds or as turnpikes-and the potential cost of reimbursement. The topic was covered in the committee's second progress report in December 1958. Stating, incorrectly, that the legislation had directed the Secretary of Commerce to make recommendations to Congress on the subject, the committee took no action. The one-paragraph response to the Governors' resolution concluded: "This situation was cited as another instance in which the Joint Committee serves as a channel for more effective consultation between the Federal and State levels of Government."

(Secretary Weeks had submitted the BPR's report, *Consideration for Reimbursement for Certain Highways on the Interstate System*, on January 7, 1958. As he noted, the report included "information on the mileage of highways eligible for consideration for such reimbursement, their cost, and depreciation." Section 114 had not requested the Administration's views on whether Congress should take action on the issue; the report did not contain views on the matter.)

On May 13, 1960, the President transmitted the committee's report to Congress. He pointed out that he had often "warned against the dangers of over-centralizing power and authority in the National Government." One way of avoiding these dangers, the President said, was to strengthen State and local governments. He had, therefore, "sought continually to examine and to improve the balance in our system of divided governmental responsibilities."

After discussing the committee's findings and recommendations, the President concluded:

Therefore, in order to strengthen our Federal system and to provide the circumstances for more responsible State governments, I strongly urge the Congress promptly to enact legislation consistent with the recommendations of the Joint Federal-State Action Committee.

National Driver Register

In the 86th Congress, Chairman Roberts held hearings on March 21, 1960, on H.R. 5436, introduced by Representative John J. Rhodes (R-Az.). As amended, H.R. 5436 required the Department of Commerce to create a register of people whose motor vehicle operator's license had been revoked for driving while intoxicated or who had been convicted of a violation of a highway traffic code involving loss of life. *The Federal Role in Highway Safety* had suggested such a registry that would be available to all States on a voluntary basis.

In addition to Congressman Rhodes, witnesses included General Stewart, speaking for the National Safety Council, and Leland Harris on behalf of AAMVA. General Stewart told the Subcommittee that the Council believed a registry was needed, but hoped it could be done without creation of a new Federal agency. He recognized that progress among the States on a cooperative basis had been "disappointing."

Harris was sympathetic with the goals of the bill but doubted the legislation would accomplish the purpose. AAMVA favored a one-driver-license concept it had been promoting for several years. Under the concept, a driver could have only one driver license and it would be issued by his current State of residence. The concept had been adopted, Harris said, "in those States that have legal authority, budgets, and personnel to implement it." He added:

The elements which make it extremely difficult for some States to participate in this plan are the same as those which would prohibit them from participating effectively in the Federal register plan: lack of authority, funds, personnel, and facilities.

Congressman Rhodes made his view clear: "If the states are not going to do it, the federal government must take the lead."

Under Secretary of Commerce Philip A. Ray submitted the Department's views on March 21, 1960. Although the Department supported the concept of a national driver register, Ray identified several problems that would hamper implementation. For example, he cited the "variety of recordkeeping systems in the States." They were not all compatible "and a significant number of them are not set up to be usable at the outset in any kind of machine tabulation." The details, such as whether the register would include only the revoked licenses or would have to include all 82 million licenses, remained to be worked out.

Although Ray estimated the cost in the range of \$275,000 to \$350,000, it could be higher if the nature of State source data required the processing of a much higher number of data cards. He recommended that the bill be amended to allow the Department to charge fees to the States for the services provided by the center.

The Department's conclusion was:

This vexing question of records administration will have to be solved before this Department, in all candor and conscience, can recommend the commitment of Federal funds. In view of the uncertainty about the significant management element, it would be well to defer consideration of any authority to install a driver's license clearance center.

These reservations notwithstanding, the House approved the bill.

Senator Warren G. Magnuson (D-Wa.) of Washington, Chairman of the Committee on Interstate and Foreign Commerce, introduced S. 3746, which was identical to H.R. 5436 as approved in the House. The Committee held a hearing on the bill on June 25, 1960. All witnesses favored the bill, although the National Safety Council expressed its preference that the States establish the register on a cooperative basis. Commerce Secretary Mueller submitted a letter on June 27 restating the comments of Under Secretary Ray.

Senator Magnuson also asked the ICC, which was responsible for issuing regulations governing the qualifications of drivers of commercial vehicles, to comment on the proposed legislation. On June 27, the ICC expressed several concerns about the bill, such as objecting to its exclusion of "revocations for other reasons of grave importance." A definition of "driving while intoxicated" was needed, the ICC said, because the wording might exclude revocations for "driving while under the influence," as the offense was defined in some States. The ICC also recommended amending the bill to allow any Federal Agency with highway safety responsibilities to receive the information.

