

California transportation officials urge drivers to reduce their speed

Since the beginning of the COVID-19 pandemic in March 2020, there have been fewer cars on the road.

While many people get the impression that fewer cars equals safer driving conditions, that is not the case, unfortunately. Instead, more drivers have found they now have an opportunity to travel at dangerous speeds when there is less traffic congestion.

During the early months of the pandemic, California Highway Patrol officers issued twice as many speeding tickets as they did during the same period in previous years. But law enforcement can't be everywhere all the time. Many speeders continue to go unnoticed until they cause someone's injury or death.

How speeding endangers pedestrians and bicyclists

Pedestrians and bicyclists don't have the protection of airbags and seatbelts, making them more likely to sustain severe or fatal injuries. In 2018, there were 3,563 traffic fatalities in California

- 893 were pedestrians and 155 were bicyclists. Speeding was responsible for 927 of those fatalities.

Many California roadways are designed to accommodate vehicular traffic. When drivers travel too fast and fail to pay attention, they are more likely to hit pedestrians and bicyclists than drivers who operate with due care. Those who survive being hit by a car often sustain broken bones, head injuries, spinal injuries, severe cuts and bruises, and paralysis.

Can California's driving culture be changed?

Speeding has become such a threat to public safety that California transportation officials needed to step in to mitigate the problem. The California Office of Traffic Safety (OTS) recently launched a public relations campaign. One short video included in the campaign targets drivers who are "on the go" and urges them to slow down. Another video urges drivers to put down their cellphones and stay attentive. The OTS campaign was targeted for television, social media, and billboard advertisements throughout California.

An article in Streetsblog points out that this is the first time the OTS has specifically addressed speeding, which has always been a safety issue on California roadways. California's driving culture often favors speed and erratic driving over safe driving. Many safety advocates believe that much of this is encouraged by what people see in commercials and movies. Through its safety campaign, the OTS hopes to change California's driving culture and raise awareness of the dangers of speeding.

"This is a small way to reach people," said Timothy Weisberg, OTS's Public Information Officer. "That's the hope - to change behaviors. The message is simple, it's just getting people to do it."

If you were hurt in a crash caused by speeding, the experienced Walnut Creek attorneys at Clancy & Diaz can help you get the justice and compensation you deserve. Contact us to learn more.

How to pursue compensation if you were involved in a rideshare crash

In recent years, rideshare apps such as Uber and Lyft have become popular modes of transportation in California. Like other drivers, rideshare drivers are susceptible to crashes linked to negligence.

If you were involved in a rideshare crash, determining who is liable can be confusing. That's why your crash needs to be investigated by an experienced attorney.

While companies like Uber and Lyft contract people to drive for them, rideshare drivers still use their personal cars and carry their own insurance. In order to drive for Uber, drivers must have at least one year of licensed driving experience - three years for drivers under the age of 23. Uber also requires its drivers to have a valid U.S. driver's license and use a 4-door car that passes a safety inspection.

How rideshare insurance works in California

Independent contractors who drive for rideshare companies are required by California law to be covered by rideshare insurance when using a rideshare app. Insurance coverage pertaining to app usage is classified as:

- **Period 0:** The driver's personal insurance policy is active when the app is off. The minimum requirements are:
 - \$15,000 for bodily injury coverage per person injured per crash
 - \$30,000 for bodily injury coverage per crash
 - \$5,000 for property damage per crash
- **Period 1:** The rideshare insurance is active when the app is on, but the driver hasn't yet been paired with a passenger. The minimum requirements are:
 - \$50,000 for bodily injury coverage per person injured per crash
 - \$100,000 for bodily injury coverage per crash
 - \$30,000 for property damage per crash

Periods 2 & 3: When rideshare drivers are paired with passengers or carrying passengers, the rideshare company's insurance is active. In California, rideshare companies are required to carry a minimum of \$1 million in liability insurance. This covers rideshare drivers and passengers in the event of a crash. Uber provides \$1 million in uninsured and underinsured motorist and comprehensive and collision coverage to its drivers. Lyft provides comprehensive and collision coverage to its drivers who already have collision coverage on their personal insurance policies.

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Determining who is liable for a rideshare crash

Crashes involving rideshare drivers happen in the following ways:

- The rideshare driver causes a crash with another driver.
- The rideshare driver hits a pedestrian or bicyclist.
- Another driver causes a crash with a rideshare car and injures the driver and passenger(s).

If you were involved in a crash with a rideshare driver, speak to an experienced Walnut Creek car accident attorney to discuss your legal options. Clancy & Diaz will launch a thorough investigation into your crash and find out who was responsible. We will also deal directly with the insurance companies to negotiate for a fair financial settlement on your behalf. If a settlement can't be reached, we'll be prepared to take your case to trial. Contact us to find out how we can help you.

What to do if you're the victim of an assault on business property

Nobody can predict when they'll be the victim of a robbery, rape and sexual assault, road rage, or other senseless act of violence with no clear motive.

In Contra Costa County, violent crimes have fluctuated over the last 10 years. In 2019, there were a total of 4,138 violent crimes, including:

- Homicide- 54
- Rape - 299

- Robbery - 1,519
 - o 410 with a firearm
 - o 97 with a knife or cutting instrument
 - o 915 with a "strong arm"

Violent crimes on business properties most frequently happened at:

- Commercial establishments – 348
- Gas stations – 34
- Convenient stores – 164
- Banks – 19

Who is responsible for violent crimes on business property?

Those who own and manage business properties have a duty to protect customers and visitors from violent crimes, especially in areas where criminal activity frequently occurs. Business and property owners can protect visitors by hiring security personnel to patrol the premises and parking areas, installing surveillance cameras throughout the property, and ensuring that all walking and parking areas are adequately lit. When business or property owners fail to uphold their duty of care, they can be held accountable for any injuries

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or deaths that occur. Violent crimes often result in serious injuries such as traumatic brain injuries, puncture wounds (from gunshots and stabbings), broken bones, soft tissue injuries, lacerations and bruises, and mental and emotional trauma. Sometimes, violent crimes result in fatalities, permanent disfigurements, and disabilities to victims.

If you were injured while visiting a business or other public establishment, it's critical that you speak to an experienced Walnut Creek negligent security attorney. A thorough investigation will need to be conducted to prove that the business or property owner was negligent. Here's what the attorneys at Clancy & Diaz will look for:

- Evidence of prior criminal activity and violence in the area that a property or business owner should have been aware of
- Whether or not there was adequate lighting and security cameras installed where the violent assault occurred
- Whether or not the property or business owner hired private security
- Statements cross-referenced by witnesses
- The official police report pertaining to the incident if an arrest was made

- A copy of your medical records linking your injuries to the violent assault

Our attorneys will also help maximize your compensation and recover every dollar owed to you in damages. Contact us to find out how we can help you.