

## Mandatory or voluntary auto insurance?

By: Devvy  
December 10, 2007

The response to my [December 3, 2007](#), column has been an avalanche of email. Obviously, this is an issue that touches many Americans - most of them very angry. Too many horror stories that break your heart. One woman who wrote said she's been hit three times in ten years; she lives in the St. Louis area. Let me first recap the exact circumstances of my daughter's accidents and then I'll go into the pros and cons of mandatory automobile insurance, including thoughtful emails from our fellow Americans:

1. First accident Brandy she was **stopped** on the 405 because of another accident off on the side of the road which was causing a huge back up. The police were right there on the shoulder of the road writing up another accident while the lookie-loos cause more accidents.

Female driver, uninsured, illegal alien doesn't stop and smashes into the back of her car. Highway patrol right there to take the report.

2. Second accident: Brandy was **stopped** at a stop sign. The driver behind her wasn't paying attention and hit her.

Female driver, insured

3. Third accident: The illegal **ran a red light** doing 40 mph. This illegal skipped back across the border at Tijuana.

Female, illegal alien, no insurance

4. Fourth accident: This one **ran a stop sign** - simply went right through it. Brandy was traveling on a one way street to the freeway on ramp. Two stop signs, one on each side of her lane. This female broad sided my daughter's vehicle on the passenger side. On the other side of the street, stopped at the other stop sign, four young men watched the whole thing.

Female, no insurance, threatened to beat up my daughter, keys her SUV.

These are a few comments from our fellow Americans:

E.G. Henderson  
lilyoftheriver@comcast.net

If "Brandy" has been hit by so many people, perhaps she needs to take a refresher course in Defensive Driving, or maybe even stop driving altogether. The fact that these accidents never seem to be her fault suggests she may be a Republican who believes the entire roadway belongs to her. Let's fact it, life is unfair. Or maybe not. Maybe Bandy is paying for your sins. Look inside your heart and maybe you will find the reason.

\* \* \* \*

Jose Perez

jp5201@gmail.com

i have had my DL since 1992 and have never had so much as a fender bender. I think you need to be honest about your daughter and stop blaming illegal aliens. Four accidents????? Face it, THE BITCH CAN'T DRIVE AND SHE SHOULD BE MADE TO TAKE ANOTHER ROAD TEST!

For Mr. Perez' information, my daughter is the driver in the movie, Herbie Fully Loaded (2005). She was the double for Lindsay Lohan for all the driving in that movie. This is a fact that Mr. Perez' profanity cannot dispute.

\* \* \* \* \*

Ben Guerrero  
ab\_guerrero@comcast.net

Devy, the idiotic bitch. You will die under the weight of the shit that comes out of your mouth.

If he's going to be such a potty mouth, the least he could do is spell my name right.

\* \* \* \* \*

Barry Scrivner  
barryscrivner@yahoo.com  
December 3, 2007

I can't imagine that such a string of accidents is simply coincidental, and I do imagine that it is at least possible that your daughter has suffered such fate because [God] is trying to show you your own hypocrisy, and she happens to be the VEHICLE!!!!!!!!!! GET IT!!!!!! Vehicle. ??? I hope that you do. If not, then enjoy your arrogant "celebrity" status, you obstinate little hypocrite starlette. I just hope it doesn't further injure your daughter.

\* \* \* \* \*

There is a parental tracking device that you may install in your daughter's car. It will monitor her behavior and perhaps offer some clues as to why she is having all these accidents. It may be that Brandy is talking too much on her cell phone, or necking with her boyfriend/girlfriend when she should be concentrating on her driving. Edna Jones

My daughter is 32 years old and doesn't neck with boyfriends in her vehicle. Nor, is she a sexual deviant (lesbian). Brandy graduated from college in 2001, Magna Cum Laude in the field of Science. I put her in pre school at age 3 because she read so well at that point. When she entered private school at age five *until she graduated from high school*, Brandy had exactly 2 - B grades; one in PE (she had a dislocated shoulder) and one in Bible. All the rest were straight A's and that included the decade she was in the gifted and talented educational programs. We all like to brag about our children, even though we know they have faults and mine isn't perfect. However, she is well grounded, responsible, a heart of gold and I would remind the emailer above that the first two accidents were caused when the drivers behind her, while she was stopped, hit her. Accident three the driver ran a red light. Accident four the

driver ran a stop sign. None of this has squat to do with her driving skills.

