FIRST ANNUAL REPORT

GOVERNOR'S COMMITTEE

ON

HIGHWAY SAFETY

December 1954

To His Excellency, Burton M. Cross, Governor:

I have the honor to submit to you the First Annual Report of the Governor's Committee on Highway Safety. This report covers the activities of the committee, which you appointed in the summer of 1953.

We feel that a written report may not only be of public interest, but also of some assistance to the members of the State Legislature, as they consider the grave problems confronting this state in the field of highway safety.

The report does not cover a multitude of small recommendations, rather did we feel it more important to delve deeply into what we considered the two or three major matters which require consideration and action by our people and their elected representatives.

Respectfully submitted,

Frederick N. Allen
Chairman

December 30, 1954

COMMITTEE MEMBERS

Frederick N. Allen, Chairman
Portland 5.

Mrs. John Lyons, Secretary
Portland

James O'Connor
Augusta

Harold I. Goss, Secretary of State
Augusta

David H. Stevens, Chairman
State Highway Commission

Paul A. MacDonald, Deputy Secretary of State
State House, Augusta

Judge Frank E. Southard, Jr.
Augusta

Frederic Sturgis, County Attorney
Portland

John DeWinter, Director
Division of Traffic Safety
Maine State Police

Ralph Sawyer, Traffic Engineer
State Highway Commission
Augusta

Murray Carpenter
WABI, Bangor

Frank Hoy
WLAM, Lewiston

Dwight Sargent
Press Herald, Portland

Joseph A. Kilbride
South Portland

Richard H. Goodrich
South Portland

Clarence Hofacker, Police Chief
Portland

Knights of Pythias
Gordon Harrington
Boothbay Harbor

Maine Truck Owners' Association
F.Gilbert Congdon
Portland

Maine Teachers' Association
Clyde Russell, Executive Secretary
Augusta

Maine Sheriff's Association
Sheriff Willard Pease, Rockland

Maine Publicity Bureau
Guy P. Butler, Executive Director
Portland

Maine Municipal Association
Fred C. Greaves, President, Hodgdon

Maine Good Roads Association
Stanley G. Snow, President
Auburn

Maine Automobile Dealers' Association
Stanley Brewer, President, Caribou

Maine Petroleum Industries Committee
Leroy T. Snowden, Exec. Sec., Augusta

Inter-Industry Safety Committee
Cony Malcolm, Augusta

Maine Automobile Association
A.E.Barnard, Exec. Sec., Portland

United Brewers' Foundation
Fred A.Clough, Jr., Director, Augusta

Maine Federation of Women's Clubs
Mrs. Norman Fay Plouff, Pres., Dexter

Maine State Grange
Maynard Dolloff
Gray

American Legion
Ralph M. Merrow, State Commander
Newport

Veterans of Foreign Wars
Edward Winston, Department Commander
Kennebunk

State Junior Chamber of Commerce
Fred R. McDonald
Skowhegan

FINAL REPORT

GOVERNOR'S HIGHWAY SAFETY COMMITTEE

1954

In June of 1953, Burton M. Cross, Governor of Maine, in recognition of the lives lost, injuries sustained, and property destroyed on Maine highways, convoked the First Annual Governor's Conference on Highway Safety.

At this conference, which met in the House of Representatives in Augusta, on June 24th, over two hundred citizens, together with the heads of interested state departments, discussed at great length, a number of factors affecting safety on our highways.

Out of this discussion came several resolutions, among them, a resolution that Governor Cross establish a Governor's Highway Safety Committee, to assure a continuing action on the resolutions passed at the conference.

This was done. The Governor appointed Frederick N. Allen as Chairman of a group of thirty-three men and women, and assigned to them the responsibility for the continuing study of the factors involved in highway safety.

Since its inception, this committee has met five times, on October 26, 1953; January 28, May 13, October 27 and December 13, 1954.

Through Chairman Allen, the committee was assigned the responsibility for the Second Annual Governor's Conference, which was held during two days, May 13 and 14, 1954.

