

Child Passenger Safety TECH REPORT



Consumer Protection and FMVSS 213

Handling Defect Reports From Consumers

This was one in a series of articles about federal processes in Safe Ride News. This article spotlights NHTSA's Office of Defects Investigation (ODI) and how data are collected.

What should a CPS technician do when he or she finds a child restraint at a checkup that appears to have a serious defect? Encouraging the consumer to make a report to NHTSA is the logical answer, but how is that best accomplished?

The "real-life experience" arm of NHTSA is its Office of Defects Investigation (ODI). ODI also is its consumer complaints unit. It runs parallel to the Compliance office, which governs adherence of new products to federal standards. Both conduct tests and investigations to ensure public safety.

ODI investigations can and do exceed the limited scope of FMVSS requirements for motor vehicles and related vehicle equipment. Recent recalls of infant restraints shown in the field to have handles that failed to stay locked were not a compliance issue—no crashworthiness standards specify handle strength. It was an ODI issue, discovered during use by consumers and involving a safety problem with a restraint used in a vehicle.

In general, the U.S. Consumer Product Safety Commission (CPSC), which investigates nonhighway product safety, defers to NHTSA regarding dual-function devices used in motor vehicles. Both agencies have recall authority and may tout issues publicly, though. The recent Century handle recall was publicized by both agencies. Had the carriers doubled instead as strollers, CPSC would have been the investigating agency. The proliferation of multifunction devices leading to agency jurisdiction confusion and complex regulatory challenges was spotlighted in the "Money" section of *USA Today* (Jan. 15).

Not all problems considered defects

NHTSA defines a defect as a clear safety hazard (not a mere inconvenience or normal wear and tear) that occurs commonly across a group of vehicles or de-

make and manufacture. Not all problems—even where proven—qualify as "defects" or NHTSA's turf. In addition to CPSC (www.cpsc.gov, 800/638-2772), unfair business practices, such as problems with warranties, dealers, or advertising, come under the Federal Trade Commission (www.ftc.gov, 877/FTC-HELP).

Also, while a single injury or hazard event might be frightening or severe enough to trigger an immediate agency hunt for more, the case would serve mostly as an early warning of a potentially serious safety hazard that might occur more widely. The determination of a true defect involves a process of receiving adequate data, documenting, discerning, weighing, and making judgment calls, just as in the compliance process.

Reporting field data challenging

Consumers and advocates can report information about potential defects to NHTSA through the Highway Safety Hotline or written reports. In seeking to understand the process, *SRN* found barriers to effective use of these reporting systems. After *SRN* reported its findings to ODI in January, its chief and staff quickly responded with an improvement plan, in cooperation with the NHTSA Hotline supervisor. Highlights follow:

A report form specially designed for reporting suspected child restraint defects (the Child Safety Seat Questionnaire or CSSQ), which has existed for some years, is to be made more accessible.

The CSSQ was developed at the suggestion of advocates who found the existing vehicle form lacked fields for reporting critical data, such as child's age, weight, height or length, and forward or rear orientation. It has not been easily accessible via the NHTSA website, nor have the Hotline and ODI encouraged parents and others to use it. Instead, those with child restraint complaints have been told to use the Vehicle Owners Questionnaire.

While a copy of the CSSQ can be found in the back of the "Federal Role"

continued, p. 3

Lifesavers 2001 Highlights

Notes from the March 25-27, 2001, Lifesavers Conference in Denver, Colo:

- Legislative strategists advised advocates to go for a primary belt use law if there is any chance of passage, instead of a more limited booster or "gap closing" measure. Higher belt use will have a larger impact and will also influence the restraint of children. Adults who buckle up are more likely to buckle up their kids.

- Some states and organizations are conducting a variety of types of update sessions to help prepare technicians and instructors for re-certification.

- Joe Colella of National SAFE KIDS announced a six-hour update/refresher class which he, Nancy Lang, and Bob Wall have developed. It is aimed at updating instructors so they can, in turn, update folks in their areas. It includes technical changes, curriculum revisions, clarifications, and common field problems. Instructors will only receive the teaching materials if they take the course, however this class is independent of the standardized curriculum process. National SAFE KIDS will hold an update session for its instructors on June 1, before the ICPSTC conference. Contact Joe Colella (jmcolella@safekids.org) for details.

