

Nine Focus Areas of Tort Reform:

- 1.** The elimination of **joint and several liability** for damages in civil actions for personal injury or wrongful death;
- 2.** The limitation of awards of **punitive damages** in such actions;
- 3.** The recognition of **collateral sources** of benefits, such as medical insurance, to reduce double recoveries in tort judgments; and
- 4.** The acceptance of evidence of the **failure to use seat belts** by a plaintiff in civil litigation to prove contributory negligence and to mitigate damages.
- 5. Full Apportionment of Damages According to Fault** - This reform aims at the full implementation of the doctrine of comparative fault in the apportionment of damages for multiple defendants. The reform is an extension of the elimination of joint and several liability, to cover instances such as that where a passenger in a motor vehicle injured in an accident which was primarily the fault of the vehicle driver can nonetheless sue for full damages against the driver of the other vehicle.
- 6. Motor Carrier Venue** - This reform aims at the repeal of specific state statutory provisions that provide a broader choice of venue to plaintiffs suing motor carriers, as opposed to other defendants.
- 7. Noneconomic Damages** - This reform aims at the limitation of the amount of an award of damages for such noneconomic injuries as pain and suffering, loss of companionship or consortium, and emotional distress, items that can be used as a surrogate for punitive damages or otherwise unduly magnified by a jury.
- 8. Primary Seat Belt Laws** - This reform aims at the enactment of state laws that permit law enforcement to stop a vehicle for the primary purpose of enforcing the state requirement for driver and passengers to wear a seat belt.
- 9. Anti-Indemnification Laws** - This reform aims at the enactment of state laws which prohibit, as against public policy, provisions in transportation services contracts that shift liability to the motor carrier for the shipper's own negligent or intentional acts.