

## Special report: Firestone leaves an indelible mark

# Criticism falls upon NHTSA of mid-1990s

Safety agency cut back on new investigations under former chief Martinez

By Jayne O'Donnell and Sara Nathan  
USA TODAY

The new leader had grand plans for change. The nation's top traffic safety cop would focus more on driver behavior and modern management than on gritty safety defect investigations and enforcement.

Softer mood lights were installed in the harshly lit conference room. Upbeat, motivational signs were posted in eyeshot of every employee. Even the agency's tough-sounding Enforcement division was renamed the less-threatening Safety Assurance division.

But at the same time, the agency — under then-chief Ricardo Martinez — was actually slashing the number of new investigations. That was going on in the mid-1990s when Firestone tire-related deaths and injuries were beginning to mount. Most of the angry finger-pointing and lawsuits have been directed toward Bridgestone/Firestone and Ford Motor. But more recently, some are faulting the National Highway Traffic Safety Administration, or NHTSA, the federal auto safety watchdog agency.

And Martinez finds himself at the center of a controversy that critics say swirled out of control when he ran NHTSA from August 1994 through October 1999. From 1996-98:

- NHTSA opened 45% fewer preliminary investigations than during the three years immediately before Martinez joined the agency, according to agency data supplied to USA TODAY.
- The number of in-depth engineering analyses dropped 40%.
- NHTSA took up to 26% longer to close probes.

Martinez says the agency focused on potential defects with the "highest likelihood that there was a true problem — the ones where we could be successful" in achieving a recall.

Michael Brownlee, who headed NHTSA's Office of Defect Investigations from 1987 to 1991, says "You have to ask if casting a broader net wouldn't make it a more successful program."

Some contend that Martinez, a former emergency room doctor, applied a tourniquet to an agency that might have needed only some Band-Aids.

"Management and leadership come from more than the trendy management book of the day," says Brownlee, who retired from the agency in 1997. "It does an agency no good to have the hallway conversation dominated by mood lights and hallway posters."

What's more, critics say, Martinez's often quirky management style caused a rash of top administrative departures. When he was sworn in as NHTSA's chief, he was 39 and didn't have much management experience.

But, determined to leave his mark, Martinez instituted a series of updated management policies. Among them: "action passes" to encourage lower-level employees to make decisions on their own.

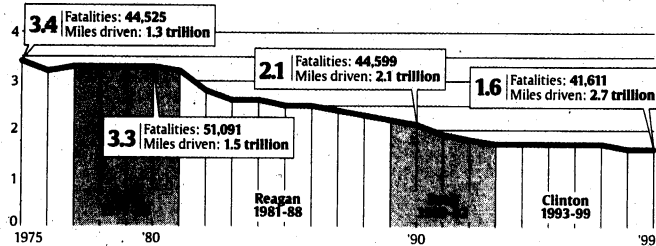
Martinez "reorganized (and) reinvented an agency that didn't necessarily need reinventing," says Brian O'Neill of the Insurance Institute for Highway Safety, a



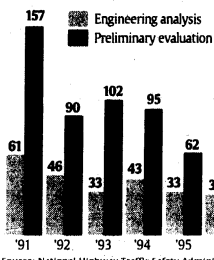
1999 AP photo  
Martinez: NHTSA chief 1994-99.

## NHTSA changed its focus in 1990s with mixed results ...

Though Americans are driving more miles every year, the fatality rate, based on vehicle miles traveled, decreased less from 1993 to 1999 than during the two previous presidential administrations. The larger number represents fatalities per 100 million vehicle miles driven:

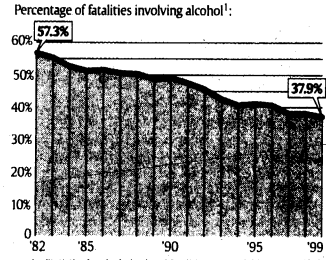


### ... fewer defect investigations were opened ...



Source: National Highway Traffic Safety Administration

### ... but alcohol-related fatalities declined



Statistics for alcohol-related fatalities not available prior to 1982.  
By Frank Poppa, USA TODAY

longtime NHTSA observer. "There's absolutely no question that members of his staff have been demoralized over the years."