- Awareness of air bag hazards for children has dropped, according to the latest survey by the Air Bag and Seat Belt Safety Campaign, especially for adults with babies under age 1. In May 1999, 97 percent of them were aware of the need to

continued, p. 4

INSIDE

Booster Use Research	2
Why Checkers Should Be Certified CPS Techs	2
Consumer Protection, cont.	3
Recalls	3
Resources	4
CPS Technician News	4
Lifesavers, cont.	4
Calendar	4



Booster Research Finds Misuse

A study of booster seats seen at 76 child restraint checkups in 1997-98 found that shield boosters were 8.7 times more likely than belt-positioning boosters to be misused or used contrary to best practice. Almost three-quarters of the boosters were belt-positioners.

Shield boosters had a misuse rate of 68 percent, with the most common misuses related to safety belt looseness or lack of locking clip use when needed. Among belt-positioning boosters, 20 percent were misused. Incorrect shoulder belt position was the major misuse.

Use of boosters for children under 40 pounds was common: 68 percent of children in shield boosters and 63 percent in belt-positioning boosters. Some children as small as 18 pounds were found using these devices! Best practice for children under 40 pounds is use of a device with a full harness, unless they are too tall.

Among shield booster users, 32 percent were over 40 pounds. This is contrary to best practice and to current regulations. Many of these were in vehicles without shoulder belts in the back seat.

The authors cautioned that the sample was self-selected, motivated parents who attended checkup events. They may not be representative of all parents, but the results "underscore the magnitude of the misuse problem."

Reference

Misuse of Booster Seats, Morris SD, Arbogast KB, Durbin DR, Winston FK, *Injury Prevention*, 2000; 6:281-284

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Why Checkers Should Be Certified Techs

By Lorrie Walker, Florida Atlantic University, Certified CPS Instructor, CPS Board Member, SRN Editorial Board

Many organizations balk at the thought of sending employees to a 32-hour course to learn something as simple as installing a car seat in a vehicle. I know each of you has encountered the same initial skepticism or has witnessed that among the people who have attended your classes. I love that "ah ha" moment when the skeptic realizes that this isn't as easy as he or she thought it would be. After the first day, we have new believers!

I would love nothing better than to teach an 8-12 hour course that can prepare everybody to thoroughly check a car seat for recalls, proper harness routing and installation. But we all know that even after 12 hours, heightened awareness and minimal skills are all we have achieved.

To advance the field, I think states and organizations should insist that only certified technicians or instructors do the demanding work of checking seats.

Why? For several important reasons. The most important reason is the one we all care most deeply about: saving children's lives. One fatal error due to misinformation or improper installation at a checkup is one too many.

In addition, all it will take in this country is one death as a result of the action of a checker, certified or not, to close the whole program down.

I recommend using only certified techs as checkers for a good reason: quality control. I have seen this scenario over and over in communities across the nation: people with only a few hours of training (often long ago) who confidently climb into someone's vehicle and actually install the seat for the parent. They believe they are helping. They think that neither they nor the parent need more training.

While not all certified technicians are of equal experience and skill, each has signed an agreement to follow the curriculum content and there is some recourse if he or she does not do so. The current curriculum teaches people to acknowledge what they do not know and guides them to answers and people who know more. It emphasizes that the checkers are teachers who empower the parent or caregiver to correctly install the CR before leaving the event.

What if techs are in short supply?

What if there are not enough certified techs in an area to fill the demand for full-scale checkups or fitting stations? I suggest that states and organizations first set parameters for activities and mention the issue of using AAA certified checkers in guidelines. If necessary, limit checkups in size or number, so certified personnel can work without burning out. In the long term, encourage more training in your state or organization to fill the need.

Remember: checkups are not the only way to reduce misuse. Education, enforcement, and public information are important, too. These are activities less trained people can do well. Checkups should not soak up all the available person-power or energy of the enthusiastic advocates and volunteers. We will never solve every car seat problem using checkups alone.

So, is there value in a short course?

Certainly! We often get the committed zealot who attended a short course and later becomes certified. Does everyone need to take the 32-hour course to effectively help with car seats? NO! But instances when taking the full class is not necessary are case-specific, such as:

- People who want to educate but will not offer specific advice about a particular installation or climb into a vehicle to do hands-on work, such as a police officer making a traffic stop.
- Child care providers or school bus drivers who use only one or two types of seats in a particular vehicle. They do not provide community events.
- People who assist the certified technicians at checkup events or fitting stations. It takes people with other skills to serve as scribes, demonstrate locking clip technique, distribute literature, organize and direct traffic, and watch babies so parents can do their own installation with guidance.

I urge you to insist that everyone who does the hands-on work at checkups and fitting stations be minimally qualified by passing the 32-hour course. Not everyone agrees. But remember, a little bit of knowledge is a dangerous thing. In our case, it could be deadly.



