

Regulatory Escalation

by Robert Carreira

An escalator mishap last July at Coors Field in Denver injured 35 people. As expected, those who see the federal nanny state as a solution to all ills are demanding more government, more laws, and more regulation. But before this bandwagon gets rolling, we should ask whether federal regulation of escalators would make us any safer.

First, escalators are already quite safe. The U.S. Consumer Product Safety Commission (CPSC) estimates that 8,420 people were injured on escalators in 2001. But that is out of about 25 million trips daily, according to Richard Atkinson, executive director of the National Association of Elevator Safety Authorities.¹ Thus it took approximately 9.13 billion trips for these 8,420 people to be injured. To put it another way, about one in every 1.1 million trips on an escalator results in an injury. This means that if the average person rides an escalator twice a day—once up and once down—for every day of his life it would take over 1,500 years to be injured. Now of course none of us lives that long. But if you did nothing but ride escalators nonstop for eight hours a day, every day of the week, presuming a rate of one trip per minute for 480 trips a day, it would still take you over six years to injure yourself.

Robert Carreira (robertcarreira@msn.com) is an economic analyst at the Center for Economic Research at Cochise College in Arizona, where he also teaches economics and political science.

But perhaps a one-in-a-million chance of being injured on an escalator is still too great a risk for some. If that is so, there is even more good news. The vast majority of injuries that occur on escalators are minor and are caused not by the escalator malfunctioning or by some defect in design or manufacture. They are caused by riders not paying attention, losing their balance, or failing to control their luggage.

For example, in Florida in 2002, according to that state's Bureau of Elevator Safety, there were 283 people injured in escalator accidents. The vast majority of those injuries consisted of minor scratches, abrasions, and bruises. There were no reported fatalities.²

Of the 283 injuries, only 22—less than 8 percent—were either the result of faulty equipment or could possibly, or even remotely, be attributed to equipment operation, design, or manufacture. In a few of the cases, injured riders claimed an unexplainable and somewhat dubious “jerk” or other ostensible malfunction of the escalator, but subsequent examination of the escalators revealed they were in normal working order. I have nonetheless included those cases in the 22 that may have possibly been caused by the equipment. All 22 of the injuries that could possibly or even remotely be attributable to the equipment were minor or negligible.

The other 261 injuries were the result of rider error, with the most common cause being a loss of balance, usually brought on by

attempting to carry large items onto the escalator, such as luggage, strollers, and walkers.

Several of the injured people sustained their injuries as a result of other riders losing their balance and falling into them. Some of the injuries were caused by people failing to control their luggage, resulting in its falling onto other riders and knocking them down. In more than one case, riders attempted to bring wheelchair-bound relatives onto the escalators, with the predictable disastrous results.

Other common causes included children's running, jumping, and playing on the escalators; riders facing the wrong direction; riders attempting to go up the down escalator or down the up escalator, sometimes changing direction mid-trip; or riders being intoxicated and thus losing their balance, losing control of their luggage or packages, or passing out.

Worth the Cost?

In the final analysis, presuming Florida is typical, federal regulation of escalators, if 100 percent effective in eliminating injuries caused by equipment malfunction or defects in equipment design or manufacture, might prevent, at best, about 655 minor injuries per year nationwide. Now some might say that if 655 injuries, even minor ones, can be prevented, then federal regulation is worth the cost. But let us put the 655 injuries into perspective. According to the CPSC, in 2001 more than twice that number, over 1,500 people, were injured by art supplies. A whopping 3,732 people were injured by toy balloons. Over 10,000 people were injured by books, magazines, albums, or scrapbooks. Just short of that, a staggering 9,346 people, were injured by toothpicks. Toothpicks alone accounted for more than 14 times the number of people who might be spared minor injuries under federal regulation of escalators.³

Let us now consider the cost of federal regulations. As noted in a recent Cato Institute report, in 2002 regulatory agencies issued 4,167 new rules, comprising 75,606 pages at an estimated cost to the U.S. economy of \$860 billion per year.⁴ Next consider this: Each dollar we spend on government regulation is a dollar taken out of the private economy. This is money that could be spent on things people deem more important. Perhaps some people would donate this money to medical research to help treat or find a cure for heart disease—the number-one killer in the United States, responsible for over 700,000 deaths per year.⁵

Perhaps some would invest their money in medical-research companies searching for a cure for a host of ills much more pressing than a one-in-a-million chance of suffering a minor injury on an escalator. Some might purchase newer and safer automobiles, or even simply a new set of tires, which might help lower the current 40,000 motor vehicle deaths per year on U.S. roads and highways.⁶

Others yet may spend it trying to invent a safer toothpick. □

1. Tom McGhee, "Experts Want Feds to Oversee Escalator Code: Regulation Needless, Industry Says," *Denver Post*, July 28, 2003, p. B-2.

2. State of Florida, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, *Elevator/Escalator Accidents: Accidents Occurring Between 07/01/2001 thru 06/30/2002*, www.myflorida.com/dbpr/hr/elevators/accidents_fy2001.pdf; and *Elevator/Escalator Accidents: Accidents Occurring Between 07/01/2002 thru 01/14/2003*, www.myflorida.com/dbpr/hr/elevators/accidents_fy2002.pdf. Discrepancies between the data in the reports and in this article are the result of inaccurate reporting by the bureau, including multiple reports of single incidents and improper classification of elevator accidents as escalator accidents, and vice versa.

3. U.S. Consumer Product Safety Commission, *National Electronic Injury Surveillance System (NEISS) On-line*, www.cpsc.gov/library/neiss.html.

4. Clyde Wayne Crews Jr., *Ten Thousand Commandments: An Annual Snapshot of the Regulatory State*, 2003 Edition. (Washington, D.C.: Cato Institute, 2003).

5. Center for Disease Control and Prevention, National Center for Injury Prevention and Control, *WISQARS Leading Causes of Death Reports, 1999 – 2000*, <http://webapp.cdc.gov/sasweb/ncipc/leadcaus10.html>.

6. *Ibid.*