\* \* \* \* \*

Dr. E.M. Abbott  
Eastegdonband@aol.com

Dear Ms. Kidde,

We generally advise parents against naming their children after alcoholic beverages. Such names, though endearing for a moment, can become self-fulfilling prophecies that lead to a lifetime of heartbreak and tragedy.

It's obvious from your report that your daughter Brandy has become a secret drinker, and is concocting these tales of accidents with "aliens" to cover up her own reckless and irrational behavior. Nobody in the UCLA and Westwood area has ever been struck by that many cars, and as a professor here I can vouch for the fact that no "aliens" are attending UCLA at taxpayer expense.

I am especially skeptical of the scene, complete with racist dialogue, concerning the "homies" coming to whup her white ass. This does not ring true, is not at all believable, and sounds in fact like something from a third rate TV drama

**If she exists at all**, your daughter is a paranoid, bipolar alcoholic, and should seek immediate help. That you would choose to exploit her in this manner speaks volumes as to the root of her problems.

If my daughter exists? Oh, that's right, I just made her up! I'll have to remember to tell my family and her friends. This accident didn't happen in the UCLA/Westwood area, but on the freeway some distance away. As to his comments about homies to "whup her white ass," this is a fabrication by this Dr. Abbott. There was no reported use of "whup her white ass" or any other racial epithets. This email is frightening when you consider this guy is walking around without a straight jacket and allegedly teaches at a pricey university like UCLA.

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Let me also remind you of the numbers when I did the research in 2003:

"Here in California the numbers are astronomical. Statewide, over one third of drivers lack insurance--about 33 percent, according the California Department of Insurance. The figures skyrocket in low-income and minority city neighborhoods: nearly 50%. In San Jose, California, 55% of all drivers on the road have no insurance. Statewide, the problem is worst in the Los Angeles, Imperial, San Diego and Alameda counties. With the exception of Alameda, the uninsured rates in those counties reaches a whopping 90 percent range. Alameda County's worst neighborhood, Oakland, is 63 percent uninsured. Just to put things in perspective: Statewide, every third car that goes by you - the driver has no insurance. In LA, one of the two cars involved in an accident, one has no insurance."

The "greater Los Angeles Metropolitan area" of five huge counties has a population of over 17.6 MILLION from 2005 stats I found doing this research. If you've ever been there, you

know those 17.6 MILLION people are crammed into a basin of very, very dense in population. You literally have to plan your day around the traffic. With about two MILLION of them illegals and how many driving with no insurance, the odds of not being hit are not in your favor. As my daughter is required to do a lot of driving for her work, she is at great risk in the LA area and no, she can't move at this time.

\* \* \* \*

Glenn McCarthy wrote: "Why is it that one day you sound like champion of the Constitution and the next you sound like a rabid liberal? Insurance companies are communist in nature and are partly responsible for the tragedy that is our economy. If you don't want to get into a wreck don't drive and if you don't want to loose your ass in a law suit don't cause a wreck. It's that simple."

Yes, life is so simple, isn't it?

\* \* \* \*

### **Mandatory v voluntary Here's what some folks said:**

<>1 - Foster Hoover: "Normally I agree with your articles, but this one...NO! Insurance is a protection racket. For the state to require the poor to insure the cars of the rich is a crime, called extortion. If you want to buy insurance and all of the insurance company abuses that go with it. . .go ahead. For you to demand I insure your car . . or your property or anything else you have is a total impropriety. It is theft, and you are too smart not to know it."