Consumer Protection, from page 1

section of the national standardized CPS curriculum, the curriculum incorrectly steers technicians to the website. The CSSQ also is listed on page 25 of NHTSA's Traffic Safety Materials catalog, which alludes to an Internet posting without a direction to it. However, few would look first for help in either of these publications. The CSSQ form is included in a packet of 13 child passenger safety materials the agency has pre-assembled to send out through the Hotline. That packet is not cited in the curriculum, catalog, or website, however.

ODI now is working to add the form to its website area. The initial posting probably will be a printable or downloadable form that can be mailed or faxed back. An interactive form will take longer to develop. The Hotline will handle the distribution of CSSQ forms for now.

The existing system does have helpful components in place; the improvements are building on them and creating better linkages. Consumers and program providers can call the Hotline, 888/DASH-2-DOT. Operators can take or route defect reports.

ODI strongly encourages detailed reporting of both vehicle and child restraint defects to both NHTSA and child restraint manufacturers. They want to support and improve its systems. Officials simply had not realized the degree of existing confusion or barriers. They indicated that they appreciated having the issues raised so they could help the process work.

NHTSA's changes are just part of the picture, however. Questions also arise about what programs, classes, and technicians in the field are doing to assist in defect reporting. Discussion is beginning about adding the CSSQ form to checkup or class supply lists or mailings or enhancing how-to references for users.

Challenges for those in the field

When a potentially dangerous problem with a child restraint is found, advocates can assist consumers, the agency, and manufacturers by encouraging and expediting the reporting process. Advocates and educators, NHTSA, and manufacturers are all important contacts for consumers who may have defective products. The process starts with getting accurate reports promptly to the places

they can do the most good. To be valid, an early warning system must be based on complete and accurate reports. Use of the CSSQ can help prevent false alarms.

ODI enters all complaints received into databases that are posted on the NHTSA website. It also posts monthly activities similarly to methods used in the Compliance system. (See Part 2 in the November/December issue of *SRN*.) Advocates and consumers must beware of basing conclusions about products on raw data posted on the NHTSA site out of context or without detail. Also, beware of assuming that a problem that they see has been reported.

Reporting a defect to NHTSA now

To get the Child Safety Seat Questionnaire or report a potential defect, call

continued, next column

the NHTSA Hotline, 888/DASH-2-DOT (888/327-4236). Ask specifically for the "Child Safety Seat Questionnaire," also known as Item 916 on the fax-back service or 1P1064 from the catalog. The Hotline staff can honor multiple-copy requests for the CSSQ, a new exception to their single-copy procedure. Internet access to the form will follow.

SafetyBeltSafe U.S.A. provides the CSSQ in its CPS Reference Manual (B section). For years, SBS USA has routinely urged parents to fill in the forms on site at checkups and at "Family Safety in the Car" classes; then the organization submits them to NHTSA.

Contact:
Office of Defects Investigation, 202/366-2850.

—Sue Miller Smith

Recalls

Century Convertible CRs

The harness adjuster lock on certain Century Products Convertible Seats has been recalled. The A-lok adjuster on various models made between April 10 and May 10, 2001, can slip during a crash, causing dangerous slack in the restraint system.

Just over 6,500 CRs are involved. They are:

- Encore (44612 GTN and 4662 WSC01)
- Bravo (44622 LTG, 44630 LTH, 44631 PFN and 44662 WSC)
- Accel (45100 CHT, 45100 MTE, 45100 STH, 45200 MXM, 45600 JTI, 45600 MTE, 45600 MTO, 45600 MXM, 45600 SAF, 45700 GSD, and 45700 LFT)
- Smartmove (44709 MTE and 44709 SVR).

Contact Century at 800/575-6097 for a replacement seat.

Peg Pérego "Primo Viaggio" Infant Car Seat

Some Peg Pérego Primo Viaggio infant car seats seats produced from February 1, 2001 to and including June 10, 2001 may have been assembled incorrectly, such that the latching mechanism on the left side (from the baby's perspective) may not engage the latching rod (in the base) completely.

These infant seats were sold separately with a base as the Primo Viaggio infant seat or (in the US) bundled with a stroller and sold as Pliko Travel System or Primo Viaggio Travel System.

For details, contact the company via www.perego.com or call, in the U.S., 1-877-737-3468, or, in Canada, 1-800-661-5050

Non-Transport Related Recalls: Evenflo Joyride Infant Restraints

The handles on about 3.4 million Joyride infant restraints made between January 1988 and December 1999 may release unexpectedly, flipping the infant out of the seat. Owners should not carry the seat by the handle until the repair is made. The harness should be used whenever a baby is in any carrier.

All Joyrides up to December 1999 are included. They have model numbers beginning with 203, 205, 210, 435, and 493 on the label. This is a joint recall of the Consumer Product Safety Commission and NHTSA.

