

Study finds that 82% of drivers have engaged in aggressive driving within the past year

We've all encountered an aggressive driver and know how unpleasant it can be.

Sometimes it can be more than unpleasant. People often sustain serious injuries or lose their lives due to aggressive driving. According to a survey conducted by online insurance comparison site The Zebra, the problem is more widespread than we realize.

The survey was conducted in December 2019, but was recently published on The Zebra's website. Approximately 978 U.S. drivers took part in the survey. Roughly 82 percent of them admitted to engaging in aggressive driving or road rage within the past year. But that's only the tip of the iceberg.

The survey found that:

- 45% of drivers suddenly changed lanes without signaling.
- 42% of drivers yelled or cursed at another driver or pedestrian.
- 38% of drivers made an angry or obscene gesture at another driver.
- 33% of drivers traveled at excessive speeds in heavy traffic.

What causes road rage to escalate?

The number of fatal crashes linked to aggressive driving and road rage increased by nearly 500 percent from 2006 to 2015, according to the National Highway Traffic Safety Administration (NHTSA). The problem could have grown even more since then.

The Zebra survey reveals the likely causes behind road rage based on what makes drivers the angriest. Here's what the survey found:

- 44% of drivers were angered by tailgating

- 42% were angered by distracted driving
- 33% were angered by being cut off by another driver
- 30% were angered by another driver going too slow
- 28% were angered by another driver failing to use a turn signal

Aggressive driving vs. road rage

While there is a lot of overlap between aggressive driving and road rage, there are also some differences. According to The Zebra, aggressive driving is often a precursor to road rage. It involves risky

maneuvers such as speeding in heavy traffic, tailgating, weaving in and out of traffic, and other forms of erratic driving. Aggressive driving turns into road rage when one or both parties yell, make angry gestures, engage in a physical altercation, or even purposely try to cause a crash.

The best way to avoid a road rage incident is to keep your cool and don't get involved in it. The Zebra suggests practicing courtesy to other drivers, ignoring aggressive drivers, and calling the police when encountering a road rager. Should you or a loved one be hurt in a crash with an aggressive driver, contact the attorneys at Clancy & Diaz to discuss your legal options.

It only takes modest increases in speed to cause a fatal crash, according to IIHS study

California's roadways are rife with speeding drivers – some of whom are habitual speeders.

With fewer cars on the road during the COVID-19 pandemic, many drivers have taken the opportunity to travel at dangerous speeds.

When drivers exceed the posted speed limit, they barely have enough time and distance to stop to avoid an impending crash. Additionally, speeding increases the likelihood of a crash being severe or fatal. But a driver doesn't have to travel at 100 mph to cause a serious catastrophe.

The Insurance Institute for Highway Safety (IIHS) conducted a crash test to analyze the amount of damage is inflicted with minor increases in speed. The crash test started at an impact of 40 mph. During the first test, there was a minimal intrusion into the crash dummy's space.

Significant injuries detected at speeds of 50 mph and 56 mph

When the speed impact was raised to 50 mph, noticeable damage was inflicted to the driver's side door, dashboard, and foot area. Finally, at 56 mph, severe neck injuries and lower leg fractures were detected by the dummy's sensors. Additionally, the


airbag did little to protect the dummy's head at impact speeds of 50 and 56 mph. Facial fractures and traumatic brain injury were detected by the dummy's sensors.

"Higher speed limits cancel out the benefits of vehicle safety improvements like airbags and improved structural designs," said Dr. David Harkey, IIHS president. "The faster a driver is going before a crash, the less likely it is that they'll be able to get down to a survivable speed even if they have a chance to brake before impact."

Speeding crashes widespread on California roadways

According to state crash data from the NHTSA, nearly 30 percent of California traffic fatalities in 2019 were speed-related. Those who survive speed-related crashes often sustained serious, and sometimes life-changing, injuries. The most common speed-related injuries we see at Clancy & Diaz include: traumatic brain injury; broken bones; neck, back and spine injuries; internal injuries, nerve damage, and paralysis.

If you or a loved one was injured in a crash caused by a speeding driver, contact our law firm in Walnut Creek to discuss your legal options.