Although a national driver register "would be of major importance to this Commission," the ICC recommended "that action on the bill be deferred pending the development of more complete information concerning standards, procedures, and methods of classification of offenses by the various State agencies."

Despite the concerns raised about the bill, it passed and was approved by President Eisenhower on July 14, 1960, as Public Law 86-660. It contained only three sections. The first directed the Secretary of Commerce to establish and maintain a register of each individual whose license had been revoked for driving while intoxicated or conviction of a violation of a highway safety code involving loss of life. The second section directed the Secretary to provide information to any State or political subdivision on any individual in the register. The third section defined "State" to include the States, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, and the Panama Canal Zone.

Secretary Mueller designated the BPR, under Federal Highway Administrator Bertram Tallamy, to establish and maintain the Driver Register. However, Mueller emphasized that the Federal Government was not entering the driver licensing or traffic law enforcement fields. Under the terms of the new law, the register would be operated as a voluntary State-Federal enterprise.

Traffic Safety speculated that "a great deal of exploratory work" and about a year would be needed before this innovative program could get underway:

One problem faced is that motor-vehicle driver licensing is handled in a variety of ways by the states. In 22 states the motor-vehicle administration agency is an independent department; in others the functions are integrated with the operations of the revenue, safety, or some other department, or dispersed among several different departments. The nature of the driver license application information and handling also varies among the states. In some states, the traffic courts originate license revocations.

Although the BPR intended to put a minimum burden on the States, uniformity of reporting would be essential. The BPR said it would consult with AAMVA, the American Bar Association, the International Association of Chiefs of Police, the individual States, and other organizations as necessary to establish the register.

In addition, the BPR investigated the types of high-speed electronic data-processing equipment that would be needed to handle the million licenses revoked each year. The BPR concluded that the register could be handled with its own electronic data processing equipment by using it on a night shift.

As predicted, the registry took about a year to establish. Secretary of Commerce Luther Hodges inaugurated the National Driver Register Service in the BPR's computer room at 3 p.m. on June 30, 1961. At the time, 43 States and 4 territories had agreed to participate and had sent information on 12,000 drivers. The BPR expected to receive records on 1,000 names daily and an average of 20,000 search requests a day.



The Bureau of Public Roads used this exhibit to promote the National Driver Register established following enactment of Public Law 86-660 on July 14, 1960.

By September 1963, the National Drive Register had processed 2 million requests from 46 States-the second million in just the past 6 months. (Delaware, Florida, Georgia, and Massachusetts had not

participated in the register). To that point, 22,000 searches had resulted in positive matches, thus enabling the States to deny licenses.

The Platforms

The Republican Party nominated Vice President Nixon as its candidate for President in the 1960 election. The party's platform favored "continued improvement of our vital transportation network, carrying forward the vast Eisenhower-Nixon national highway program and promoting safe, efficient, competitive and integrated transportation by air, road, rail, and water under equitable, impartial, and minimal regulation directed to those ends." The platform also promised vigorous support for "a stepped-up program to assist in urban planning, designed to assure far-sighted and wise use of land and to coordinate mass transportation and other vital facilities in our metropolitan areas."

The Democratic Party chose Senator John F. Kennedy of Massachusetts as its candidate. Regarding transportation, the party platform said:

Over the past seven years, we have watched the steady weakening of the nation's transportation system. Railroads are in distress. Highways are congested. Airports and airways lag far behind the needs of the jet age.

The Democrats proposed to develop a national transportation policy, support the Federal-Aid Highway Acts of 1956 and 1958, expanded airport grants and river harbor improvements, and assist railroads in meeting their capital needs, particularly for urban transportation. The platform also promised "a ten-year action program to restore our cities and provide for balanced suburban development." The program would include "comprehensive metropolitan transportation programs, including bus and rail mass transit, commuter railroads, as well as highway programs and construction of civil airports." In view of the difficulties local governments were experiencing with mass transportation, the platform promised to expand Federal programs of aid to help urban communities move commuters to and from their jobs.

The Republicans and Democrats also addressed the growing problem of air pollution. The Republicans pledged "Federal authority to identify, after appropriate hearings, air pollution problems and to recommend proposed solutions." The Democrats planned to "step up research on pollution control, giving special attention to: the rapidly growing problem of air pollution from industrial plants, automobile exhausts, and other sources." In addition, the Democratic platform proposed a 10-year action program of Federal-aid to help cities combat air pollution because "the states and local communities can not go it alone."

