

Responsibility Of Motorists A State Concern

By VINCENT THOMAS
Assemblyman

California's millions of motor vehicles have certainly made our State what it is today. Without cars and trucks we could not live the kinds of lives we do. Hundreds of thousands of us depend directly upon them for a livelihood. All of us do so for personal and business affairs, and for transportation of the many things that help to give us high standards of living.

But in return for the service which autos perform for us, and in addition to the direct cost of their operation, we must pay a heavy penalty in the losses caused by traffic accidents. The injuries and deaths resulting from such accidents cannot be recompensed. The costs of medical care and property damage can be, either directly by the parties concerned or through insurance.

FOR SEVERAL YEARS California has had a law requiring every driver involved in an automobile accident which results in injury or property damage to prove his "financial responsibility" either by posting bond or demonstrating that he carries liability insurance as protection for the other parties involved. Most auto owners carry such insurance, but recently assertions have been made that many drivers do not, and are otherwise financially "irresponsible." An Assembly subcommittee on traffic accident consequences was set up to study the situation and to recommend improvements in the law, if any are needed.

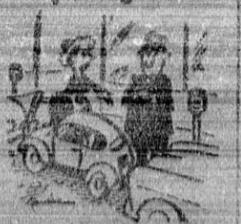
According to information furnished this committee about one driver out of seven carries no insurance. This proportion is increasing because of the rising costs of automobile liability insurance. More and more drivers involved in accidents are finding that the other driver is uninsured, and so must go to court to recover damages. In many instances, court action is useless because the other driver has no assets.

THE SUBGROUP WAS informed that while a number of insurance companies are trying to cover this gap in the protection afforded by the financial responsibility law by adding various broadening "endorsements" to their policies, such policy improvements cover but a small part of the total loss caused by uninsured drivers.

Several suggestions have been advanced as to how the problem should be solved. One is that carrying automobile liability insurance be made compulsory, and that no one be permitted to drive without it. Another is that a special fund be established to pay drivers who win judgments against others but cannot recover from them. A few States have enacted laws of this type. A third would set up an auto accident compensation fund, like workmen's compensation, to pay limited damages regardless of who was at fault.

AT ITS RECENT meeting the subcommittee was told by insurance company and automobile association spokesmen that our present financial responsibility law is working fairly well, so that there is no need for a compulsory insurance law. What is needed they said, is constant improvement in traffic accident prevention, so as to reduce the number of accidents. Others recommended that the subgroup study thoroughly the need for broader auto liability policies and for a state "unsatisfied judgment fund," from which to pay those involved in accidents with uninsured drivers.

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