
By Mr. Donlan of Boston, petition of Edmond J. Donlan for an investigation by a special non-legislative commission of a program for reducing highway accidents and motor vehicle insurance costs. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF A PROGRAM FOR REDUCING HIGHWAY ACCIDENTS AND AUTOMOBILE INSURANCE COSTS.

1 *Whereas*, The present compulsory motor vehicle sur-
2 charge imposed on drivers under twenty-five years of
3 age is unfair; and

4 *Whereas*, The compulsory motor vehicle insurance
5 demerit surcharge based on point accumulation is in
6 violation of the due process clause of the Constitution;
7 and

8 *Whereas*, The compulsory motor vehicle insurance
9 costs for good drivers should be reduced by making bad
10 drivers bear their rightful share of the cost of accidents;
11 and

12 *Whereas*, The motorist's rights should be protected
13 under the point system by granting him the right to be
14 heard by the registrar of motor vehicles before points
15 are assessed against him; and

16 *Whereas*, There is great need for stimulating interest
17 in community highway safety campaigns to prevent
18 citizens from being injured and slaughtered on the
19 highways; and

20 *Whereas*, The fraudulent and exaggerated automobile
21 claims racket should be curbed; and

22 *Whereas*, The long delay in the trial of automobile
23 accident cases should be eliminated by having these

24 cases heard by a commission rather than by the crowded
25 courts; therefore be it

26 *Resolved*, That an unpaid special commission consisting
27 of a representative of organized labor, three prominent
28 clergymen, the president of the Massachusetts Medical
29 Society and the law school deans from Boston College,
30 Boston University and Harvard to be appointed by the
31 Governor is hereby established for the purpose of making
32 an investigation and study of a program for reducing
33 highway accidents and automobile insurance costs.
34 Said commission shall report to the general court the
35 results of its investigation and study, together with
36 drafts of legislation necessary to carry its recommenda-
37 tions into effect, by filing the same with the clerk of the
38 house of representatives on or before the first day of
39 June in the year nineteen hundred and fifty-six, and shall
40 in the course of its investigation and study consider the
41 following:—

42 1. Repeal of the unfair discriminatory compulsory
43 motor vehicle insurance surcharge imposed on drivers
44 under twenty-five years of age.

45 2. Repeal of the unconstitutional compulsory motor
46 vehicle insurance demerit surcharge now based on point
47 accumulation.

48 3. The reduction of insurance costs for good drivers
49 by making bad drivers bear their rightful share of the
50 cost of accidents, to be achieved by prohibiting insurance
51 companies from canceling or refusing to issue automobile
52 insurance based on the driving record of a motorist until
53 the insurance company and the automobile owner have
54 had an opportunity to agree upon a fair and reasonable
55 surcharge; and further protecting automobile owners
56 against unreasonable surcharges by giving them the right
57 to appeal such surcharges to the board of appeal on
58 motor vehicle liability, policies and bonds.

59 4. Protect the motorist's rights under the point or
60 demerit system by giving an automobile owner or opera-
61 tor an opportunity to be heard by the registrar of motor
62 vehicles before points are assessed against him.

63 5. Stimulate interest in community highway safety
64 campaigns by revamping the so called highway safety
65 committee created by the legislature in nineteen hundred
66 and fifty-three which has failed to make the contribution
67 to safety which was expected of it.

68 6. Curb the fraudulent and exaggerated automobile
69 claims racket by setting up a panel of physicians to
70 assist the courts by examining automobile accident
71 claimants.

72 7. Take the trial of automobile accident cases out of
73 the crowded courts by having such cases handled by a
74 board of commission similar to the industrial accident
75 board.

