

Another expanded recall of airbags prone to deadly explosions

By Shannon Jones
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The US National Highway Traffic Safety Administration (NHTSA) said this week that it is expanding the recall of defective airbag inflators manufactured by Japanese auto parts maker Takata to 35-40 million. The latest announcement doubles the size of the Takata airbag recall, which is already the largest in history.

The announcement this week is the latest in a piecemeal series of recalls of the defective airbags that can explode, sending deadly metal fragments spraying into a car's passenger compartment. At issue is an airbag inflator that is powered by an ammonium nitrate propellant. If exposed to water or humid conditions it can become unstable, exploding with sufficient force to spray shrapnel from the inflator canister.

The latest recall followed the report of three separate investigations carried out by Honda, Takata and a consortium of 10 automakers. According to these reports, NHTSA concluded that long-term exposure to environmental moisture and wide temperature fluctuations can, over time, degrade the airbag propellant, making it prone to sudden, unanticipated explosions.

The most recent documented death occurred on March 31 when Huma Hanif, a Texas high school senior, was killed after her Honda Civic rear-ended another car at an intersection. An autopsy showed that metal fragments sprayed by the air bag inflator had cut her jugular vein and carotid artery. Police said that Hanif should otherwise have survived the accident, which crumpled the car's hood. At least 11 deaths worldwide are linked to the defect and over 100 injuries.

The expanded recall, which is limited to airbag inflators without a drying agent to prevent moisture accumulation, brings the number of vehicles affected to

at least 63 million. That amounts to about one out of every four vehicles on the road in the US. But there are millions more ammonium nitrate inflators installed in vehicles that are still in operation and most likely need to be recalled.

Once again NHTSA is showing extreme indulgence in the face of criminal corporate neglect. The problem with the Takata airbag inflator has been known for years. The recalls have been proceeding at a snail's pace since 2008, when Honda first brought the problem to the attention of NHTSA. The agency opened an investigation at the time, but took no further action.

But the problem dates back much further. One Takata engineer, Mark Lillie, raised concerns about the use of ammonium nitrate propellant in the late 1990s. Honda first raised the issue with Takata as early as 2004. It settled several injury claims related to exploding airbags, but did not issue a safety recall until 2008, and then limited it to a few thousand vehicles. Other vehicle manufacturers, including US carmakers, who used Takata airbag inflators were meanwhile either unaware of the problem or chose to ignore it.

Takata only finally admitted in May of last year that its products were defective. For an extended period Takata denied that its use of ammonium nitrate was to blame for the deaths and injuries, instead citing manufacturer errors or quality control problems. It eventually added a drying agent to the ammonium nitrate in an attempt to make it more stable. However, Lillie, in remarks to the *New York Times*, said that while the drying agent could reduce the problem, "It can't eliminate the problem."

Last year NHTSA gave Takata until the end of 2018 to prove that its inflators without the drying compound were safe. It imposed a token \$70 million fine and threatened another \$130 million penalty if the company

did not comply with terms of a consent order. NHTSA has now barred Takata from using ammonium nitrate on future product orders. No criminal charges are pending, despite the fact that, according to NHTSA Administrator Mark Rosekind, Takata “misled, obscured and withheld information,” from consumers, regulators and automakers.

In fact, according to US Senate documents cited by the *New York Times*, Takata presented falsified test data to Honda. Another document cited a Takata manager who wrote an internal memo warning that the company had used inaccurate information to determine the scope of one of the recalls.

NHTSA has periodically issued expanded recalls of Takata airbags since 2008, generally in reaction to reports of another gruesome death. Federal regulators have performed strange contortions to limit the impact of recalls. In 2014, for example, they issued a recall for Takata airbag inflators restricted to certain US states with particularly high humidity. Owners of vehicles in non-recall states were not notified and not eligible for repairs.

Despite the large number of recall orders, relatively few inflators have been replaced due to a shortage of parts, leaving millions of cars with the deadly defect on the road. The *Detroit News* reported that as of April 22, only 8.2 million of nearly 29 million airbag inflators initially recalled had been replaced.

Meanwhile, there are still some 18 million side-air-bag inflators lacking a drying agent that are not under a recall order. There are also another 32 million airbag inflators with the drying agent not subject to recall.

The continued delays and obfuscations by NHTSA in relation to Takata are part of a long pattern of collaboration by federal safety regulators with the automotive industry. The agency spends about as much money on developing safety rating for vehicles, a corporate marketing tool, as it spends on investigating safety defects. In 2015 there were only 28 full-time workers employed in the defects office.

The Takata airbag scandal follows the more than decade-long cover-up by General Motors of a deadly ignition defect. At least 124 people died and hundreds more were injured, many maimed for life. No GM officials were criminally charged as a result of the cover-up and the company was hit with relatively

minor monetary sanctions.

As in the case of the Takata airbag cover-up, NHTSA did nothing, even when confronted with evidence of a tie between the defective GM ignition switches and deadly crashes. Attorneys for accident victims eventually exposed the connection, not GM’s phony internal investigation or government regulators.

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