



The Our American States podcast—produced by the National Conference of State Legislatures—is where you hear compelling conversations that tell the story of America’s state legislatures, the people in them, and the policies, process and politics that shape them.

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NHTSA Administrator on Traffic Safety Challenges | July 11, 2021 | OAS Episode 135

Ed: Hello and welcome to “Our American States,” a podcast from the National Conference of State Legislatures. This podcast is all about legislatures: the people in them, the policies, process and politics that shape them. I’m your host, Ed Smith.

“During the pandemic, we saw despite a decline in overall VMT, about a 20% or a little more than 20% increase in the fatality rate. Overall, traffic deaths were up 7.2% last year.”

That was Steven Cliff, the acting administrator of the National Highway Traffic Safety Administration, or NHTSA. He’s my guest on the podcast.

Cliff spent several years in a variety of roles at the California Air Resources Board and previously worked as a research professor at the University of California at Davis. He holds a Ph.D. in chemistry.

Cliff discussed how NHTSA and the states can work together on traffic safety issues, the increase in traffic fatalities during the pandemic, ongoing efforts to combat impaired driving, and much more. Dr. Cliff, welcome to the podcast.

Cliff: Thank you, Ed. It’s great to be here with you.

Time Marker (TM): 01:24

Ed: Well, thanks for coming on the show. We have an audience primarily of state legislators, legislative staff and other state policymakers. I wonder if you could start with the basics and explain NHTSA’s portfolio of issues.

Cliff: The National Highway Traffic Safety Administration, as you noted, has safety in the name. That’s our primary mission. We affectionately call it NHTSA. We were established more than 50 years

ago. Our mission is to save lives, prevent injuries and enhance the economy by reducing economic costs due to traffic crashes through education, safety, research, standards, and enforcement.

So, we have a pretty broad portfolio. We like to say that we're small but mighty. Just over 600 staff responsible for setting the fuel economy standards for the nation, motor vehicle safety standards. We do odometer fraud investigation. We actually facilitate the nation's emergency management system and 911 and work together with our other federal partners to do so. And then we set standards for occupant protection. We do research on both behavioral issues as well as technology, all related to safety.

One of the things that I found really interesting is that NHTSA not only has these requirements to set safety standards, but in fact, we can do a recall on a vehicle if we find that there's a safety issue for which a safety standard doesn't exist. So, if we find something that we believe is a safety issue, we can go out and attack that even if there isn't already a regulation in place that has pre-considered that issue.

It allows the type of innovation that automakers like to do where they can put new technologies on the road and if we find that there's a problem even before a problem exists, we can go out and deal with that in advance of an actual safety issue affecting the public.

TM: 03:28

Ed: So, what new opportunities do you see for the states and NHTSA to work together on traffic safety issues?

Cliff: Well, there's a lot of work to do. I came into NHTSA at a time when we saw the first increase in traffic fatalities in many years. During the pandemic, we saw despite a decline in overall VMT, about a 20% or a little more than 20% increase in the fatality rate. Overall, traffic deaths were up 7.2% last year and that's a really large increase considering we had made progress over the last several decades to reduce fatalities.

More than 90% of fatalities have a behavioral element to them, and I think it's pretty evident when we see the increase last year that it wasn't a change in the vehicle fleet, it wasn't a change in infrastructure; really, it was just a change in behavior: a rise in people who were unbelted, who were impaired, either alcohol or drug use, increased distraction as well as a dramatic increase in the number of people that are speeding excessively.

So, that behavioral element is really important to address, and working with our state partners, there's a lot of opportunity to get the word out, I think. Each of the state highway safety offices working with traffic enforcement partners in the states including local law enforcement can really help educate the public about the dangers of excessive speeding, the dangers of not wearing a seatbelt, and the dangers of impairment and distracted driving.

So, these are all real opportunities to work together with states in ways that help reduce those traffic fatalities.

TM: 05:24

Ed: Some strange things happened during the pandemic. I read the California Highway Patrol saw a doubling in the number of citations issued to people driving more than 100 miles an hour.

