

been able to picture themselves on the brink of financial disaster in order to get State approval for rate increases. These are all serious questions which will go unanswered for several years if the Department of Transportation alone conducts the study.

Secretary Boyd indicated that it would require some time to hire staff, to set the guidelines and to get his probe underway. I think it would be a minimum of 2 years before we have any meaningful report from him if he is to do the job that is necessary. But the problems I have mentioned in brief face the American automobile owner daily and want attention right now.

I was pleased to learn that Senator Hart is holding hearings in the Senate Anti-Trust Subcommittee. I think it is important for the House of Representatives also to provide some light in this area.

Mr. Moss. Thank you for your views Mr. Green.

We shall hear next from the Honorable George Miller of California. Please proceed, Mr. Miller.

STATEMENT OF HON. GEORGE P. MILLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. MILLER. Mr. Chairman, I am very appreciative of having been afforded this opportunity to express my support for House Joint Resolution 958 which will authorize an intensive study by the Department of Transportation into the tragic consequences, physical and economic, suffered by those injured in automobile accidents and the adequacy of our present system in the compensation and protection of our citizens.

The present system, which applies the common law principles of negligence and is administered by our civil courts with the extensive use of jury trials, has shown signs of great strain under the enormous volume of litigation. In many areas this has resulted in extended trial delay and high costs of adjudication. Another criticism has been that widely varying amounts of damages are awarded for similar injuries depending upon location of trial, makeup of the jury and other factors not relevant to the merits of the case. Also, the award for damages is a one-time lump sum payment with no provision for continuing medical care or allowance for either future improvement or further deterioration in the physical condition of the claimant.

It also appears that in the modern automobile accident many times there is a highly complicated fact situation where events often take place involving mere seconds of time and calling for highly sophisticated judgments and quick physical responses. It is extremely difficult, if not impossible, to apply the traditional common law standards as to what constitutes negligence, reasonable care, and prudent conduct in such cases.

I know that members of the bench and the bar together with the automobile insurance industry have worked diligently in their attempts to establish an orderly, responsive, and uniform system of compensation and protection on behalf of our citizens. However, the problem is of such magnitude so as to necessitate a national effort toward arriving at its solution. This investigation will give all interested groups the opportunity to contribute toward a comprehensive evaluation of all aspects of this increasingly serious national problem which