Contact Evenflo at 800/557-3178 or www.joyridecarseat.com for a free repair kit. The website also has instructions on installation of the kit.



CPS Technician News

CPS Board Website

Make www.cpsboard.com your first stop for detailed information about the course, recertification, new curriculum, and NCPS board members. Users can sign up to be alerted whenever there are major changes in the site. Check "E-Mail List" for information on this service.

Recertification Notes

Because of the ongoing developments in the CPS field, the AAA recertification will continue to be on an annual basis. A specific up-date course will not be required. For technicians, recertification involves an open-book written test, a signed log sheet of 4 types of installations completed, a new agreement signed and waiver sheet (for permission to circulate your name), and the \$10 fee for processing. If a technician does not have access to an instructor to sign off his/her installation log sheet, CR inspection forms documenting the work done can be used instead. Processing should take less than 45 days.

Instructors must submit a log sheet documenting a minimum of 16 hours of the course hours taught during the year. Copies of agendas for those sessions are also required. Details are on the CPS Board web site: www.cpsboard.org.

Tips from AAA

For speedy, accurate processing:

- Ask questions before sending in documents

- Read documents completely and follow instructions
- Print clearly (signoffs should be signed and printed)
- Review and verify documents before sending them
- Send all documents and payment together
- Keep copies of all paperwork that is sent to AAA
- Please do not send cash for the fee; use check, money order, organization purchase order, or Visa/Mastercard

Send all recertification documents to AAA at a new mail stop:

AAA National Office
1000 AAA Drive, MS-77
Heathrow, FL 32746-5063

If you do not get a recertification package within 60 days, call AAA to find out your status. Contacts: Doris Hamlin, 407/444-7309; dhamlin@national.aaa.com or Nicola Tavares, 407/444-7958; ntavares@national.aaa.com.

AAA Contacts:

- If you move, send AAA any changes of address promptly.
- Continue to use MS-76 for other correspondence regarding the certification program.

Join the CPS Board

Interested in helping to oversee the CPS technician/instructor training program? You may be able to serve on the board. There will be eight openings starting January 2002. The application for service is posted on the CPS Board website:

Lifesavers, from page 1

cent were aware of the need to put infants in the back seat. In May 2000, it dropped to 74 percent. Since 1996, the air bag fatality rate has dropped 80 percent. However, there is concern about reaching people who purchase used vehicles with passenger air bags.

■ NHTSA presented 13 Public Service Awards. Congratulations to the two recipients who are directly involved in child passenger safety efforts:

- Barbara Beckett, executive director, Maryland Committee for Safety Belt Use and Maryland Safe Kids Coalition. Beckett founded the Maryland Safe Kids Coalition and the original "Chiefs Challenge" program.
- Lt. Rick Nuanes, Denver Fire Department. On his own time, Nuanes teaches and provides technical assistance in child passenger safety throughout Colorado and other NHTSA Region VIII state.

Resources

2001 Seat Belt Summit

Recommendations for improving restraint laws and enforcement from a summit held in January 2001 by the Automotive Coalition for Traffic Safety, 703/243-7501; www.actsinc.org

The Unattended Kids & Cars Expert Panel: Recommendations March 2001

Information on the problem of children left alone in or around vehicles, with recommendations. Data sheets for California and the U.S. included. KIDS 'N CARS, 415/789-1000; www.KIDSNCARS.org

Fitting Station Locator

A locator service for permanent fitting stations around the U.S., new on the NHTSA website. See "Child Safety Seat Inspections" on www.nhtsa.dot.gov

Child Passengers at Risk in America, A National Rating of Child Occupant Protection Laws, February 2001

A report from the National SAFE KIDS Campaign detailing the shortcomings of current state laws and announcing a five-year campaign for upgrading them; www.safekids.org; 202/662-0600

CALENDAR

AAAM Annual Scientific Conference, Sept. 23-26, San Antonio, Texas. Assn. for the Advancement of Automotive Medicine, 847/844-3880 or www.carcrash.org

National Association of Governors' Highway Safety Reps, Oct. 14-17, Long Beach, Calif. Contact 202/789-0942 or www.statehighwaysafety.org

SafeUSA Conference, Dec. 3-5, Atlanta, Ga. Contact the Centers for Disease Control and Prevention, www.cdc.gov/safeusa/

International Child Passenger Safety Technical Conference, April 20-24, 2002, Sacramento, Calif. Contact: Internat'l Center for Injury Prevention, 800/344-7580 or www.cipsafe.org

Lifesavers, June 9-11, 2002 Lake Buena Vista, Fla. Contact 703/922-7944 or www.lifesaversconference.org