

news

DRIVER SAFETY

Accountability proposal for accident-causing drivers

"...I wonder how many drivers that injure someone in an accident follow up to understand how the injury may have effected that person. I'm left with an impression that ICBC keeps the person responsible out of that part of the loop so there is not accountability."

That is a direct quote from an e-mail by Tom, a regular reader of my column who has shown a keen interest in driver safety.

I can answer that question with confidence, even though communications between ICBC and the negligent drivers they represent are strictly confidential.

My confidence comes from having the opportunity to sit down across the table from

Achieving Justice

PAUL HERGOTT



many offending drivers, look each of them in the eye, and ask what they know about my client's injuries.

The opportunity arises in an "examination for discovery" where the offending driver is required to answer my questions after having sworn or affirmed to tell the truth.

I have questioned many offending drivers in this manner. Not one of them has had a clue about my client's injuries.

I then ask if they have inquired.

Not one of them has been bothered to inquire.

In two back to back columns last summer, I proposed accountability for offending drivers.

My proposal: What about mirroring the IRP with an immediate removal of driving privileges for 90 days, impounding the offending vehicle and requiring the offender to participate in a 'Responsible Driver Program'?

The injuries arising from such crashes can result in a lifetime of pain and functional limitations. Do these consequences sound too harsh in that context?

Tom's version of accountability, simply informing offending drivers about the destruction they have

caused to the life of another human being, might be more effective.

The vast majority of those who have caused motor vehicle crashes are no different from the rest of us.

We are all living within a driving culture of oblivion to the consequences of the multitude of collisions that occur all around us.

The ICBC statistic, by the way, is that approximately 150 people are injured every day in motor vehicle collisions in British Columbia.

Each of us is protected from accountability for the results of our inattentive driving by a liability insurance policy that must be purchased from ICBC.

It is ironic that ICBC, which seems to fancy itself a champion of driver

safety, does so little to bring about accountability of those offending drivers on whose behalf they pay out hundreds of millions of dollars in compensation for the results of the injuries those drivers cause.

The driving culture has to change. Accountability can be a significant step in the right direction.

Each of us needs the message, though, not

just those who have caused crashes. Most of those who have not caused crashes have simply been lucky that their inattention has not caught up to them.

How about an ICBC advertisement campaign about the true severity and often long lasting chronic pain impacts of whiplash injuries that, at the scene of a crash, are not even apparent?

Will we ever see that? I don't think so, because ICBC is in a conflict of interest when it comes to driver safety.

They settle more claims for less money by trying to convince everyone that soft tissue injuries are minor.

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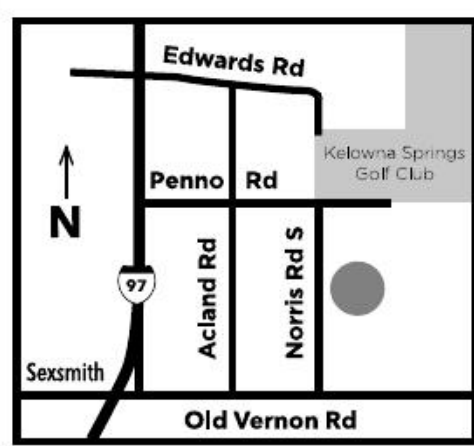
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