

standpoint of essentially equal traffic flow in both directions Who has the right of way on the middle lane under such conditions?

MR C N CONNER Mr Chairman, I would like to ask Dean Johnson if any data were secured on single lane roads

DEAN JOHNSON They do not come into the traffic scheme at all

FINANCIAL RESPONSIBILITY OF MOTORISTS

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(Report presented by Wm G Eliot, 3rd, U S Bureau of Public Roads)

Fundamentally, the problem of financial responsibility for highway accidents is one of economic and social policy, and as such it is more closely related to questions like vehicle taxation, workmen's compensation or even installment buying than it is to the other agenda of this committee There appears, however, to be some correlation between financial irresponsibility and recklessness in driving At any rate, "compulsory insurance" has been frequently urged as a safety measure, especially when the legislation is designed to favor the motorist with a good driving record

Some fourteen States in this country, and two Canadian provinces, now have one or another form of automobile security legislation The common law recognizes the right of an individual innocently injured on the highway to recover damages from the person responsible for the accident But few of those who own or operate motor vehicles are able to meet large judgments against themselves Relatively few voluntarily protect themselves or the public by purchasing insurance, and experience has shown that these are usually the preferred risks One of the major problems in any scheme of "compulsory insurance" is to place the burden where it really belongs, and not to increase the cost of protection to those who would have carried insurance or have been otherwise responsible in the absence of legislation

Automobile security laws have been of two general types

(1) Those requiring insurance (or other acceptable security) from all car owners as a prerequisite to licensing and operation Massachusetts is the only State which has legislated on this basis A similar law becomes effective in England and Scotland next January 1.

(2) Those requiring evidence of financial responsibility only from motorists who have been involved in an accident, or who have committed a serious offense under the traffic laws All State security laws

except that of Massachusetts have followed this principle, as does the model act proposed by the American Automobile Association

Because of the difficulty and expense of proving responsibility through court action, two additional proposals have been made, though neither has ever been enacted into law

(1) Assuming that accidents and their attendant damage are an inevitable part of the business of highway transportation, the owners of vehicles should be held responsible regardless of the contributory negligence of the injured party This, the so-called "Marx Plan," is similar in principle to workmen's compensation in industry

(2) Assuming that all are exposed to the risk of motor vehicle accidents, each individual should carry personal accident insurance

Both these suggestions are revolutionary in character, in that they depart from the time-honored principle of individual responsibility Both have the merit of assuring definite and expeditious payment in case of injury, but both involve many very serious legislative complications

There are few definite data as yet available on the subject of financial responsibility, although there are numerous individuals and agencies conducting research Several State legislative committees have studied or are now studying the question Research is also being done in several universities, notably by a committee of prominent lawyers and judges under the auspices of the Council for Research in the Social Sciences, of Columbia University

The Committee, therefore, believes that for the present it can best function through encouragement of research by interested persons and agencies. Some of the more specific questions that deserve study are:

- (1) Effect of insurance and liability laws upon the accident rate.
- (2) Relation between added cost of compulsory financial security and added amount of claims paid
- (3) Actual effectiveness of security laws in assuring compensation to the injured party.
- (4) Possible methods of varying security requirements or insurance premium costs according to individual risks
- (5) Actual cost of motor vehicle accidents, both those where the injured party is entitled to recovery of damages and those where there is no legal recourse
- (6) From the safety viewpoint, the possibility of accomplishing the same results by imposing other penalties for dangerous driving, as, for example revocation of drivers' licenses