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### Top Stories

## Radnor's cost-recovery plan now breathing on life support

By: LOIS PUGLIONESI, Times Correspondent  
02/13/2007

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**RADNOR** - Commissioners were unanimous in supporting the repeal of an unpopular emergency services cost-recovery ordinance at Monday's meeting.

A motion to repeal the program for nonresidents involved in motor vehicle accidents was moved, seconded and unanimously approved for introduction. Final enactment will take place at the Feb. 26 meeting.

Commissioner Dave Cannan unsuccessfully tried to introduce an amendment to reimburse motorists who have paid fines out-of-pocket. While the rest of the board supported the concept, the amendment was postponed to give Solicitor David Blake time to review legal issues and make a recommendation, in time for the next meeting.

John Fisher, a local business owner, backed the amendment. "One thing I've learned is when I make a mistake, I give people their money back," he said. Radnor police collected close to \$40,000 via the ordinance as of December. Police have been instructed to stop sending accident reports to Cost Recovery Corp. for billing.

Prior to voting, board President Hank Mahoney articulated primary reasons for the board's decision to cancel this unpopular program that's been dubbed an "out-of-towner's accident tax." Rather than legal or moral issues (he believes the original ordinance is legally sound), Mahoney expressed concern with negative feedback from residents, adverse publicity, damage to local businesses and the fact that such a program is an "idea whose time has not yet come."

"As the first municipality in Southeastern Pennsylvania to enact such as ordinance, we are the icebreaker. We are subject to criticism, right or wrong ... I don't think Radnor needs to be out front in this situation," Mahoney said. He predicted, however, that if municipalities continue to be subjected to spiraling costs and unfunded mandates, the cost of police investigative and emergency response will be shifted from municipalities to those responsible for causing accidents.

Mahoney explained the cost recovery ordinance was approved in April as a budgetary measure intended to keep taxes down for Radnor residents, especially the less affluent and seniors on fixed incomes.

But according to Commissioner Thomas Masterson, the ordinance's effects had strayed far from the board's original intent. "I never intended or expected ... that individuals would be pursued for police time responding to accidents ... My impression was that auto insurance companies were willing to reimburse," Masterson said.

The issue came to public attention after CRC directly billed motorists involved in accidents, whose insurance companies declined to pay the fees.

During the public comment period, Ella Volluck, a spokesperson for AAA, said she was pleased with the board's actions. AAA believes the practice of charging user fees to non-residents for police response to accidents within the township is "unfair, unwarranted, and equivalent to double taxation," Volluck said. "The burden of this ordinance is on the motorists. They are the ones footing the bill for emergency services costs, not their insurance companies. It is questionable whether such fees are covered under standard auto policies."

Volluck encouraged support for a recently introduced House Bill 131, which would make cost recovery ordinances illegal in Pennsylvania.


  
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Linda Decantheo liked the idea. "I don't want anyone to do this. It makes people afraid to call police." She hoped Radnor would serve as an example to other townships, not to enact a similar ordinance.

Ed King said that by restricting fees to non-resident motorists, the cost recovery law violated their civil and Constitutional rights.

Sarah Pilling said she was one of the seniors on fixed incomes in the township who did not appreciate the cost recovery program. She said it had turned police into "accident chasers," and "reflects the inability of staff and the board to look at other ways to be more fiscally responsible."

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**Jeff D'Ambrosio Mitsubishi**  
 1223 E. Lancaster Ave. 610-873-2400  
 Downingtown, PA

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