



COMMITTEE ON DEMOCRATS
ENERGY & COMMERCE
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**Statement by Ranking Member Frank Pallone, Jr., as prepared for delivery
House Energy and Commerce Committee
Subcommittee on Commerce, Manufacturing and Trade
Hearing on “Examining Ways to Improve Vehicle and Roadway Safety”**

The title of today’s hearing refers to vehicle and roadway safety, but it is clear from the draft before us that safety is not the focus. Instead of improving auto safety, this draft weakens current environmental and consumer protections.

Auto safety is a pressing topic that deserves our utmost attention. Traffic fatalities in the U.S. grew by 14 percent in the first six months of 2015. That increase comes after years of declining traffic deaths. Injuries are also up. The National Safety Council reports that medically-consulted motor vehicle injuries grew by 30 percent since 2014. These increases should concern everyone.

Earlier this year, Ranking Member Schakowsky and I introduced the Vehicle Safety Improvement Act of 2015 as a starting point for bipartisan negotiations with an eye toward comprehensive auto safety legislation. Our bill would make real improvements to ensure that the millions of drivers and passengers across this country are kept safe. It gets the National Highway Traffic Safety Administration (NHTSA) the information, resources, and authorities needed to protect consumers. Our bill also empowers consumers with more information and ensures used cars are fixed before they are resold.

Instead of those safety measures, this draft would give automakers credits toward greenhouse gas emissions and fuel economy requirements for incorporating crash avoidance and vehicle-to-vehicle, or V2V, technologies in new cars, even though there is no apparent link between these technologies and lower emissions. Manufacturers would get these credits for things they are already doing, not as an incentive to improve safety.

Not only are manufacturers continuously touting their cars as including the latest in crash avoidance technologies, NHTSA has already released its proposal to require V2V enabled cars. NHTSA also secured commitments from several automakers to include automatic emergency braking on all new cars. Furthermore, many crash avoidance technologies are currently part of prominent safety rating from the Insurance Institute for Highway Safety—meaning that automakers already have considerable incentive to add those features to cars.

In the wake of the Volkswagen emissions fraud scandal, I am alarmed that Congress would even consider giving automakers a way around environmental regulations. In effect, auto companies would receive a pass on pollution because they install communication devices in their vehicles. Just as Volkswagen's technologies did not prevent NOx emissions, communication devices will not prevent greenhouse gases. This bill essentially creates a Congressionally-sanctioned defeat device.

I am also concerned about the privacy and cybersecurity provisions in this draft. As more high-tech vehicle safety equipment is integrated into cars, strong consumer privacy and data protections are more important than ever.

But instead of improving privacy or cybersecurity protections, this draft gives automakers liability protection for simply submitting a privacy policy or cybersecurity plan, even if that policy or plan provides no real protections for consumers, and even if those policies are not followed.

Because my time is limited, I want to turn to process for a moment. I am so disappointed by the unilateral approach taken by the majority in drafting this legislation. For months, we have been trying to work with our Republican colleagues to craft auto safety legislation that would meaningfully reduce deaths and injuries on our roads. But instead of pursuing a bipartisan approach, the majority chose to prepare this legislation behind closed doors.

In addition, I am troubled that the Environmental Protection Agency could not find a way to attend today. Regardless, if the Majority wants to open up the Clean Air Act, then this bill must be the subject of a hearing and markup by the Energy and Power Subcommittee, which has the jurisdiction and expertise to evaluate these proposals.

Mr. Chairman, this draft fails to increase auto safety. It harms the environment and relieves automakers from responsibility regarding consumers' data. This is a weak bill that I cannot support. Yet again, I can only express my hope that in the near future we can work together to make real progress toward improving auto safety.

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