



An Unfair Fight

WITHOUT STRONG UNDERRIDE GUARDS, SEMIS POSE SIGNIFICANT DANGERS TO PASSENGER CARS WHEN THERE ARE CRASHES. ONE FAMILY IS TELLING ITS TRAGIC STORY TO HELP MAKE A DIFFERENCE.

 Lisa Floreancig

It was a week to be filled with joy, laughter, and maybe a few happy tears. A wedding. Other than the birth of a child, nothing is more cherished. To sweeten the memories would also be a celebration of four college graduations. All during the weekend of May 11, 2013.

But what was supposed to be an all-the-good-things-in-life memory turned into a lifetime of pain, confusion, surrealism, and unbearable grief. Hopes and dreams would come to a screeching halt on a stormy Saturday afternoon.

Marianne Karth and her three still-at-home children piled into their blue Ford Crown Victoria on May 4 for the long trek from their Rocky Mount, North Carolina, home to Arlington, Texas, to bask in the treasured wedding moments of Karth's oldest daughter, Rebekah. While her husband, delayed by some business obligations, planned to arrive in time for

the wedding rehearsal later in the week, Marianne, her then-15-year-old son, Caleb, and her daughters — AnnaLeah, just two-weeks shy of her 18th birthday, and 13-year-old Mary — embarked on the nearly 1,300-mile trek.



Source: The Karth family

The aftermath of the accident that took the lives of AnnaLeah and Mary Karth.

Along their way on I-20 in Athens, Georgia, the family was suddenly stopped by gridlock, the foursome forced to sit behind an idling 18-wheeler. Karth was in the driver's seat, with Caleb acting as co-pilot. The two girls passed the time in the backseat doing whatever it is teenage girls do, when, at around 2 p.m., a Great Dane semitrailer came up behind them and, for whatever reason, failed to slow down.

The pounding from the rear sent the Crown Vic spinning, then came the second hit. As the smoke cleared, the full extent of the aftermath became evident. The Ford's roof was sheared off by

the impact, its trunk and back seat thrust under the rear of the tractor trailer they were behind, its underride guard torn off. AnnaLeah died instantly, killed by blunt force trauma and mechanical asphyxia. Mary suffered life-threatening injuries, dying four days later of a stroke at the Medical College of Georgia Hospital in Augusta. She had been on life support. Marianne sustained serious injuries, including a concussion, broken ribs, and a collapsed lung. While she remained in the hospital for a week, her son, diagnosed with a concussion, was released a few hours after the accident.

Hours after Mary's death, the semi driver who plowed into the Karths was arrested and charged with two counts of vehicular homicide in the second degree and one count of failure to maintain his lane. Each charge against him was considered a misdemeanor offense.

From nearly that moment, Karth transformed into an unpaid advocate and lobbyist for underride guard mandates. And, along the way, she has made herself well known to highway safety experts and policymakers.

"[Marianne] has been the pusher of this and certainly has made sure it hasn't fallen off the radar screen for those of us who work in road safety as well as those who set policy for road safety," says David Harkey, president of the Insurance Institute for Highway Safety, "and I think that's really, really important."

Karth continues to lobby Congress and the U.S. Department of Transportation. She meets regularly with manufacturers and engineers. She rallies supporters. She is the primary face for changing the safety protocols for semis.

"I think one of the big reasons that, aside from the strength of the Lord, I have this push to do something about this is because I was in that horrible crash, but I survived," Karth says. "My son, in the front seat with me, had a minor concussion and was

discharged from emergency that night only because our part of the car didn't go under the truck."

She quickly learned that, just a few months prior to the accident, the IIHS published results of its crash test of rear underride guards. What researchers found was shocking — all the rear guards of major trailer manufacturers were failing, even though they met the federal standard.

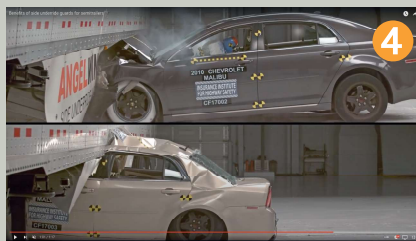
Injuries and deaths caused by missing or neglected underride guards are not new phenomena.

They have been studied for more than 50 years; however, it wasn't until a high-profile collision in 1967 that the federal government set standards for underride guards. The tragic accident killed actress Jayne Mansfield and two others when their car rammed the rear end of a truck with no guards. Fortunately, the three sleeping children in the backseat — including actress Mariska Hargitay — survived.