Wrongful death caused by negligent security

In our February 2021 newsletter, we discussed what to do if you are assaulted on business property due to negligent security.

But what if you lost a loved one due to negligent security? This nightmare scenario happens often. Failure of business and property owners to protect visitors is often the cause.

In Contra Costa County, there were 4,138 violent crimes during 2019 - 54 of which were homicides. Many of these violent crimes take the lives of unsuspecting victims at commercial establishments, gas stations, convenient stores, banks, and other public places.

These often include:

- Robberies
- Violent confrontations that escalate
- Sexual assaults
- Acts of violence with no clear motive

Those who own and manage these establishments have an obligation to protect visitors, but sometimes they fail to do so. This occurs when they fail to:


- Hire adequate security personnel to patrol the property, including the parking lot or garage.
- Provide adequate lighting in walking and parking areas.
- Install surveillance cameras throughout the property and ensure that they are properly used.

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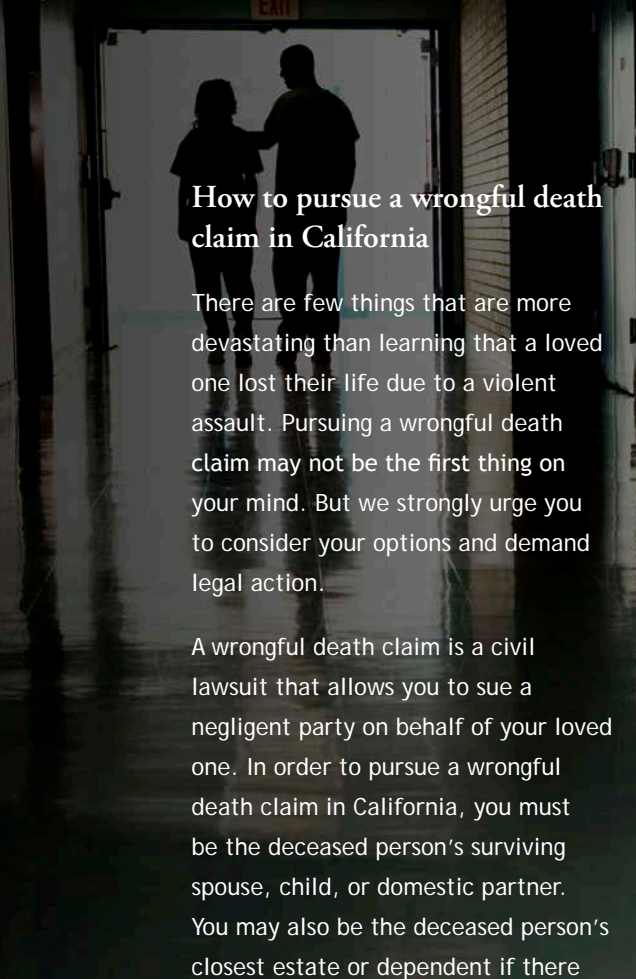
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How to pursue a wrongful death claim in California

There are few things that are more devastating than learning that a loved one lost their life due to a violent assault. Pursuing a wrongful death claim may not be the first thing on your mind. But we strongly urge you to consider your options and demand legal action.

A wrongful death claim is a civil lawsuit that allows you to sue a negligent party on behalf of your loved one. In order to pursue a wrongful death claim in California, you must be the deceased person's surviving spouse, child, or domestic partner. You may also be the deceased person's closest estate or dependent if there

are no immediate relatives available to file a wrongful death claim.

In California, you must file a wrongful death claim within two years of your loved one's death. Otherwise, you may lose your right to recover damages.

The types of damages you can recover in a wrongful death claim include:

- Medical bills accrued by the deceased person before their death
- Funeral and burial costs
- Lost income and future earnings the deceased person would have gained

- Loss of companionship, protection, guidance, support, and consortium
- Compensation for household services

You're already mourning the loss of a loved one. The last thing you need is to deal with the legal challenges and frustration of recovering damages. If you decide to hire the wrongful death attorneys at Clancy & Diaz to handle your claim, we'll work tirelessly to pursue justice on your behalf. Contact us to find out how we can help you.