2 - Right to travel by Paul Revere ; "First we have an inalienable right to travel. We don't need the anyone's permission to do that. With that right of course, comes the responsibility not to injure others. The state need only get involved when someone injures the rights of someone else. And injuring your daughter body is injuring her right to safely travel the public roads. Where in the state constitution or the federal constitution does it give the government permission or the authority to force anyone to pay for insurance?"

3 - Kenneth Smyrl: "Your "Victims of Uninsured Drivers: Sue D.M.V." article is pure, 100%, unadulterated, unAmerican, unConstitutional and unGodly hypocrisy."

Mr. Hoover's and Mr. Smyrl's comments (1 and 3) were echoed by many I read, although I can't read a thousand emails in a few days. The majority of mail like Mr. Hoover all flat out stated they didn't want to pay this insurance, it's a racket, it's extortion, it's all of the above.

Mr. Hoover says I demand he insure my vehicles. I have never made such a demand. Nor, would I demand he insure my home.

Others said how could I endorse this when I have pointed out in so many columns that mandatory health care (universal as it's called) by the federal government is unconstitutional? Here you are talking two different things: federal vs state jurisdiction and the Tenth Amendment. **Two completely different legal areas of jurisdiction.**

Mr. Revere's comments regarding the right to travel: I have written about this before, including my seat belt case. However, we are back to the thorny problem of states rights, your state

constitution and what your state legislature does regarding this issue - not me.

Who in their right mind WANTS to pay these high insurance rates?

I can tell from the few hundred emails I did read, everyone hates the insurance companies with a passion - until they get in an accident and then they pray the insurance company will fix it so they come out okay. When we lived in Sacramento, California, we paid almost \$2,000 a year for two Jeep Cherokees and both of us with clean driving records. We paid because the California State Legislature passed a law that requires **paid up** insurance to drive the roads and highways. Our premiums were so high because MILLIONS of drivers in the state refuse to pay for insurance and simply drive without, hoping they don't get caught. Then throw in the illegals. When we moved to this small town in West Texas last year our insurance went down some.

**If you feel so strongly that having insurance is unconstitutional in your state, violates your right to travel, etc., then you have to get the law changed.**

You either do that by getting someone in your state legislature to see the situation from your position and constitutionality, you can sue the state or if all that fails, you can run for a seat in your state legislature and work to get rid of mandatory insurance. If you choose not to pay for insurance if it is the law, then you run the risk of getting caught and in some states, you will not only lose your license, according to one emailer, here in Texas, you will also lose your vehicle.

Mr. Katman in his mail said this: "I DO NOT have a Driver's License & travel regularly in my "private vehicle" b/c IT IS THE LAW. I steer my "private vehicle" using the steering wheel, powered by an internal combustion engine placed in the engine compartment, that gulps (14 mpg) gasoline. Did the mfgs. get it wrong - I DON'T THINK SO! IFF you stand for freedom then you MUST stand for (Y)OUR right to travel w/o govt. (thugs) abusing US All."

I don't know if Mr. Katman is a Libertarian, but many Libertarians who wrote said having no insurance makes someone a better driver. Yes, that's no doubt true to a certain degree. I have been driving for 42 years and have never had one accident, not even a fender bender. (Knock on wood.) I've had three speeding tickets in 42 years. I have paid insurance for 42 years and never made a claim for an accident of any kind. My husband has been driving for 51 years; he had one small fender bender, his fault, about 15 years ago. He also has paid insurance for 51 years with one claim to USAA. A lot of money. If Mr. Katman ever, and I hope it doesn't happen, gets in an accident and either maims or kills someone, I hope he has a fortune to "make it right" for his victims or his victims will end up with all the financial burdens of his mistake. HOWEVER, with millions crammed into these metropolitan areas and the freeways little better than parking lots 6-8 hours a day, the number of accidents just keeps increasing - which is one reason why so many municipalities have banned cell phone use while driving.

