



REPORT OF THE INSURANCE TAX FORCE OF AMERICAN TRUCKING ASSOCIATIONS

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The Insurance Task Force met in New Orleans, Louisiana, October 4, 2008. The Chairman called the meeting to order and reviewed the anti-trust guidelines. The task force members, guests, and ATA staff introduced themselves. A quorum having been established, the Task Force proceeded with the remainder of its agenda as follows:

Financial Report. Chairman Card presented the members with the status of ITF finances, which, owing to a recent fundraising drive, are in very good shape, with cash on hand of approximately \$150,000.

Progress & Prospects for Reform, 2009. Matt Fullenbaum, Director of Legislation at the American Tort Reform Association, briefed the Task Force on where tort reform stands at the end of 2008. He said that only five states have enacted positive tort reforms this year, while more than 100 bills have been introduced by the trial bar in some 25 states seeking to roll back the tort reforms of prior years. Few of these have passed, he said, but many will be attempted again next year. He noted the likelihood that there will be important tort reform efforts in Oklahoma and South Carolina in 2009, and that defense efforts may be especially important in California and West Virginia. At the federal level, he suggested that a President Obama will not veto trial-lawyer attempts to tilt the playing field, as a President McCain might do.

State Association Reports. The Task Force next received reports from the state trucking association executives whose associations the ITF has funded for this year: Arizona, California (funded through the Civil Justice Association of California), Colorado, Louisiana, Maryland, Missouri, Oklahoma, South Carolina, and West Virginia.

Requests for Funding. The Task Force heard requests for funding tort reform efforts from a record number of state trucking associations: Arizona, Colorado, Florida, Missouri, New Mexico, North Dakota, Ohio, Oklahoma, Utah, West Virginia, and Wisconsin, as well as from the Civil Justice Association of California and the Republican Attorney General Association. The Task Force approved the funding requests from the twelve states, at \$10,000 apiece.

Criteria for Grants. The Task Force approved proposed amendments to the ITF criteria for awarding grants of funding for the pursuit of tort reform by state trucking associations.

Compilation of Model State Laws. Bob Pitcher presented to the Task Force a newly updated and revised compilation of model state laws in the areas targeted for reform by the ITF. This is the third time the compilation has been updated since its initial presentation to the Task Force in 2002.

There being no further business to come before the Task Force, the ITF adjourned at 4:30 p.m.

Respectfully submitted,
Richard D. Holcomb
ATA General Counsel & Senior Vice President