To facilitate research, Chairman Allen appointed several subcommittees and assigned to each a specific responsibility. (Appendix #7)

In further research, this committee has had the opportunity to

meet with several nationally prominent figures in the safety field. It has also had the opportunity to explore the activities of all of the State Departments which have a connection with highway safety. Through the heads and other representatives of the Department of State, the State Police, and the Department of Education, this committee has been able to become familiar with the problems of these official State Departments.

Out of this research the committee has become overwhelmingly convinced of the necessity for the immediate adoption of two measures.

Without qualification, this committee recommends that every eligible pupil in the State of Maine be afforded the opportunity to receive High School driver education, including both class room and behind the wheel training, on an in-curriculum basis, and further, that the full time office of Director of Driver Education be created within the State Department of Education.

Again, without qualification, this committee recommends that the State Police be augmented by the addition of men and equipment deemed necessary by the Chief of the Maine State Police, in whom the committee reposes the most complete confidence.

This committee further recommends that the Governor appoint a committee composed of Legislators, Jurists, and Laymen, whose responsibility it shall be to draft in legislative terms, a framework encompassing the provisions noted in Appendix 1 of this report, and which is in fact, the full report of the Public Officials Panel of the Second Annual Governor's Highway Safety Conference.

Prior to the First Annual Governor's Conference, there existed in Maine, an almost complete lack of coordination in the safety efforts of officials, organizations and individuals. As a result of the continuing action of the Governor's Highway Safety Committee we now find a degree of cooperation, and mutual assistance on the part of these officials, organizations and individuals, that can only result in a continually improving highway safety picture.

This committee is at present encouraging the organization of some thirty local safety groups throughout the State. It will continue to offer these local groups every assistance, as it has cooperated with the Greater Portland Highway Safety Committee, during the two years of its existence.

This committee recognizes that safety starts and ends with the individual, and that the effective propagation of highway safety must take place at the grass roots of our society. It is to this end that the committee dedicates its future activity.

Representative sub-committee and panel reports may be found in the Appendix.

APPENDIX #1

Report of the Public Officials' Panel
Governor's Highway Safety Conference
May 14, 1954

The panel of public officials devoted the major part of its deliberation to a discussion of amendment of the existing speed law.

It was the unanimous opinion of the panel that, in addition to the present laws regulating the speed of motor vehicles, a law fixing a maximum speed beyond which it would be illegal to drive motor vehicles on the highways of this State should be enacted.

The panel realizes that the aame maximum speed law should not be applicable to all traffic zones. It seemed to the panel that ways should be divided into three classes or zones, to wit:

(1) Ways in business districts of cities and towns;
(2) Ways in residential districts;
(3) The open highway which includes all highways outside residential and business districts.

It is the opinion of the panel that even though a maximum speed limit should be adopted for each of the several zones, that in addition to the fixed maximum limit beyond which motor vehicles cannot be driven in the several zones, there should be fixed for each zone a lower limit than the maximum, the exceeding of which should be prima facie evidence of the violation of Section 102 of Chapter 19 of the Revised Statutes.

The panel suggests for business districts a prima facie limit of 20 miles per hour with a maximum limit of 35 miles per hour. For residential districts a prima facie speed of 25 miles per hour and a maximum limit of 40 miles per hour, and for the open highway, a prima facie limit of 45 as now exists with a fixed maximum of 60 miles per hour.

s/ Edward F. Merrill
Chairman

s/ Paul A. MacDonald

s/ Robert Marx

s/ Clarence G. Hofacker

APPENDIX #2

Second Annual

Governor's Conference on Highway Safety
May 13-14, 1954

RESOLUTION ON DRIVER EDUCATION IN HIGH SCHOOLS OF THE STATE OF MAINE

Whereas, over seventy High Schools are now offering courses in driver education; and

Whereas, convictions and motor vehicle violations and highway traffic accidents are materially less among those persons who have passed the driver education course; and

Whereas, it is deemed essential that all High Schools in this State offer a complete course in driver education; and

Whereas, the cost of such a course imposes a financial burden on the municipalities supporting such High Schools;

Now, therefore, be it

Resolved: That this conference recommends that the 97th Legislature appropriate money in addition to the regular educational subsidy for the creation of a fund to be administered by the State Department of Education for the purpose of reimbursing the cities and towns whose High Schools offer an approved course in driver education.

