

1944

Report of Committee on National Defense

Minn. L. Rev. Editorial Board

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insurance companies and pay a special rate. Hence, the law makes careless driving progressively more expensive.

One who has had many accidents can be barred from the use of the highway because even the pool may not continue the risk, and the car cannot be operated without the required proof of financial responsibility. A discharge in bankruptcy will not relieve the owner of the obligation to pay a judgment arising out of a traffic accident. He must also furnish proof of financial responsibility against future accidents. The law follows the car into other states and requires that judgments resulting from negligent use of such vehicle in other states must be satisfied. It makes the failure to report an accident promptly a criminal offense, likewise is the failure to return registration certificate and license plates in cases where driving privileges are revoked. The law also prohibits the transfer of a car involved in an accident until the provisions of the law are complied with. Also the forfeiting of bail on a traffic violation charge is construed the same as a conviction. The law makes provision for the payment of a judgment against an uninsured operation in installments subject to the approval of the Court, and for the reinstating of the driver's privileges, providing installments are paid as they mature.

Space will not permit outlining all of the features of the New York Law, but it is suggested that every member of the association become familiar with it, and enthusiastically advocate its passage. Many other states have passed similar laws. The New York law compels the Commissioner of Highways to secure a deposit that will cover the damages occasioned in the first accident. Most of the other states that have adopted similar laws leave this to the discretion of a designated state official, which might result in political favoritism, and would lessen the incentive to take out insurance before the first accident occurs. In the judgment of the committee, the New York law is by far the most preferable.

With all of the post-war planning that is now being considered, none is so important as the question of minimizing the appalling death rate in our state as the result of careless driving, notwithstanding all the present restrictions on the use of automobiles. Every member of this association appreciates that with peace will come a period of congested highways, automobiles with poor tires and equipment, and a corresponding increase in accidents, with the resultant loss of human life and serious injuries. Let our post-war planning include this much needed relief.

Respectfully submitted,

JAMES J. COURTNEY, Chairman

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REPORT OF COMMITTEE ON NATIONAL DEFENSE

TO THE MINNESOTA STATE BAR ASSOCIATION

During the past year the committee has functioned in the same manner as in previous years. It is pleased to report it has attended to all requests for the furnishing of legal aid. There has been a great change in the character of the work. During the earlier years of its existence the committee was called upon to solve problems in the law of property and