"Underride guards have had a long and torturous history. We conducted tests back in the 1970s to show that the federal underride guard requirements were too

IIHS Tests

show how a well-built side underride guard can (top half of image) prevent a passenger vehicle from sliding beneath the side of a semitrailer.



weak. And it wasn't until 1998 that the standard was upgraded," says Russ Rader, IIHS' senior vice president of communications. "After the 1998 upgrade, we continued to do research and found that fatal crashes involving underrides were undercounted in the federal crash database, and it was likely that hundreds of people were still dying every year in rear underride crashes. These are horrific crashes where the survival space for the driver of the car is obliterated because of the underride."

It's an unfair fight between truck and car, a geometric mismatch between the bumpers of large trucks and passenger vehicles. While the bottoms of trucks only reach 41 inches from top down, passenger vehicles sit much lower at about 36 inches. In a collision without effective underride protection, the smaller vehicle easily slides under the truck, bypassing the crash-absorbing structures of the car that are centered in the front end. The first point of impact is usually at the windshield, followed by the passengers.

Large-truck crashes involving underrides are a steadily growing problem in the United States, validated by the 31 percent increase between 2009 and 2019. Roughly 24 percent of road fatalities in 2019 involved a passenger car striking the rear of a large truck. "The crash data makes it a little difficult to figure out exactly which of those rear-end crashes were underrides, but from work we've done previously, the numbers are typically at least three-quarters of those crashes are rear-end crashes or underride," says IIHS' Harkey.

Yet, one positive step forward is the

increase in the number of trucks that have been voluntarily fitted for upgraded rear underride guards, rising from just 2 percent in 2015 to a 2021 projection of 80 percent of new trailers.

"It's not expensive to upgrade guards. In fact, all the major trailer manufacturers now have upgraded guards," Harkey says. "It wasn't a heavy lift for them; and it wasn't that the trailer manufacturers were necessarily resisting this; it's that they were looking for guidance. They were just looking for somebody to implement a rule that set a bar everybody had to meet."

"There's so much research out there now that shows how better performance can save lives that it's a no-brainer to implement an upgrade," Harkey continues. "It's just a question of how much longer it will take."

That's just one of the many frustrations victims' families and road safety experts are enduring — with federal policy.

"The thing is, people lose children and people lose loved ones, but this is something where on top of the loss, there's frustration and anger because there's something that could be done, but it isn't," Karth laments. "It's being either opposed or ignored, swept under the rug, and that makes the grief even harder. All the work the auto industry puts into making cars crash-worthy, like crumple zones and airbags and seat belts, none of these work during an underride crash. All that's wasted, and people are not protected."

While the U.S. Department of Transportation requires trailers to have a rear safety bar to prevent underride crashes, it doesn't require them to be inspected and maintained to ensure against product failure, which is the reason for the devastation the Karth family continues to endure. The DOT has been lax in researching the efficacy of side underride guards.

"The federal standard is woefully insignificant; it is such a low bar that IIHS has exceeded it," says Cathy Chase, president of the Advocates for Highway and Auto Safety. "Numerous manufacturers are now meeting the IIHS standard, which is an embarrassment to the federal government that an independent agency has exceeded what our federal government is charged with doing, protecting motorists."

The slow pace bothers many who are working toward policy change in Washington, says **Jimi Grande**, NAMIC's senior vice president of federal and political affairs, but he offers a bit of advice.

"While it can be frustrating to work toward passage of even the most commonsense reforms, which often take much longer than they should to move through Washington, whenever we can make highways safer and protect Americans from known dangers, we must utilize every resource we have to break through the noise and make Congress pay attention," Grande says.

Congress seems to be finally paying attention. In the early days of August, the Senate passed a massive bipartisan infrastructure bill that includes mandates for override guards, or, at least, for the DOT to study them, which could essentially be a journey down a very heavily travelled road paved by the IIHS.

"I understand that the frustration now is we think we've done all the research needed in terms of site impact, and I would agree that a large part is there," Harkey says. "What's really needed now is for someone in the government to say, 'All right, we're going to synthesize everything that's been done to come up with a series of recommendations on how we think things

should move forward. Let's find out if there are any gaps in the research that we need to fill and understand.'"

While Harkey understands the frustration some may be experiencing because of the slow pace in Washington, he believes the Senate passage is a step in the right direction. Grande agrees.

"With so much division and dysfunction on Capitol Hill today, there aren't many opportunities to break through the chaos. Despite all the partisanship and fighting among lawmakers these days, they do have the ability to rally together around certain issues, and this is one of them," Grande says. "The bipartisan infrastructure package is an example of the different factions coming together. Having the Stop Overrides Act included in the infrastructure package is our best chance of getting this life-saving reform signed into law."

For now, as it has been for years on this issue, it's a wait-and-see game. In the meantime, lives will continue to be lost and families devastated.

"It's been eight years now and daily the loss is felt in our lives for these two girls with their lives in front of them," Karth says. "I think, 'Here I am, healthy and strong and they aren't.' That's it." 🇺🇸



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