SUGGESTED DRIVER EDUCATION SUBSIDY PLAN

Basis for Subsidy Estimate

1952-53	2,500 students
1953-54	3,000 students
1954-55	Estimated 3,500 students

(Appendix #2 Continued)

Average yearly increase 500 students

Present subsidy plans make allowance for 6,000 students per year. This is approximately 46% of the total potential of 13,000 students.

Subsidy

Twelve Dollars ($12.00) per student each semester under a full time driver education teacher, and Ten Dollars ($10.00) per student each semester under a part time teacher, (not to exceed 100 students per year) according to the regulations set up by the State Department of Education. The subsidy is available to all public High Schools and Academies under joint board or contract with a town.

Proposed Budget for Subsidy

4,000 students per year @ $10.00	$40,000	
2,000 students per year @ $12.00	24,000	
Per Year	$64,000	
Per Biennium		$128,000

Administration Costs:

Salary (range 35) (approx.)	$6,600	
Secretary	2,500	
Travel Allowance	1,500	
Clerical Supplies	400	
Per Year	$11,000	
Per Biennium		22,000
Total Budget		$ 150,000

APPENDIX #3

Education Panel

Second Annual Governor's Conference

May 13-14, 1954

We recommend that:

(1) Driver Education courses be offered all secondary schools in Maine as part of the curriculum.

(2) Greater student participation in safety programs and Safety Conferences.

(3) We make greater use of all publicity media, especially television, to enlist public support for greater emphasis for highway safety.

(4) The strict enforcement of all motor vehicle laws as they pertain to driver and pedestrian alike.

(5) Superintendents of schools provide the opportunity for their Driver Education teachers to attend the Governor's Annual Conference on Highway Safety.

(6) We recommend that a program of instruction in safety education be developed in all elementary and secondary schools of the State of Maine.

(7) The formation of Safety Committees on the local level throughout the State of Maine.

APPENDIX #4

Panel on Civic Groups

Second Annual Governor's Conference
May 13-14, 1954

Members of this panel have been Mr. Donald Bibber of the United Commercial Travelers, Mr. Ralph Merrow, State Commander of the American Legion, Mr. Arthur Ashmore, representing the Veterans of Foreign Wars, Mr. T. W. Campbell, President of the State Junior Chamber of Commerce and your Chairman, Richard H. Goodrich, of the Greater Portland Highway Safety Committee.

Mr. Bibber discussed the highway safety pledge campaign of his organization, and sought the cooperation of the other groups on the panel, and of this conference. Mr. Ralph Merrow, Mr. Arthur Ashmore and Mr. T. W. Campbell discussed the safety activities now in operation in their various organizations. After general discussion the following resolutions were passed:

Resolved: that each of the civic groups represented here strongly promote High School driver education within the framework of their organization.

Resolved: that this, the Second Annual Governor's Conference appoint an individual within the various communities to act as an organizer to call together interested persons for the purpose of forming local safety committees.

Respectfully,

s/ Richard H. Goodrich
Chairman

APPENDIX #5

Sub-Committee on Driver Education

During the past seven years, 11,174 Maine young people have studied driver education and a course has been established in 68 Maine schools. The record of the graduates of these courses has been outstanding. On January 1, 1953, only half of one per cent of those who had taken the course had ever been involved in an accident. What a record this is may be judged by the fact that 6% of all Maine young people of high school age were involved in an accident last year.

Your sub-committee recommends that driver education should be established and expanded as a course in all our secondary schools. This calls for action in the local communities, and such action can be encouraged by local PTA's, service clubs and other civic organizations.

