



Southwestern Insurance Information Service

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INSURANCE NEWS

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Texas still faces significant number of uninsured motorists

The worse the economy gets, the riskier it is to drive on Texas roads. That's because as the economy tanks, more motorists eschew liability insurance, rolling the dice with their lives and property — and yours.

"It is a nightmarish situation in Texas, and it doesn't seem to be improving a lot," said Jerry Johns, president of the Southwestern Insurance Information Service in [Austin](#). "A part of it is the economy. But a lot of it is it's very difficult to legislate responsibility. There will always be those people with us who are irresponsible and risk themselves and risk others."

There are about 16.8 million licensed drivers in Texas, according to the Texas [Department of Public Safety](#), and Johns estimated that one out of four of them doesn't carry liability insurance, which is required by law. That's a bit higher than the figure listed by the Insurance Research Council, which says that nearly 15 percent of Texas motorists — 14.9 percent — drive without the required insurance. That figure was as of 2009, the latest data available.

David Corum, vice president of the council, said that the numbers placed Texas at 19th in the country, slightly above the national average of 13.8 percent.

According to the council, the estimated percentage of uninsured motorists declined four consecutive years before rising to 14.3 percent in 2008 and dropping in 2009.

"It will be interesting to see what 2010 and 2011 is," Corum said.

Texas motorists caught driving without liability insurance face a fine on their first offense and the possibility of a license suspension and an impounded car on third or subsequent offenses.

But Johns and Corum both say that the law is only strong enough for those who want to comply with it. And whether it's because of the economy, simply forgetting to renew a policy or outright noncompliance with the law, officials have found it difficult to significantly drive down the number of uninsured motorists.

"There have always been a certain percentage of drivers who are uninsured, so we suspect there always will be," Corum said.

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Johns said that number of uninsured motorists “has remained steady ... despite the best intentions of the Legislature.”

Since 2008, Texas law enforcement officers have had access to TexasSure, a database that can instantly tell them whether a driver has liability coverage. In many cities, including Dallas, anyone caught driving without insurance risks having their vehicle towed.

“The towing does seem to be making somewhat of a difference because it gets the attention of the driver because that person will be without a vehicle,” Johns said. “The number of uninsured drivers did drop a little, but not in the numbers that the Legislature and the insurance industry had hoped.”

In recent months, [Dallas police](#) have begun conducting road safety checks to catch motorists with traffic violations. Although the law doesn’t allow police to make stops specifically to look for uninsured motorists, Dallas police say that is one of the top violations they notice when they perform the road checks. And when they find an uninsured driver, they typically take swift action.

“Nothing good comes from driving without insurance,” Dallas Sr. Cpl. Kevin Janse said. “It causes heartache and grief. That’s why we heavily enforce it. If you don’t have insurance, we’re going to tow your car. We don’t want it out on the street.”

Janse said that officers will go the extra mile to be understanding and that in many instances, if drivers say they have insurance but just don’t have an insurance card, they may even call the insurance agent for verification.

He said that almost without fail, motorists who get stopped without insurance say they don’t have coverage because of financial reasons.

“It is the economy,” Janse said. “When we stop people, what they tell us is that it’s either expired, or they can’t afford it.

“People have to prioritize things, and they think clothing and gas for the car are more important than insurance for the car. But what they don’t understand is that we’re going to take the car anyway, so they really do need to get the insurance.”

Some states take a tough approach to uninsured motorists. For example, Massachusetts, where the rate of uninsured drivers is the nation’s lowest at 4 percent, an uninsured motorist faces a fine of \$500 to \$5,000 or up to a year in jail or both. Johns said the possibility of jail time is a “pretty good deterrent.”

“Texas needs to look at those states where reductions in uninsured drivers has occurred and follow their lead as opposed to plowing new ground,” Johns said. “Let’s learn from the good experience.”

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