Let me share this email with you from a woman who lives in a small town who asked I not use her name: "We live in (blank). Earlier this year we bought a second vehicle, a 2006 SUV. We live in a rural and never thought we needed uninsured motorist coverage. I mean, the worst that could happen is bump into one of the cattle. Wrong. Last month we drove to (city) airport to pick up family for Thanksgiving. We were so excited until a man in an old beat up van plowed right into us. He has no insurance. Here's our mess: no uninsured motorist coverage,

our insurance company does not fix my SUV, it's gone. I still owe more than \$16,000 to the bank for a vehicle I can't drive because it's wrecked. Our injuries weren't too bad, although one family member did end up in the hospital for four days. We have no health insurance, so those bills will have to be paid when we can. Johnny and I confronted this man at his house in a run down area. He tol us he hasn't got insurance and if we sue him he'll file for bankruptcy. What a nightmare and the kids can forget Christmas."

Here's real world numbers about hospitalization: I had emergency surgery on my spine August 30, 2007, in Lubbock, Texas. I stayed two days. The bill to my insurance company was a little over \$26,000 bux and that didn't include the neurosurgeon who operated on me or the \$1,435 for the ambulance (100 miles to the hospital).

Let's look at one of the accidents I investigated for my 2003 column:

"Another case I have verified: Stay at home 29-year old mother of two. Husband works at a decent paying job. Unaware of how out of control the uninsured motorist problem is in California and living like so many today, paycheck to paycheck, they have no uninsured motorist coverage, just the minimum required.

"Mother is driving on I-880 in Fremont, CA (SF Bay Area) with the two minor children. Wham! She is hit by an uninsured motorist who loses control of his truck, killing the mother and the daughter. The toddler son goes into a coma; after coming out of it, the brain damage is so severe, he will require specialized care the rest of his life. The father is devastated. He buries his wife and daughter and faces bankruptcy for costs ranging from the funerals to his son's future care. The driver of the vehicle who destroyed this family had no insurance. His justification was he couldn't afford it and feed his family, too. Instead, he's now on trial with a public defender for involuntary manslaughter. More lives destroyed."

What if this happened to you? If you have no insurance, you will be responsible for all financial damages and that includes medical for the victims. In the case above, this man lost his wife and daughter. Lord, it breaks your heart. Do you know how much two funerals cost along with internment or a simple burial? Can you imagine the cost of his son's treatment? A sad, tragic case and most likely, the cost of his son's care was passed to the State of California under Medical or some other public assistance paid for by taxpayers via their state income taxes or for states with no state income tax, it gets paid via sales, property or gambling revenue taxes.

Terry Krogman wrote: "I am self insured and have been for years which means I insure myself. It cost me nothing unless of course i get in an accident then i am responsible but it dont matter how much you are covered for if you have insurance on your car for 2 million and you kill 4 people you will be broke anyway."

If this terrible scenario happens and you do have insurance as well as the other driver, depending on liability, you have a much better outcome than being "self insured," but if that's the choice you choose to make, you must live with it as well as your victims.

Mike wrote: "I HIGHLY RESPECT MOST OF YOUR VIEWS AND AGREE WITH MOST ALL OF THEM. BUT CAR INSURANCE TO BE MANDATED BY THE GOVERNMENT DIDN'T EVEN EXIST UNTIL THE 1950'S AND TO FORCE ME TO PAY THE CORRUPT INSURANCE

COMPANIES AND I MEAN CORRUPT GREEDY CORPORATE ENTITIES THAT WE ALL IN THIS MOVEMENT, RAIL AGAINST DAILY, IS UNCONSTITUTIONAL.

"BUY ALL THE INSURANCE YOU WANT AND CAN AFFORD...BUT DON'T USE GOVERNMENT TO MAKE ME PAY MONEY TO A PRIVATE CORPORATION FOR SOME FAT CATS ENRICHMENT!!!"

I haven't forced anyone to "pay money to a private corporation for some fat cats enrichment." It is your state legislature that makes the laws on this issue.

As I wrote in my column, if the insurance companies wanted to help curb this problem, they would get to the state legislatures. Instead, they just continue to raise the rates and yes, it burns me up just like you. However, the bottom line is enforcement by DMVs and anyone looking at the numbers can see they are not getting the job done.