The State is contributing from 14% to 65% of the costs of all education under the terms of the formula for distributing state aid. Driver education is at present supported in the same way and to the same extent as other aspects of education, and while the arguments for driver education are strong, your sub-committee believes that the decision to introduce or strengthen driver education ought to be made in the local communities in the same way that other decisions about education are made.

We recommend that for driver education to be eligible for subsidy by the state, there should be at least two requirements:

(1) Instructors should be properly qualified. If driver education is to promote highway safety, it

> must involve a great deal more than teaching pupils the skills of manipulating the controls of an automobile. It is understandings and attitudes which are the important objectives of driver education and there is no way of knowing that teachers understand the objectives and methods of driver education except to require the teachers to undergo formal preparation. This preparation can be done by a teacher otherwise qualified in a week of intensive study. That much of an expenditure of time and money should create no serious obstacle.
>
> (2) To be eligible for subsidy, driver education should be scheduled during the school day. To accomplish the objective of courses in driver education, a teacher must have each pupil for a longer period of time than that required by an ordinary course studied for one semester. To relegate driver education to after school hours means that in any but the smallest schools, there is simply not time enough to affect a significant proportion of the school's population. Unless time is made available for the course during the school day, it would seem likely that the class work would be slighted, and it is during the class study and discussion that some of the work that is most valuable in promoting understandings and attitudes is done.

Your sub-committee does not recommend that driver education should be required for graduation, at least until there is an adequate supply of qualified teachers. Until that day arrives, it would be better to keep our standards high and to reach a comparatively few students rather than to lower standards and make an unsatisfactory contact with all pupils. Only by offering sound courses and carefully observing the results of those courses can we judge the effectiveness of the course. Unlike many subjects studied in high school, many of the outcomes of driver education can be measured quantitatively and it is important that the new course should have a fair and complete trial.

We urge that insurance companies continue their study of the results of driver education and that if the results seem to justify it, as soon as

possible they should reduce the premiums for graduates of driver education courses. This would be the most effective promotion possible.

We are gratified to note that a beginning has been already made by one company in this direction.

It would not be fitting to conclude this report without acknowledging the indebtedness of all those interested in the promotion of driver education to our state specialist in physical education, Howard G. Richardson. Mr. Richardson has gone beyond the requirements of his position to foster the establishment of courses throughout the state. He has assisted the committee in this report.

Your sub-committee recommends that the Governor's Committee on Highway Safety give serious consideration to the endorsement of some proposal to provide adequate supervision of the 68 courses in driver education that are now in being and to promote the establishment of new courses in many of our 234 high schools and academies. He should be qualified to prepare teachers of other subjects to become teachers of driver education. He might develop programs of training for school bus drivers. He might properly organize and supervise school-boy patrols.

The state might well provide not only more complete supervision but also equipment which individual schools would not use often enough so that they could afford to buy it. Motion pictures and possibly other visual aids are obviously this kind of expenditure. There are also various testing devices, whose cost would be too great for one school, but which, if used continually would have substantial benefits of a trifling cost per pupil.

APPENDIX #6

To the Second Annual Governor's Conference
on Highway Safety

The Media Panel, after due deliberation, make the following recommendations:

No. 1. Creation of a Committee on Public Information to consist of representatives of the Governor, Highway Department, State Police and Secretary of State, together with three members of the Governor's Highway Safety Committee, to act in an advisory capacity and planning committee for publicity ideas.

No. 2. Endorsement of publicity material of the National Safety Council and urge its extensive use by all media.

No. 3. Originate and promote a state-wide teenage Highway Safety Conference, and other State and Local Safety programs which will dramatize highway safety and thus create a basis for publicity and news stories.

No. 4. Urge all media to continue the constant support throughout the year of the safety slogan for 1954, which is, "SLOW DOWN AND LIVE."

No. 5. Recommend production of at least one film for use in the schools, clubs and television programs which would dramatize in all its phases the safety program in the State.