The Interdepartmental Highway Safety Board

The Department of Commerce's 1959 report, *The Federal Role in Highway Safety*, stated that a "pressing need exists for greater national stimulation of official highway safety efforts." The report explained:

The establishment of an effective national focus for leadership, guidance, and a degree of coordination among the many phases of the official highway safety effort is justified by the large accumulating toll of life and property lost in street and highway accidents.

The national interest would be served by creating "a mechanism to provide leadership, guidance, and coordination of existing and future official highway-safety activities." Such a mechanism would "give maximum impetus to this facet of the public welfare and provide the voluntary President's Committee a more substantial and cohesive program to support, with consequent advantage to the total movement."

To meet this need, the report suggested creation of an Interdepartmental Highway Safety Board, chaired by the Secretary of Commerce "who has major responsibility in the fields of engineering and transportation." The Board would "coordinate all official Federal traffic-safety programs and all research activities of the Federal Government in the field of traffic safety." It should seek the advice of State and local officials, who would be encouraged to establish committees to work closely with the Board.

President Eisenhower's last act on behalf of highway safety came on December 2, 1960, when he signed Executive Order 10898 on Establishing the Interdepartmental Highway Safety Board. The Board was to provide "leadership and guidance of existing and future official activities that affect the safety of travel on public streets and highways and to establish a coordinated traffic safety program for Federal agencies." The Secretary of Commerce was designated the Chairman of the Board, which included the Secretaries of Defense and Health, Education, and Welfare; the Postmaster General, the Chairman of the ICC, and the Administrator of the GSA.

In addition to providing leadership to and coordinating traffic safety aspects of Federal programs, the Board would evaluate continuing needs in traffic safety research to focus on the "most urgently needed research"; consult and cooperate with State and local officials in the development, improvement, and application of traffic safety standards, such as uniform traffic laws, enforcement practices, accident records, driver licensing, motor vehicle equipment and inspection, traffic engineering, and safety education; conduct continuing studies of national traffic safety needs related to Federal legislative and administrative needs; submit national progress reports to the President on traffic safety; and perform such other functions as the President may direct.

The Executive Order directed the agencies represented on the Board to assist the Board, as necessary. Employees were to be detailed to assist the Board, including one who would serve as Executive Officer "to perform such functions, consistent with the purpose of this order, as the Board may assign to them."

The Board "shall be advisory" to the member agencies "and this order shall not be construed as subjecting any agency, officer, or function to its control." The President's Committee for Traffic Safety "shall serve as consultant and advisor to the Board."

A Changed Social Order

With the Eisenhower Administration winding down, the President's Committee for Traffic Safety met with its advisory and technical groups, along with State and municipal representatives. The goal was to review and update the Action Program.

Dr. Waldo E. Stephens gave the keynote address, in which he asked:

Could it be that one of our foremost tasks is to take inventory of our own concepts, ideas and clichés, which have become a bit thumb worn and outmoded?

He suggested the answer to his question by stating that all advocates of safety must realize "the old concepts, patterns of individual conduct, are not adequate to meet the changed social order."

Summarizing the meeting in the March 1961 issue, *Traffic Safety* listed some of the hundreds of recommendations the experts provided to the Committee for consideration:

1. "non-fix" tickets
2. compulsory vehicle inspection;
3. a nationwide system of driver education in the schools;
4. uniform "rules of the road" and traffic signs and signals;
5. improved staffing and administration of traffic courts;
6. improved safety design of autos on a priority basis, with particular emphasis on defrosting and wiping equipment, braking systems, vehicle handling, standardized location of instruments and controls, restraining devices and better absorption of impact energy, evaluation of the safety aspects of automatic controls, and measures to forestall driver fatigue;
7. planning of urban transportation facilities in coordination with safe traffic needs;
8. stepped-up public information programs;
9. initiative by civic and business leaders in the establishment or strengthening of state and community citizen support groups; and
10. increased emphasis by business and industry to off-the-job safety programs.

The Committee for Traffic Safety's Final Summary Report to President Eisenhower stated that "the Nation is making positive gains in the endless fight against motor vehicle accidents." The President's interest had been "of inestimable value to the entire traffic safety movement." Further, the Committee assured him that the "concerted action by some forty national organizations that have worked with the committee has brought about the most effectively-coordinated accident prevention activity in the history of the traffic safety movement."

The forces fighting for highway safety had reason to hope they were beginning to win the battle. Adjusted fatality statistics identified 33,190 deaths (fatality rate: 6.65) on the Nation's highways in 1953, President Eisenhower's first year in office. The total peaked in 1956 at 37,965 (6.05), the year the President signed the Federal-Aid Highway Act of 1956 on June 29. By 1960, President's Eisenhower's last full year in office, the adjusted total was 36,399 (5.06).

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