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Trucks

New Proposed Rules Coming on Safety Of Underride Guards in Trucks, Trailers

NHTSA has granted a safety group's petition to develop rules aimed at improving the safety of rear underride guards on large trucks, trailers and semitrailers.

The National Highway Traffic Safety Administration plans to develop two separate proposed rules related to rear underride guards, the agency said in a July 10 Federal Register notice (79 Fed. Reg. 132).

A rear underride guard is a rigid assembly hanging from the bottom rear of a truck or trailer intended to protect cars if they collide with the rear of the vehicle. A 1998 NHTSA regulation requires trailers weighing over 10,000 pounds to be equipped with underride guards.

But auto safety groups and some individuals told the agency the current standard doesn't go far enough to protect against injuries and fatalities during passenger vehicle collisions.

NHTSA has said that, on average, 423 people die in passenger vehicles each year when their vehicles crash into the rear of large trucks.

On May 5, 2014, more than 11,000 signed petitions were delivered to NHTSA by Truck Safety Coalition member Marianne Karth, who lost two of her daughters in a May 4, 2013 collision with the rear of a trailer.

The identical petitions asked the agency to improve safety requirements for rear underride guards.

NHTSA said in its July 10 announcement that the first proposed rule would focus on underride guards for single-unit trucks and other safety measures not currently applicable to single-unit trucks.

A single-unit truck is a type of large truck in which the engine, cab, drive train and cargo area are mounted on a single chassis. It includes dump trucks, sewage trucks and many delivery trucks.

The second proposed rule would focus on underride guards for trailers and semitrailers.

The American Trucking Association, which says it represents over 90 percent of the largest truck and trailer makers in the U.S., said they generally support truck safety. But it wants passenger car makers to improve their crash avoidance technology.

"ATA supports the concept of improving truck and highway safety. Underride guards are helpful in reducing the impact of cars crashing into trucks," Ted Scott, ATA's director of engineering services, told Bloomberg BNA July 14.

"We would, however, much prefer to see NHTSA focus on providing automobiles with the capability of preventing cars crashing into trucks. Crash or collision avoidance technology can go a long way in helping to eliminate rear-end crashes," he said.

Modeling After Canada. The petitioners also requested that the new rules be modeled after Canadian standards, which involve higher strength and energy absorption requirements.

The petitioners specifically said the guards should be mounted 16 inches from the ground with vertical supports 18 inches from the side edges.

Karth told Bloomberg BNA July 11, "I would like to see NHTSA look at other countries, for example Canada and [countries in] Europe which have stronger standards. I'd like NHTSA to be sure to design something as humanly possible that can withstand higher speeds."

ATA's Scott said the majority of U.S. truck makers currently comply with the Canadian standards, and requiring those standard would not be a significant change for large truck makers.

But most makers' underride guards are mounted 22 inches from the ground, so a change in height requirements could be costly, he said.

Karth said she is glad NHTSA plans to issue a separate rule on single unit trucks because "the 1998 standard exempts some types of trucks, like single unit trucks and dump trucks."

She said a Michigan Transportation Research Institute report from 2012 found significant underride fatalities associated with these currently exempt trucks.

IIHS Petition. The Insurance Institute for Highway Safety also sent a petition to NHTSA in 2011 requesting improved rear underride guard safety standards (41 PSLR 339, 3/18/13)(39 PSLR 279, 3/14/11).

As part of a 2013 IIHS study, the group crash tested trailers from eight major truck and trailer makers. The insurance group found that only one trailer—made by Canadian company Manac Inc.—passed all of the test configurations.

Five of the seven remaining manufacturers told IIHS they are making improvements to their underride guards, IIHS spokesman Russ Rader told Bloomberg BNA (41 PSLR 339, 3/18/13).

Overall, IIHS is pleased that NHTSA is moving forward with proposed rules. "IIHS applauds the agency for taking this first step," Rader said. "Our crash tests have demonstrated that stronger underride guards would save lives."

Untouched: Side, Front-Guard Safety. NHTSA said in the Federal Register notice that it is still evaluating the petitioners' request to improve side guards and front override guards, and will issue a separate decision on those aspects of the petition at a later date.

The agency didn't address the petitioners' request for the Department of Transportation to raise the minimum insurance liability limits that truck drivers are required to carry.

The agency also didn't address their requests to require measures to improve the enforcement of hours of service limits and reduce truck driver fatigue.

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The Truck Safety Coalition petition is located at <http://op.bna.com/pslr.nsf/r?Open=rken-9lwl7t>.

IIHS' petition is located at <http://op.bna.com/pslr.nsf/r?Open=rken-9lwsay>.