Speaking of safety, I have a son who rides a motorcycle and I understand you ride a motorcycle as well. So, I'm particularly interested in how that informs your view of traffic safety, particularly safety for vulnerable users.

Cliff: Well, I think that's a really important issue and I was an avid motorcycle rider for nearly two decades, riding both the sort of daily commute as well as using a motorcycle for travel, which is honestly just a great way to travel. The freedom of the road is really a great opportunity.

First thing is: wear all the gear all the time. This is something that motorcycle riders often discuss. If you look in the motorcycle magazines or any of the literature, it always recommends that you wear all the gear all the time, even if it's just a short trip and you think oh gosh, I'm just running to the store or I'm just testing this new thing I put on my motorcycle out; I'm just going to run around the block. Put on the helmet, put on the gloves, put on all the safety gear. So, that's first and foremost.

They always tell us: you gotta ride like you're also driving for that other vehicle. And that's tough to do. It's a lot to manage a motorcycle. There are a lot of different things to think about and it's already a bit challenging when you're out on the road to just operate a motorcycle. So, you have to both be riding for yourself and really paying attention to that other traffic.

We are much more vulnerable. We're not surrounded by a cage of metal, and we're not belted in. So, you have to realize that in the unfortunate event of a crash, you're going to have much more potential for injury or fatality.

So, I recommend paying attention to all the laws, really trying to stay away from other vehicles as much as possible, and ride with a certain assertiveness so that other vehicles pay attention to you. Be as conspicuous as possible and just recognize that those other vehicles really don't see you, and take the precautions appropriate, understanding that that's the situation.

I think it can be a really fun way to travel and I am encouraged that many take it as an opportunity, but it's not for everyone and you really do have to pay attention.

TM: 07:58

Ed: To follow up on that, it's my understanding that we're seeing increased traffic fatalities among these vulnerable users: people on foot and bikes and motorcycles. Am I right about that?

Cliff: Yeah, there's been an unfortunate increase in pedestrian fatalities over the last decade. Those have increased about 50%. While we've seen a reduction, except for last year, in fatalities for those who are occupants of vehicles, we're seeing an unfortunate increase in fatalities who aren't inside a vehicle, and that's very troubling.

We want people to be biking. We want people to be walking. It's good for their health. It's good for local economies. It's good because it provides a low-cost way to get around. I think if we're

doing so in a way that puts the public at risk, that's very problematic. So, we're going to focus at NHTSA on a few different things. One, we want to make sure that those who are outside the vehicle are safe as well. That's going to mean using technology to our advantage. Things like automatic emergency braking are potential technologies that can help improve safety of vulnerable road users.

Education is a really important part of this. And then we're also, of course, working with our partners throughout DOT at the Federal Highway Administration and elsewhere to ensure that we have a safe systems approach where we're looking at infrastructure and technology working together with behavioral safety research and outreach as a way to ensure that we're lowering that risk for all vulnerable road users.

TM: 09:36

Ed: So, Dr. Cliff, what's a traffic safety challenge that the public and policymakers are talking enough about?

Cliff: We talked about this just in general about the increase in fatalities last year. But one of the things that is not really often discussed is that the unintentional death of young people is really driven by traffic fatalities. Half of unintentional injury and death of those 15- to 24-years-old is due to motor vehicle crashes.

It's really the leading cause of death in young people and that's something that is not really talked about enough. I think we intuitively know this. For those of us who have children, we know how high the insurance rates are. We know that insurance companies have factored this into their consideration. But it's a real issue that needs more attention.

Those who are young often are speeding or otherwise distracted. There are sometimes too many people in the car, or they're not wearing a seatbelt, or have taken risks by being impaired. Those are all major factors in all crashes, but particularly with young people who are less experienced. That's a real problem.

Ed: Thanks, Dr. Cliff. We'll be right back after this break with the rest of our discussion.

(A promo for NCSL's Base Camp event will be inserted in the final podcast.)

