

Statement of
Jack Gillis
Director of Public Affairs, Consumer Federation of America
Author, *The Car Book*
In Coordination with the
Center for Auto Safety
Before the
U.S. Department of Transportation
National Highway Traffic Safety Administration
Public Hearing on the
New Car Assessment Program (NCAP)

March 7, 2007

This testimony is presented on behalf of both the Consumer Federation of America and the Center for Auto Safety which is submitting a separate statement for the record.

Few programs in the history of the government have done more to improve product safety and the public health of America than the NHTSA New Car Assessment Program. This program, combined with public access to the crash test results, has enabled the American consumer to vote with their dollars for better performing, safer vehicles.

Prior to this program, consumers had no idea which vehicles would be most likely to protect them in an accident. Because we had no ability to make purchase decisions based on crash test performance, manufacturers had no incentive to improve their vehicles.

Thankfully, due to NCAP providing us with the ability to differentiate between the performances of vehicles, today's vehicles are safer than ever before. And now is our opportunity to learn from the lessons of this powerful change maker.

It's important to remember that NCAP survived a long history of attacks by the car companies. Dubbed an 'experimental program' for many years, the car companies spent much of NCAP's early years attacking it, claiming that it was inaccurate, ineffective and misleading. Thankfully, due to its strong support by safety advocates and its popularity with the America public, the program has survived and grown. Now it's time to grow again.

One of the tragic ironies of the program, at least in terms of the American automobile industry, is that while domestic manufacturers were the most outspoken critics of the program, NCAP had the potential to benefit them the most. During the early years of the program, when the U.S. carmakers were beginning to feel intense competition from the Japanese, the very crash test program they were trying to kill, actually provided them with the only competitive edge they had over the Japanese. Initially, the best performers in the NCAP program were the American cars. In a short sighted, but expensive effort, the domestic car makers spent millions of dollars trying to kill a program that provided them with a means to excel. On the other hand, accurately sensing that the American car buyer desperately wanted, and would use, crash test ratings, the Japanese went back to the drawing board and changed their poor performers into some of the better performers in the crash test program. Thankfully, the program survived this attack and continues today to provide consumers with a barometer as to which car makers believe safety is paramount.

Through its survival, the program has developed better test dummies, side impact tests and in response to issues associated with air bags new neck injury criteria. And how has the market responded? Those carmakers that fought the program are now stepping forward and promoting the fact that their vehicles do well. And they can do that because the continued presence of this information in the market forced them to make the improvements necessary to make those claims. NHTSA files are filled with document after document in which the car companies laid out every possible argument for killing the program only to embrace this once defiled information in virtually all of their advertising. As Lee Iacocca famously said in full page ads, “You can teach an old dog new tricks.”

That is the power of what I call regulation by information. By giving consumer access to comparative information on crash test performance, carmakers were forced to improve the performance of their vehicles. Regulation by information only works where there is a minimum requirement in place.

The next challenge for NCAP is to continue adding test procedures. We’ve developed front and side tests, now it’s time to measure and disclose a vehicle’s ability to protect its occupants in a rollover with sophisticated and comparative roof crush tests. In addition, as outlined in testimony for the record provided by the Center for Auto Safety, NCAP style ratings are also needed for head restraints, bumpers, pedestrian protection, rear impact, and aggressivity.

We also need to address what the Center for Auto Safety calls “Starflation”. The star system today does little to differentiate the performance of vehicles with the majority being awarded either 4 or 5 stars in performance. We can address “starflation” by increasing the speed at which the tests are conducted. It’s important to remember that the 35 mph test speed was selected to see which cars exceeded the 30 mph requirements. Today, it’s actually past the time when we should again increase test speeds. How about challenging the manufacturers to post the highest speed at which their vehicle will pass the test?

We also need to combine test results for a unified rating of a vehicle’s performance. Many years ago we developed the Gillis Crash Test Index which accomplished something the experts said was impossible: Combining the 8 different front crash measurements taken on three different scales into a single, comparable number. That concept paved the way for the current star system. Now it’s time to take all of the tests and combine them to provide an overall look at a car’s performance. Not only will this place added incentives on the manufacturers to simultaneously address a variety of safety factors, but it will provide consumer with more ready access to this important information. In fact, why not follow the US EPA’s lead with fuel economy and require the manufacturers to crash and publish result at the beginning of the year? It would dramatically increase manufacturer sensitivity to test results and provide crash test data for even lower selling vehicles.

Finally, it is critical that we put in place systems that deliver this information at the point where it is most needed by the consumer, on the vehicle. More than ‘stars on cars’ we need more sophisticated, but simply presented NCAP information. Point of purchase information has two critical benefits: First, it can change purchase behavior in the showroom; and, second, requiring its very presence is a strong incentive for car makers to do well.

It is our hope that NHTSA and the U.S. Department of Transportation will move forward with vigor in developing new and more sophisticated methods of measuring a vehicle’s ability to protect us in a crash and combine that with a thoughtful, simple and easily comparable method of presenting those results to the American car buyer. NCAP has proven that ‘regulation by information’ works; it’s now time for NCAP to take the next step and provide more sophisticated testing and unified presentation of the results. The Center for Auto Safety and the Consumer Federation of America stand ready to build on the past success of the NCAP program and provide the next generation of car buyers with the more sophisticated and discerning information they need to make even safer car choices.