

**REGULATING CARS' SAFETY STANDARDS IN
CONTROLLING FATAL ACCIDENTS: A COMPARATIVE
STUDY**

By

Ahmad Benyamine Noor Bin Rahimin (2009830012)

Ahmad Mukmin Aimi Bin Azmi (2009861686)

Mohd Shahril Bin Madisa (2009806664)

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where the references has been made to the work of others

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ABSTRACT

Technological advances have revolutionized the safety standards of cars in this modern era. It has become the integral part of the car itself and plays a major role in saving thousands if not millions of lives each year. This has brought about the creation of institutions such the Malaysian Institute of Road Safety Research (MIROS) and the introduction of the Malaysian Vehicle Assessment Programme (MyVAP). However, there is still a lack of rules and enforcement of safety standards in Malaysia.

This paper was done to critically analyse the current situation in Malaysia regarding the issue of inadequate Acts, rules and regulations governing safety standard of passenger cars. This research represents the initial effort to provide comparisons and perhaps justifications towards an improvement of overall safety standards of cars in Malaysia by improving the already available safety standards or by enacting a new legislation in the future. The important comparative subjects in this research are the Third Australian Design Rule (ADR) governed under the Motor Vehicles Standards Act 1989 in Australia and also the Federal Motor Vehicle Safety Standards (FMVSS) and Regulations which is legislated by the National Highway Traffic Safety Administration in the United States of America (USA).

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CHAPTER ONE

INTRODUCTION

1.0 Background

In Malaysia the number of road accident fatalities has steadily increased throughout the years and the figure maintains at more than 6 000 deaths in a year from 2003-2009.¹ Furthermore, it is important to note that almost 20% of the deaths were contributed by car drivers and passengers.² Numerous factors have contributed to the staggering number of deaths and the most important one is the safety standards of the cars themselves. In supporting this issue, the Malaysian Institute of Road Safety Research (Miros) is pushing for the manufacturers of cars of higher standards to reduce crash fatalities. According to its Director-general Prof Farhan Sadullah, the only way to achieve higher-standard cars was through proper design and crash tests, both of which he emphasised were still lacking in Malaysian-made cars compared with leading car manufacturers worldwide.³

Safety standards have evolved rapidly since the last decade as modern cars are built-in with numerous features that are aimed at protecting the occupants in the event of a crash. It is further divided into 2 types which are primary safety features which designed to help you avoid a crash and secondary safety features (come into play once you have an accident and are designed to reduce injuries to you and your passengers). This covers seat belts and airbags, head restraints and the design of the bodyshell and vehicle interior.

Relatively, Malaysian cars` safety standards are far below the standards of developed countries, namely in the United Kingdom, the United States of America

¹ Royal Malaysian Police

² Royal Malaysian Police

³ 'Crash test our cars and give buyers 5 star quality', The New Straits Times, 24 January 2011