I also believe these insurance companies are running a scam by charging higher rates by zip code. A friend of mine also lives in LA. He moved exactly 2.5 miles, but his zip code changed and his insurance went up a whopping \$650 smackers a year. His move didn't change his driving abilities or anything else and this is one area where the insurance companies need to be slapped. But, as I said, it won't happen until Americans make their voices heard or someone sues and forces a change in the law in their state.

Many folks wrote that they had to provide "proof" of insurance to get their license. Again: anyone can take a piece of paper into the DMV as "proof," but that doesn't mean **the insurance is paid - as in current**. One nice man sent this: "Here in Ohio, BMV requires info yearly at time of renewal of tags. The State also sends out, on a random basis, letters asking the recipient to send a copy of their insurance coverage listing various items. I received such a letter asking me for copies of my policies for 2005 and 2006. (I had not had an accident.) This was just a random check in 2006." Ohio has 7,656,362 licensed drivers with an uninsured rate of 15%. Does that sound like a process that is working?

Al Avallone wrote: "I live in a very rural area of New Mexico, a state whose bureaucracy is not known for its technological prowess. I recently brought this issue up with a local cop. I was told by this person that he is able to determine the insurance status of any NM registered vehicle immediately from his in car computer that is uplinked to the state's database by running a simple license plate check. Of course this does not seem to have reduced the uninsured drivers one iota." New Mexico is over run with illegals. They have a whopping 24% uninsured rate. Does this look like a system that works to you?

Dave from Alaska wrote: "I know you are against big government, But: Here in the State of Alaska we have mandatory car insurance. If you can't prove insurance, no driver license is issued. If you can't prove insurance if your pulled over or have an accident (copy of insurance must be in your vehicle at all times), you are arrested on the spot, and your license is revoked. The system works great." The latest stats I could find for Alaska is 15% of all drivers on the road have no insurance. A "copy" of insurance in your vehicle doesn't mean it's paid up and with a 15% uninsured rate, it doesn't appear to be working too well.

In order to get tags in California and here in Texas, I had to bring "proof" of insurance to the Department of "Public Safety." No drivers test required. But, there is no verification that the

proof is **paid insurance**. The state might send out a letter on a random basis once a year, but as I pointed out in my column, a person goes and gets a policy on the 12 month payment basis. They pay the first payment, go get their license and tags and then don't make any more payments until it's time to renew the license - unless they get caught first. The state sends out periodic, random letters, but look at how many MILLIONS are playing the odds they won't get caught? Carrying "proof" of insurance, meaning a piece of paper that can be generated off a home computer isn't the problem. It's finding out after the accident that the "proof" isn't worth the paper it is printed on.

Debbie from Florida wrote: "In Florida, the DMV knows (in real time? or something pretty close) whether or not one has Florida insurance otherwise one can't renew one's car tag. They MUST be checking validity of insurance with the insurance companies (at least with Geico) because I can't renew tags online without Florida insurance in place." According to the [most up to date stats](#), Florida's rate of insured drivers is in the 15-19% range. [You can check your state here](#). If they are checking, it isn't working too good. Florida has 12,905,813 licensed drivers - almost 13 MILLION with a 15-19% uninsured rate and that may not be accurate either as pointed out in a piece titled, 'Uninsured drivers travel under the radar,' [see here](#).

A very nice man named Jack Foster sent this question: "Have you checked into the on line update of uninsured motorists in California. Insurance companies are now required to provide this information to California DMV. If a persons insurance lapses their license is suspended. Driving on a suspended license is not legal." Yes, I have checked the latest stats available: There are 22,657,288 licensed drivers in California with a **20-26% uninsured rate** according to one insurance reference source. Even taking the lowest number, 20%, that means 4.5 MILLION drivers have no insurance. Of course, this doesn't include the illegal aliens driving with no licenses or insurance and as it's estimated there are 3 MILLION illegals in the state, the situation is grim. So, no, I wouldn't say the process in California is working too good, would you?

