

reimbursement policy to replace the faulty tires. The policy covered tires purchased between January 1, 2000 and August 8, 2000 from a company-owned Firestone Tire and Service Center or authorized retailer. Customers with a recalled tire were notified by mail and given instructions on how to go about replacing the defective tires free of charge. Replacements included other Bridgestone/Firestone tires or competitors' equivalents if necessary to expedite the exchange and minimize inconvenience to customers. Both the policy and information on how to receive a reimbursement form were posted on Bridgestone/Firestone's websites and printed in paid advertisements in the August 16th edition of 41 major newspapers nationwide.⁴⁵

Conclusion

Since the passage of the Consumer Products Safety Act in 1972, the gun lobby has fought to avoid federal health and safety regulation for the products it promotes. As a result, gun manufacturers routinely do not include simple safety devices that could prevent some unintentional shootings. In addition, some manufacturers have apparently known about unsafe design features in their products for years, yet when injury or death occurs they try and shift the blame to the consumer to avoid liability.

Ideally, firearm manufacturers should be subject to the same health and safety standards that currently apply to manufacturers of other consumer products. Comprehensive safety regulation would ensure that all manufacturers include a comprehensive safety system in every firearm that adequately indicates the presence of a cartridge in the chamber, the state of readiness to fire, and, in magazine-fed firearms, a device that disables the firearm when the magazine is removed.

Effective firearms regulation must include rigorous enforcement authority. At the federal level, the most capable agency to implement oversight would be the U.S. Department of Justice. At the state level, current approaches include giving such authority to state attorneys general, state Justice Departments, or independent boards.

Product liability litigation is currently the only mechanism available to hold gun manufacturers accountable when a defect in a gun's design or manufacture results in death or injury. Confidentiality agreements, common in product liability settlements, have kept critical information about the safety record of gun manufacturers from the public and are a prime example of how the gun industry actively conceals information about injuries and fatalities connected with its products. Such agreements should be eliminated. Additionally, all incidents of unintentional firearm injuries should be evaluated to determine whether the manufacturer contributed to the injury.

In the 109th Congress, the gun lobby will once again try to limit civil liability for injuries and deaths caused by industry negligence. If successful, it will further erode consumer

⁴⁵ "Bridgestone/Firestone Announces Reimbursement Policy; Firestone Tire and Service Centers, Authorized Retailers Will Purchase Competitors' Tires When Necessary," *Financial News*, August 15, 2000.