Slight of build but apple-cheeked, Martinez was known to grow even redder when he wasn't happy with what he heard from staff.

Fueled by numerous cups of coffee, the often-frenzied Martinez also was known to erupt at staff who disagreed with his new-style management. Rattled employees quickly nicknamed him "Ric-o-cheer" because he seemed to be bouncing off the walls.

Result: an agency that critics say was often spinning its wheels even as the Firestone fiasco grew.

"Where there's smoke, they have to investigate because they don't know what's going to be there," says Diane Steed, who was President Reagan's NHTSA chief. "There might be fire."

Or, in this case, a firestorm.

During the Clinton administration, NHTSA had more overall recalls affecting more vehicles than ever before. Still, Martinez focused his efforts on two other key issues: drunken driving and seat-belt usage. The first NHTSA chief in a Democratic administration in 13 years, Martinez says those areas had mostly languished under the previous administrations.

One of his proudest achievements at NHTSA was a network of trauma centers — funded by government and industry — that share car-crash research.

"He did make the agency recognize we're dealing with humans, not just cars," says Jeffrey Augustine, the Miami trauma surgeon who heads the network's William Lehman Injury Research Center.

But, critics say, more emphasis on defect investigations could have revealed problems with the Firestone tires much earlier.

For example, in July 1998, State Farm Insurance warned NHTSA about 21 Firestone incidents, including two deaths and 11 injuries. If a probe had been opened at that time, Firestone would have had to reveal at least 375 consumer complaints that court documents show it had received about its tires from 1990 through 1997.

That might have sped up the tire recall, mostly on Ford Explorers, that did not take place until August 2000. But top NHTSA officials say investigators shouldn't be faulted for failing to heed the early warnings about Firestone. The numbers were too small to raise eyebrows, says current NHTSA chief Sue Bailey.

"Nothing I've seen in what occurred tells me anything was handled incorrectly," says Bailey, who took

over two weeks after the Aug. 9 recall. "People paid the right attention to 21 complaints over seven years."

Inquiries had been launched with far fewer complaints. In 1997, Chrysler minivans were recalled for a seat-belt problem resulting from an investigation launched after just two consumer complaints.

Rulemaking — which focuses on ways to make vehicles safer — also appears to have lagged under Martinez. Safety groups have criticized NHTSA for dragging its feet on rules, including those designed to prevent the type of rollovers that killed or injured nearly all of the victims in Ford Explorer/Firestone tire crashes.

A report by the Transportation Department's inspector general shows that in 1993, NHTSA issued 10 rules, spending an average of 2.8 years on each. In 1999, the agency issued four rules and took an average of 3.7 years to complete each, the report said.

But Martinez says that the air-bag issue, the subject of several rules, taxed the agency's resources. Also, several agency partnerships with automakers reduced the need for new rules.

Certainly, Martinez has his supporters.

"You know that (Martinez) cared when he spoke about safety issues," says Millie Webb, national president of Mothers Against Drunk Driving. "Those weren't just words."

He has his detractors, too. Steed says that Martinez may have tried to do too much too fast.

"Trying to change a very structured community to a more or less unstructured one is a very dangerous thing to try to do quickly," says Steed, now principal of Stratacomm public relations firm.

Martinez, who recently left his post as senior vice president at WebMD, says he is proud of what he accomplished at NHTSA. Besides helping to modernize the agency, he says, under his watch the use of seat belts rose while the number of fatal crashes — including those involving alcohol — fell nationally.

What's more, as a result of the Firestone case, Congress approved a law in October that gives NHTSA more power and more money. Although Martinez says the agency couldn't find a congressional sponsor for similar legislation last spring and once got about \$175 when it asked for \$60 million, he isn't bitter.

