

## PUBLIC JUSTICE E-LERT

AMERICA'S PUBLIC INTEREST LAW FIRM

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Thanh Williamson isn't alive to see it. But her family now knows that it can hold Mazda accountable for the faulty seatbelt design that caused her death.

Yesterday, eight-and-a-half years after a car crash in California killed Ms. Williamson, a unanimous U.S. Supreme Court held that accident victims -- her husband Delbert and daughter Alexa were the plaintiffs -- have the right to seek compensation from auto makers for personal injuries caused by their vehicles' lack of shoulder harnesses.

On August 14, 2002, the Williamson family was traveling in a Mazda minivan. Thanh, the mother, was seated in the middle row. Coming from the opposite direction was an RV towing a Jeep Wrangler. The Jeep came loose from the RV, crossed over into the Williamsons' lane, and crashed into them. Ms. Williamson's body jackknifed around the seatbelt; her seat had a lap-only belt with no shoulder harness. She sustained severe abdominal injuries and internal bleeding, which later proved fatal.



This 1993 Mazda MPV is similar to the one driven by Delbert and Thanh Williamson

In *Williamson v. Mazda Motor of America, Inc.* the Supreme Court held yesterday that a federal regulation that gave car makers the option of installing either lap belts or lap-belt/shoulder harnesses in rear-inner seats does not preempt state-law claims. We filed an *amicus* brief in this case arguing that the plaintiffs should be permitted to have their day in court, and the Supreme Court agreed.

As we urged, the high court's ruling in *Williamson* limits the reach of an often-misapplied earlier decision, *Geier v. American Honda Motor Co.*, which has regularly been misused by a host of courts to find federal preemption in areas that Congress never intended.

At issue was the meaning of *Geier*, a Supreme Court case handled by Public Justice in the late 1990's. The regulation at play in *Geier* gave car makers the option of installing either an airbag or some other form of passive restraint in the front seats of cars. Although the Supreme Court found federal preemption based on the unique history of the airbag regulation, manufacturers were then able to convince many lower courts that *Geier* applied whenever an automobile safety feature was governed by a regulatory option. This misreading also spread outside the auto safety context, leading to preemption rulings in areas ranging from consumer products to mobile homes to cell phones.

In our *Williamson* brief, we emphasized how lower courts had badly misapplied *Geier* and urged the high court to resolve the massive confusion it had caused. Thankfully, the Supreme Court did just that.

In reaching this result, and by correcting the misreading of *Geier*, the Supreme Court has deprived car manufacturers of one of their most readily used defenses to avoid liability. At the same time, the Court has handed car accident victims like the Williamsons a chance to hold wrongdoers accountable and has shown the important role that the tort system plays in promoting public safety.

To read our *amicus* brief, [click here](#).

To read the U.S. Supreme Court's opinion, [click here](#).

Our heartfelt congratulations go to Martin Buchanan, lead counsel on the case for the Williamsons, and to Alison Zieve of [Public Citizen](#), co-counsel.

And thanks to Public Justice's [Budd-Kazan Attorney Matthew Wessler](#) and [Senior Attorney Leslie Brueckner](#), who authored the brief with assistance from me. Thanks to you, too, for your support of Public Justice, our [Federal Preemption Project](#), and our [Access to Justice Campaign](#). With your help, we are fighting to ensure access to justice for all.

Arthur Bryant

Executive Director

Public Justice and the  
Public Justice Foundation

email: [abryant@publicjustice.net](mailto:abryant@publicjustice.net)

voice: 202-797-8600

web: <http://www.publicjustice.net>