**Now, I stand corrected:** Apparently a few states have no requirement for automobile insurance according to some folks who emailed, one is New Hampshire. While I did many states for my first column, I did not check NH, [but found this a few days ago](#): "New Hampshire is unusual in that you are not required to have automobile insurance. This policy reflects the state's traditionally conservative philosophy of minimized regulation; however, while New Hampshire prefers that drivers carry liability insurance if at all possible, certain drivers are required to carry it." [According to the latest stats](#) I could find (2004), New Hampshire had an uninsured rate of 9% with 967,770 registered drivers, which means 91% of licensed drivers voluntarily purchase insurance despite a well founded resistance to oppressive government.

This gentleman said: "I recently moved to California from Wisconsin, where one is not required to carry any form of insurance. In my opinion, insurance is a form of forced gambling. I have not carried insurance since i was 18 years old. I have a great driving record, and have only been involved in one minor fender bender in my entire life. I was held responsible for \$600 in damages by the Wisconsin DMV as a result, or i would have lost my license."

I checked Wisconsin and [found this](#):

Q. Is auto insurance mandatory in Wisconsin? Wisconsin has a financial responsibility law. It

is designed to make sure that any motorist licensed to drive in Wisconsin has insurance or enough money to pay for damages to others that may be caused by a motor vehicle. These requirements may be met through a motor vehicle liability insurance policy, a surety bond, personal funds, or certificate of self-insurance...The law also requires uninsured motorist coverage of \$25,000/\$50,000 for bodily injury liability coverage only.

I am happy that he's had only one accident and that it was for "only" \$600.00. It could easily have been \$60,000 or \$600,000. If you think those numbers are out of line, consider one accident where your vehicle is completely totaled as well as the other vehicle(s) and it's your fault. If you have no insurance and owe money on your vehicle, you will be paying the bank for a car/truck that's been sold for scrap metal. What do you use to replace that vehicle? Another car loan? Now you have two car payments and only one car. Then you will be paying for the victim(s) of your accident which means his/her vehicle plus any medical. Throw in personal liability and if you have no medical insurance and you're seriously injured, more terrible consequences including possibly not being able to work for months. Uninsured coverage also provides payment if you have to miss work under some policies; our whole family carries this coverage.

Again: The problem is insurance not being paid and the "proof" being just a piece of paper. Look at the numbers for California and Texas. In California, the rate of uninsured in some counties is 90%! I have been in some of these cities like Lynwood which is very low income and over run with illegals. Who do you think will end up paying for hospitalization, medical follow up; if the injured can't work, onto the welfare rolls, food stamps and all the other misery that goes with an accident for the people in these cities with 50, 60, 90% driving with no insurance? The hospitals which have and are going broke, state assistance programs sagging under the weight and tens of millions more from state personal income taxes paid by those who do pay their insurance, not the illegals and poverty level citizenry who knowingly drive with no insurance and in many cases, no license either.

Several people sent their suggestions and they should contact their state rep and state senator because **it's the state legislatures who make the laws that regulate drivers licenses and insurance in 50 sovereign states**. If you feel strongly about an issue, then fight for it.

The suggestions I made in my column, I feel, would be the most effective in stopping uninsured drivers if you are required to have insurance in your state in order to drive the roads and highways.

In the meantime, even though I would rather keep the money, I will continue to pay my insurance premiums here in Texas which has a 15-19%, 20% uninsured rate, meaning of the 13,498,071 licensed drivers in my state, using the low number (15%), roughly 2 MILLION drivers have no insurance not counting the illegals driving. Just because I live in a small rural area doesn't mean an uninsured driver or an illegal won't smash into my Jeep. I also travel for my investigations and that requires traveling through and to huge metro areas like Phoenix, LA, etc. Even if it were not law, which it is, I would still keep my insurance coverage just as 91% of drivers in New Hampshire have done who aren't required by law to have it. It only takes one accident.

**Links:**

1 - Uninsured Drivers - 18 wheelers

2 - Illegals drive up highway deaths as U.S. hits  
new highs for unlicensed, uninsured motorists