"It's just unfortunate," Martinez says. "It took something like Firestone for (the agency) to get the attention it deserves."

Contributing: Barbara Hansen



McKinney: Paralyzed from the neck down.

## 'She is locked in a prison of a body'

Aug. 11 was Christy McKinney's 21st birthday. She and her 7-month-old son, Conner, were headed to her mother's in Fort Smith, Ark., to celebrate with her twin sister, Misty. But the tread separated from the left-rear tire on her Ford Explorer, her attorney Fred Stoops says. The truck went off the highway, down an embankment and rolled twice, police reports say.

McKinney, a single mother, was thrown from the vehicle. She was flown by helicopter to a local hospital. But her spine was damaged, and she is paralyzed from the neck down, Stoops says.



Conner: Son only suffered cuts.

The accident happened two days after Firestone recalled 6.5 million tires. At that time, Firestone said it would replace tires first in Arizona, Florida, California and Texas. Drivers in Arkansas were scheduled to get new tires by next summer.

Firestone later quickened the pace of the recall and said it would replace all tires as soon as possible.

McKinney, who was transferred to Northwestern Memorial Hospital in Chicago, can speak, Stoops says.

"She is totally aware of what happened, and what is going on," he says. "She is locked in a prison of a body that doesn't serve her needs."

Conner was found wedged between the passenger seat and the door with a cut on his lip and bruises on his head. Conner's father and McKinney's relatives in Arkansas have cared for the baby since the accident.



By Joyce Nalychayan, Agency France-Press  
Holding executives responsible: Vickie Hendricks lost her son in a tread-separation accident.

## 'My son could still be alive'

Matthew Hendricks of Corpus Christi, Texas, was driving his mother's Explorer on Jan. 12, 1998, when the tread separated on the left-rear tire and the truck rolled four times. The 18-year-old was thrown through the passenger-side window. He died.

Hendricks had been on the way to pick up his girlfriend for a bowling date. A local TV station reported the accident, but his mother, Vickie, hadn't seen the report. She wasn't worried until a deputy sheriff and deputy coroner knocked on her door at 12:30 a.m.

Matthew Hendricks was going to graduate from high school that spring and hoped to study aerospace mechanics, his mother says.

Vickie Hendricks says Ford and Firestone executives should be prosecuted for not recalling the tires sooner. She was in Washington in September to lobby Congress for a bill that could send executives to prison for 15 years for knowingly selling defective products. The legislation was signed into law by President Clinton on Nov. 1.

"We need to hold the people responsible — the people who were weighing human lives in dollars and cents," she says. "They are trying to do something about it now, but that's after they've already been caught."

"If they had known they could have been facing criminal charges, they would have done the right thing sooner. My son could still be alive."

## A bumpy road for the radial-ply tire

The radial-ply tire has a long and controversial history. A product of European manufacturers, it was only grudgingly adopted by U.S. tiremakers. Some tire experts say, in fact, that U.S. firms never quite mastered the art of radial manufacturing because their hearts weren't in it. A look at the radial's bumpy road, especially where it intersects Firestone:

1913: Radial tire invented in Britain.

1955: Radials standard on most European cars.

1968: Goodrich, only U.S. tiremaker favoring radials, launches big "Radial Age" ad campaign to sell U.S. buyers on radial benefits.

1969: Ford equips 1970-model Lincolns with radials by French tiremaker Michelin to bypass U.S. tiremakers' tires while trying to find a solution.

1976: Firestone executives approve "dry technology" to minimize moisture problems.

1977: National Highway Traffic Safety Administration orders Firestone to recall 400,000 radials made at its Decatur, Ill., plant because the tires fail high-speed tests.

Firestone begins phasing out the 500 radial models.

February 1998: State Farm Insurance researcher notifies NHTSA about 21 Firestone ATX tread failures, 14 on Explorers.

August 1998: In the Middle East, Ford replaces 16-inch Firestone Wilderness AT tires with Goodyears.

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