STATEMENT OF ALFRED CONARD, PROFESSOR, LAW SCHOOL, UNIVERSITY OF MICHIGAN

Mr. CONARD. Mr. Chairman, and members of the committee, I would like to congratulate this committee for taking an interest in the problem of automobile injury reparation as a Federal problem.

For 5 years I made a study of facts about automobile injuries and the payment received by victims, and at the end of that time I gave some of my conclusions in 1964. I think this was a good deal before there had been much talk of Federal interest in it.

I wrote at that time in the Michigan Law Review:

> Any program that seeks to eliminate these evils on a state-wide basis is boxing with shadows. . . . Any program for the aid of automobile injury victims will be more effective if it is built on a Federal base. (63 Mich. L. Rev. 325).

I am happy to gather from remarks already made here that this is not in issue at this time, that you are not really debating whether it is a Federal responsibility; but debating how the Federal Government should approach it.

I gather also from what I have already heard that I do not need to tell you about the disastrous problem of people who are uncompensated or inadequately compensated, nor about the soaring insurance premiums.

I think that in order to try to concentrate on the approach to this problem which might add most to what you have heard from other sources, I would like to say that it is a mistake to view this problem primarily as one of negligence law and negligence liability insurance.

There are, in fact, many programs which tend to the relief of the injury victim which operate better, faster, and more efficiently than negligence liability insurance does.

I will mention them primarily in the order in which they arrive to the aid of the victim. The first thing he gets the benefit of is health insurance—when he goes to the hospital for medical care with assurance of payment.

The next thing that he gets the benefits of is sick leave from his employer, or temporary disability insurance, which pays some part of his wages while he cannot work.

The next thing in order which is likely to benefit him is not his liability insurance, but his loss insurance—for collision and property loss. Sometime within a couple of weeks or a month he is likely to get some payment for his property loss and the damage to his car. If he is in one of the more seriously injured groups, the fatality or total disability, he will get, not later than 6 months later, the benefits of social security.

These will last for the rest of his life, for the rest of the lives of his survivors if they need them.

Then 2 or 3 years later, he may get a chunk of money from a negligence liability settlement, generally too late to have given him the health care that he needed, too late to have paid his grocery bills during the time when he was out of work, and too little to support him during the period of his disability or the dependency of the people whom he leaves without a source of support.