

Aetna sees cost dip with reforms

Michigan's new tort-reform law will have a positive effect on the cost and availability of commercial insurance in the state, a senior executive of Aetna Life & Casualty said.

In a letter to State Insurance Commissioner Herman W. Colemar, Robert J. Clark, president of Aetna's commercial insurance division, said he was "encouraged" by the Michigan Legislature's overhaul of the state's civil justice system.

Based in Hartford, Conn., Aetna is the fifth-largest writer of commercial insurance in Michigan and has more than 650 employees in the state.

With PASSAGE of tort reform, Clark said, Aetna intends to expand its underwriting of commercial insurance in Michigan by:

- Beginning to write liability insurance for licensed and well-run commercial day-care centers and for some municipalities.
- Offering liquor liability insurance to quality hotels and restaur-

ants in Michigan that are current Aetna customers.

• Achieving cost reductions that will be passed along to consumers.

Clark said the new amendments to Michigan's rules of joint and several liability and collateral sources were "especially important first steps in improving the availability of insurance for those most affected by the lawsuit crisis."

He said Michigan's tort-reform legislation "is strong start toward restoring fairness, efficiency and predictability to the civil justice system in your state."

BUT, HE SAID, "More needs to be done, especially in the area of products liability, and we will continue to work with you and others in the administration to move that effort further along."

He applauded Gov. James J. Blanchard and others in the administration for their support of civil justice reform, which allow market forces to operate for the good of Michigan's citizens," Clark said.

New law stiffens gas rules

Gasoline station operators who intentionally violate state law by giving customers short measurements will face stiffer penalties under a new law signed by Gov. James J. Blanchard.

The amendments to the weights and measures act increase penalties for certain intentional violations, upgrade some violations to felonies, and provide for a one-year revocation of an owner's license in severe cases.

Legislation was proposed by the Michigan Department of Agriculture (MDA), and sponsored by Rep. Curtis Hertel, D-Detroit.

IT FOLLOWED an 18-month undercover investigation of Detroit-area gasoline stations which turned up cases indicating consumers were shorted 6-7 percent of their gasoline purchases, amounting to millions of dollars in consumer fraud annually, according to the agriculture department.

During one station investigation, on July 3, 1985, a state inspector was attacked and severely beaten with pipes, but the assailant was not specifically penalized and could not be prosecuted as a separate offense.

"The July 1985 assault on our inspector and the December raids of 15 Detroit-area gas stations on suspicion of fraud clearly illustrated that

the provisions of the Motor Fuel Quality Act and the Weights and Measures Act were not stringent enough to discourage intentional violations," MDA deputy director Bert Cardwell said.

In December, raids were conducted at the 15 Detroit stations suspected of the most severe violations. All stations involved in the raids are currently back in operation, and several began limited operations only hours after the searches had been completed.

THE AMENDMENTS to the Motor Fuel Quality Act (Act 44 of 1984)

and the Weights and Measures Act (Act 283 of 1984) will provide the department with greater authority to effectively deal with unethical operators, Cardwell said.

Licenses to operate a retail gasoline service station are issued under the Motor Fuel Quality Act (MFQA). The new amendments will give the department the authority to revoke a license for two years if an operator is convicted in court of a willful violation of either the Motor Fuel Quality Act or the Weights and Measures Act.

Previously, the department lacked authority to revoke a license for viol-

ations of the Weights and Measures Act. Amendments to the MFQA also provide penalties for inhibiting, obstructing or assaulting an MDA inspector in the course of his or her work. The Motor Fuel Quality amendments will take effect Aug. 1.

IN THE WEIGHTS AND MEASURES ACT, the maximum misdemeanor penalty has been raised to imprisonment for up to one year, a fine of up to \$5,000, or both. There is also a separate penalty for obstructing and assaulting inspectors, a new felony penalty for intentional violations, and stronger injunctive powers to curb abuse.

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