TM: 11:06

Ed: I'm back with Steven Cliff from NHTSA. Let me turn to fuel economy standards. I know that DOT recently proposed to rescind legal guidance developed under the previous administration that served as the grounds for the withdrawal of California's Clean Air Act waiver. The waiver allowed it and other states to set standards more stringent than those of the federal government.

Can you talk about what the administration is looking to do surrounding vehicle emission standards and if the administration may reissue California's waiver?

Cliff: Great question. Literally on the first day in office, President Biden signed an executive order that directed NHTSA, DOT and the EPA to evaluate fuel economy standards including looking at the issue that you just mentioned, the California waiver.

So, we issued a draft rule back in March consistent with that executive order, and likewise our partners at EPA issued a notice that they're considering what to do with the waiver. We just closed the comment period on our draft rule and we're evaluating those comments and looking to finalize our rule in the near future, and EPA is continuing their public process as well.

I think what's important is what the proposed rule that we established intends to do is to really get out of the way. States have been leaders in establishing rules that are effective and help improve people's lives in a number of ways, including by reducing dangerous pollution that does come from vehicles.

It's important to let that innovation continue to occur and really, we can learn a lot from working with states. So, I think that provides a real opportunity for us.

What we're doing now is evaluating the stringency of our fuel economy rules and also working with our partners over at EPA to do so. We're just now starting that interagency process and that will play out for some time. By the time this podcast airs, I expect we'll still be in the midst of that interagency process. And then a proposal will come out that will be looking at establishing rules through model year 2026.

This would reevaluate what is appropriate to be maximumly feasible for fuel economy. We'll be considering a number of things, including that five major automakers established a voluntary, but legally binding agreement with the State of California to ultimately promulgate standards that are more stringent than what the last administration established.

And the fact that five major automakers have voluntarily committed themselves to this more stringent requirement means that that's really what is feasible. So, I think building upon what states have already accomplished is a good starting point for this administration and we're certainly going to be using that as a foundation for what we do.

More importantly moving forward, we know that climate change is a really serious issue that needs to be addressed as quickly as possible, and I think we ultimately want to be moving towards more zero emission transportation – that means electrification of the fleet – in ways that actually reduce costs for drivers, reduce the fuel use that they otherwise would have to pay for, but also improve transportation in other ways. The performance of these vehicles is actually something that many drivers enjoy.

There are a lot of opportunities here, a lot of economic opportunity, and frankly a lot of opportunity for new jobs through reducing fuel costs, simultaneously reducing emissions, and increasing the fraction of electric vehicles in the fleet.

TM: 15:14

Ed: Another topic of much discussion is how society can better work to ensure economic, racial and gender equity. I wonder if you could talk about how NHTSA is seeking to incorporate that into its work.

Cliff: Yes, thank you. Equity is extremely important and it's top of mind for DOT, it's top of mind for this administration. Fundamentally, NHTSA is a data-driven organization. We are looking at the data, trying to understand the science, and then establish policy based on that information.

One of the things that we're doing now through our data collection and analysis efforts is really understand the impacts of crashes on different races. And what we're finding is there's a disproportionate impact there. Fatalities are not hitting populations all in the same way, especially when we look at vulnerable road users. The impact to Black Americans is much greater than that of white Americans, and that's something that needs to be addressed.

By doing so, we actually advantage all populations. If we're addressing racial equity, that's going to help improve the lives of everyone. So, I think that by looking at these data, developing policies that ultimately benefit, in this example, Black Americans, there's a real opportunity to improve the lives of all Americans. And that's something that is extremely important to us. So, addressing racial equity fundamentally improves the outcome for all people.

TM: 16:45

Ed: Earlier you mentioned the ongoing problem of impaired driving. As I understand it, despite progress, alcohol-impaired driving remains a persistent traffic safety issue. NHTSA has been working on a driver alcohol detection system for safety called DADS for several years. Are there any other technologies that might help combat this issue?