No. 6. That the State Officials make use of "quotable statements" under their own names which would bring to the public attention news developments. These statements, to be released to newspapers, radio, television and all other media of public information.

No. 7. That the radio and television stations be urged to create programs on safety for regular use.

No. 8. The Panel endorses the Driver Safety Pledge being instituted on a national basis, as a further means of creating future publicity.

If the first recommendation for the creation of a Public Information Committee is approved, it is urged that the members of the committee be named and start functioning at the earliest possible date.

This Panel highway commends the excellent cooperation which is being given to Maine Safety Programs by all media, including newspapers, radio, television, outdoor advertising and theatres.

Respectfully submitted,

s/ Harold I.Goss

s/ Joseph A. Kilbride

s/ Frank S. Hoy
For the Panel

APPENDIX #7

CHAIRMAN OUTLINES DUTIES OF EACH OF THE SUBCOMMITTEES, AND RECOMMENDS THAT THESE COMMITTEES MEET MONTHLY WHEN POSSIBLE

Law Enforcement:

This committee shall have the responsibility to study the needs of the State on every level - municipal, county, and state, not only as to potential need of man power, but with an eye to the more efficient coordination of local and State Police departments. As a result of this study; to make specific recommendations to the committee for their consideration at a later meeting.

Courts Committee:

This committee shall have the responsibility to study the operation of all courts where traffic law violators are tried, and to make such recommendations to the committee as seem necessary and desirable.

Driver Education:

This committee shall have the responsibility to study the High School driver training program, its progress, and its potential, and to make such recommendations as seem necessary or desirable.

Engineering:

This committee shall have the responsibility to study the relationship between engineering and highway safety, and to make such recommendations as shall seem necessary or desirable.

Liaison-Local Safety Groups:

This committee shall have the responsibility to seek out, and encourage local groups, where such groups exist, and to promote their formation where no local group is now active. It shall involve correspondence with civic and enforcement officials in all sections of the State. This committee shall have the responsibility to evolve a reasonably flexible framework around which local committees can be organized in such a way as best to promote their coordination with the Governor's committee.

Liaison-Civic Groups:

It shall be the responsibility of this committee to encourage participation of civic groups in highway safety activity; to provide them with information concerning group safety projects within their own organization, such as the project sponsored by the Portland Junior Chamber of Commerce in Scotch-lighting rear bumpers of automobiles.

Liaison-Legislature:

The responsibility of this group shall be to use normal channels in keeping members of the Maine State Legislature advised of activity and recommendations of the Governor's Committee. It shall involve personal meetings, and correspondence with members of the Legislature.

Finance:

It shall be the responsibility of this committee to study the financial needs of the Governor's Committee, for stationary, postage, etc. and to make recommendations as to best methods for raising the limited funds necessary.

Media-Publicity:

It shall be the responsibility of this committee to organize all available media to handle publicity on a highly coordinated basis. This committee shall have the right and the responsibility to edit committee releases as they shall deem advisable, in the light of the ethics involved.

APPENDIX #8

Subcommiteee on Courts

Governor's Highway Safety Committee

It is difficult to evaluate the part the Court system plays in highway safety. Certainly it is an important cog in the machinery of enforcement, which is a major factor in safety. Certainly it plays some part in education, another important phase of the program. But it is extremely difficult, if not impossible, to correlate Court action with accident rates.

The court of first instance in traffic cases is the Municipal Court or Trial Justice. The Municipal Court Judge or Trial Justice is a part time official, who receives no special training or instruction upon his appointment, either in traffic cases or in any other line, whose policies and conduct are not subject to supervision and coordination, and who must conduct his proceedings according to his common sense, previous training, and whatever experience he may have had.

It would seem that these courts should meet three criteria:

(1) Court proceedings should be fair to both the state and the respondent.

(2) Court proceedings should meet technical requirements for validity.

(3) Penalties in the event of conviction should be such as to discourage violation.

