

FALSE STATEMENTS vs. FACTS



	The reduction from 5-inches to 4-inches in the width of the guide channels causes the ET Plus® System to “malfunction” and “spear.”
	<ul style="list-style-type: none">The ET Plus® System with a 4” guide channel has undergone rigorous testing as requested by the Federal Highway Administration (FHWA) and these tests have been reviewed by independent experts. It has fully passed all tests to date, demonstrating that the product performs as designed when properly installed and maintained.
	The reduction from a 5-inch guide channel to a 4-inch guide channel was made to save money.
	<ul style="list-style-type: none">The reduction in the width of the guide channels was made based on the recommendation of the Texas A&M Transportation Institute (TTI) engineers who designed the ET Plus® System as they believed this enhanced system performance.The cost savings were minimal – about \$2 per system, or approximately 0.1% of the cost of the system – and not a factor in the decision.
	This lawsuit was brought to protect the federal government.
	<ul style="list-style-type: none">After reviewing the allegations and the evidence, the federal government declined to intervene in the lawsuit.The FHWA has repeatedly confirmed that the ET Plus® System with a 4” guide channel is crashworthy and fully compliant with all applicable federal safety regulations.
	The ET Plus® System extruder heads that were recently tested were not representative of what is installed on roads today because there are “three different versions” and Trinity selected the extruder heads that were tested.
	<ul style="list-style-type: none">There are not multiple versions of the ET Plus® System extruder head. The design of the ET Plus® extruder head and impact plate remains the same today as when it was introduced in 2000. This fact was confirmed by an independent FHWA and AASHTO Joint Task Force, which reviewed 1,048 ET Plus® Systems in five states and concluded there’s no evidence of multiple versions.The Joint Task Force also concluded that the recently-tested ET Plus® extruder heads were representative of the devices installed across the country. The heads used in those tests were randomly selected by the FHWA from the existing inventory of the California Transportation Department.
	Hundreds of people are dying as a result of this product, and there is significant photographic evidence that the products have failed numerous times.
	<ul style="list-style-type: none">There has not been a single case where it was determined that an ET Plus® System malfunctioned and caused the death of a driver or passenger.The photographs that are often shown provide little context, circumstances, or outcomes of the accidents, making it impossible to draw any conclusions about the performance of the ET Plus® System. Furthermore, many of these photographs do not even involve Trinity products.
	The ET Plus® System doesn’t meet applicable FHWA standards.
	<ul style="list-style-type: none">The ET Plus® System has now been successfully crash-tested more than any product of its kind. The FHWA has repeatedly confirmed that the ET Plus® System is fully compliant with all applicable federal safety regulations and that the ET Plus® System has been eligible for reimbursement under the Federal-aid highway program in an “unbroken chain” since 2005.