Cliff: You mentioned one technology, the DADS technology – it's something on which we've conducted research, millions of dollars-worth of research to really understand the effectiveness of those systems. There are other systems, and we know that in specific cases, Interlocks for those who have already been convicted of impaired driving have had to be installed.

There are some technologies out there and those driver monitoring systems can be a really important feature. We're really just continuing to try to understand what monitoring systems are most effective and how those can help reduce impairment.

I think combined with technology, education is a really important thing. Even in the time since I've been driving, there's been a huge change in the attitude towards impaired driving and while we saw an uptick last year, I think continuing that narrative, that this is an unacceptable behavior, and continuing our educational efforts is a really critical piece.

We know that technology can help advance that, but really we need to do so in combination with better education and a better understanding of what the negative outcomes, the negative consequences of poor choices actually result in.

TM: 18:34

Ed: Well, I'd agree that in the time I've been driving, the attitude about impaired driving has changed 180 degrees. And speaking of trying to communicate safe practices to drivers, NHTSA recently launched an influencer campaign to educate drivers on the potential life-saving benefits of several advanced driver assistance systems.

Can you tell us a bit about these systems and why it's important to communicate with drivers about this?

Cliff: Yeah, the partnership with Jay Fenske [from "Engineering Explained"] has been great. The videos that we've done there I think are just good opportunities to educate the public about the potential safety benefits of these new systems.

Fundamentally, we're trying to reduce crashes and there are some technologies out there that can do that. In many ways, they can help either improve the driver's ability to see the road such as with automatic high beams or to help a driver maintain lane or detect blind spots, or completely stop in an emergency if there's something that's impeding the driver's progress.

So, I think there are a lot of different technologies out there and we'd like to continue to educate on the benefits of those.

Some people get into their cars and go ah, I don't know, I don't like this thing, I'm afraid of this new technology. By having a very approachable way to educate vehicle purchasers about the new technology, not only how it works, but how it can benefit them, is a real opportunity to take advantage of these life-saving systems.

TM: 20:18

Ed: Do you generally see communication campaigns playing a growing role in traffic safety efforts?

Cliff: I think it is really important to continue to educate the public. Infrastructure and technology are both important as well, but those are slow, and I think that while we're continuing to advance our technology, while we're continuing to advance our research understanding of new technologies and continuing to improve infrastructure, we need to address that component, which is the behavioral part of this. And I think continued education and outreach is a really important part of our mission and that's something that we take very seriously.

We know these campaigns have been successful in the past. If you look at the past data, between educational campaigns and the opportunities to educate the public through high-visibility enforcement type campaigns, were extremely successful and I think going forward we're going to need to look at those types of things and other opportunities to reduce impaired driving, to increase seatbelt use, to reduce distraction. There are going to be opportunities to do so.

We need to look at what the next opportunities are. But I think in many cases, continuing the messaging, being very clear about what's important and how to reduce traffic crashes through these educational and communication opportunities is really critical to our success.

TM: 21:50

Ed: Well, Dr. Cliff, before we wrap up, is there anything else you'd like to share with our listeners?

Cliff: At the end of the day, I think it's just important for folks to remember that people make mistakes. We want to make sure that those mistakes don't result in a fatal outcome. And I think that we can do that through a safe-systems-type of an approach. At the end of the day, safety is really critical. We want drivers to focus on the driving task.

It's a very serious thing to drive down the road in a multi-thousand-pound vehicle and taking distraction seriously, being a good model to others in the vehicle by not being impaired, wearing your seatbelt and not being distracted are all really critical elements of each of our leadership when we're driving.

Ed: Dr. Cliff, thanks again for taking the time to discuss the work of NHTSA. Take care.

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Ed: And that concludes this edition of our podcast. We encourage you to review and rate our episodes on iTunes, Google Play or Spotify. You may also go to Google Play, iTunes or Spotify to have these episodes downloaded directly to your mobile device when a new episode is ready. For the National Conference of State Legislatures, this is Ed Smith. Thanks for listening and being part of "Our American States."