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The manufacturer of the ET-Plus guardrail system that has been under much scrutiny was found guilty Monday by a Texas jury of defrauding the federal government. Trinity Industries made a design change in 2005 to the end terminal unit without informing the Federal Highway Administration of the change. State governments received federal reimbursements for the guardrails purchased from Trinity.

The ET-Plus is under scrutiny from state and federal officials because of concerns that the design change causes the guardrail system to fail and not operate as originally approved. Instead of the end terminal unit collapsing into itself, the guardrail acts like a spear penetrating the passenger compartment. Many deaths and injuries have been reported nationwide from accidents with such circumstances.

Trinity indicated that the lack of approval for the 2005 change was an oversight.

The \$175 million verdict which under federal law will triple to \$525 million was the result of a whistleblower lawsuit brought under the False Claims Act. The False Claims Act allows the government to recover money out of which it was defrauded and the individual who exposes the fraud and brought the suit to receive an award of part of the recovery.

Read more about the verdict in the [New York Times article](#).