Fairness in court proceedings is essential in all types of cases. The court should be fair to the state in not dismissing cases for reasons

not on the merits, in not fixing cases or permitting them to be fixed. It should be fair to the respondent in requiring that the state meet the required burden of proof before finding the respondent guilty, and in treating respondents under like circumstances the same. Moreover, the case should be conducted in a manner that leaves the respondent feeling that he has been treated fairly, and has not been persecuted.

We feel that the court system measures up well in this respect. Certainly since trial justices have been placed on a salary basis rather than on a fee basis, we think there has been little general criticism of unfairness by the courts. We note, too, that State Police officers had a conviction rate of 96% of moving hazardous violation arrests in 1952, and 99% in 1953.

Whether or not all court proceedings are in sufficient compliance with the law to withstand a determined attack, deficiencies do not appear to present a problem. The very real burden placed on lower courts in this respect is not often appreciated. They are expected to draft the complaint, see that the cause is so conducted that they retain jurisdiction of the person, maintain the proper records, impose a penalty suited to the situation and within the law, all with no assistance from the parties before them, and little in the way of available forms. It will impress any person meeting the problem for the first time that the complexity and prolixity of the complaint are usually in inverse proportion to the seriousness of the offense. Then, too, the burden of time consuming paper work in every case is a heavy one.

Policy in fixing penalties after conviction of a traffic offense

might be expected to have real bearing on highway safety. One might expect that drivers might be conscious of the penalty they must pay for violation. If this is the fact, it is difficult to establish.

The Legislature has in but few cases given much guidance to the courts. In the case of vehicles weighing over the road limit, it has not only fixed a very severe penalty but has denied discretion in modifying it. In the case of drunken driving it has indicated minimum penalties (although it has not barred court suspension of the same) and has imposed a mandatory loss of license--a very severe penalty today. Although this very severe penalty follows as certainly as the night the day upon conviction, drunken driving is still a common offense.

Apparently, certainty--that is, that upon conviction the respondent will pay some penalty--is the first requirement of a good sentencing policy. Apparently, too, it is highly desirable that all respondents under the same circumstances be given the same penalty--that is, that it be immaterial who the respondent is. In this respect, it may be said that this uniformity is to be expected for any one court, but not necessarily for different courts.

So long as it complies with these rules, the penalty assessed does not seem to be of much importance, provided it is not so low as to leave the offender unscathed, or so high as to lead the enforcement officers to bring in only the most aggravated cases. Court policies do vary, as will appear in the tables attached hereto. Yet inquiry among several persons familiar with accidents over the state or over large sections of it revealed that no part of the state can fairly be said to be safer than another,

when consideration is given to the differences in the condition of the roads, and the volume of traffic.

Respectfully submitted,

Subcommittee on Courts

By Frank E. Southard, Jr.
Chairman

(Appendix #8 Cont.)

OFFENSE	Reported Policies of 16 Municipal Courts and Trial Justices				Actual Penalties Reported to Secretary of State, 3 days, December 1954			
	Lowest	Highest	Average*	Most Frequent	Lowest	Highest	Average*	Most Frequent
Drunken driving First Offense	$100	$100 & 60 days	$103 & 4 days	$100				
Drunken driving Second Offense	$200	$300 & 3 months	$175 & 43 days	$200				
Failure to keep right	$ 10	$20 $20	$14	$ 10 and costs	$10 and costs	$10 and costs	$15	$10 and costs
Improper passing	$ 10	$25	$15	$ 10 and costs	$ 5 and costs	$10 and costs	$14	$10 and costs
Reckless driving	$10-$25	$100	$47	$50	$25 and costs	$50 and costs	$47	$50 and costs
Speeding	$5	$25	$15	$10 and costs	$ 5	$100 and costs	$15	$10 and** $15

*In computing average, costs treated as $5.00

**Costs treated as $5, same number of penalties at $10 (includes $5 and costs) or $15 (includes $10 and costs).