

IN BRIEF



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April Is
Distracted
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Awareness
Month



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AUTO LAWS IN FLORIDA

Our law firm devotes our entire civil practice to complex personal injury cases. We handle a vast range of defective medical devices and drug product cases, and we also specialize in medical malpractice and automobile accident cases involving serious injuries. Each of the partners of **Alley, Clark & Greiwe** has over three decades of experience and a very impressive track record in representing persons injured in car accidents. Our understanding of Florida's automobile insurance and liability laws means that we understand the different sources of recovery available to accident victims and their families. This month, we are devoting our newsletter to all things auto-related. We hope the information contained herein helps you and your family.

UNINSURED MOTORIST COVERAGE (YES, YOU REALLY NEED IT IN YOUR INSURANCE POLICY)

It is important to understand the rationale of adding uninsured/underinsured motorist (UM) coverage on your existing auto insurance policy to financially protect your family. Florida has among the highest number of uninsured motorists in the U.S. A recent study estimated that approximately 23% of Florida drivers (basically 1 out of 4) are uninsured. If you are hurt in a car accident and the at-fault driver is uninsured or only has minimum insurance coverage (see table below), your own UM coverage provides supplemental insurance if you are seriously injured. UM not only pays medical bills, but also pays for lost wage income, household services, pain and suffering, and loss of enjoyment of life. Because of the importance of uninsured motorist coverage, the State of Florida requires that your insurance carrier obtain a signed waiver if you decline this coverage. The most frustrating cases are those where an at-fault driver has little (or



no) automobile insurance and our injured client has minimal PIP coverage and no added UM coverage.

You must realize that by not having UM coverage in your auto policy, you and your family will have no way to seek compensation for a permanent injury (or death) if you are hit by someone without insurance or with the minimum coverage limits. Attempting to collect compensation through your UM coverage can be complicated, and will likely require the assistance of an experienced attorney.

Under Insured Drivers in Florida

Florida law only requires registered drivers to have minimum insurance limits of just 10/20/10. In other words, an at-fault driver would pay only up to \$10,000 for bodily injuries to one person in another vehicle and only up to \$20,000 for ALL passengers' bodily injuries in that vehicle. Property damage is also limited to \$10,000.

HELPFUL GUIDE

WHAT TO DO IF
YOU ARE IN A CAR ACCIDENT

According to the Florida Department of Motor Vehicles, there are approximately 250,000 vehicle accidents each year in Florida. The most common cause is careless driving. It's good to know ahead of time what you are required to do if you are in an accident. Below are some helpful tips.

- First and foremost you must stop. If you leave the scene of an accident that involves injuries without providing your information you are breaking the law.
- If anyone is hurt call 911 if you are able to do so.
- Give your name, address, and vehicle registration number to others involved in the accident.
- Any car accident that involves injuries or property damage over \$500 must be reported. In these situations you should call the police or 911 immediately, even if no one appears to be hurt.
- If you are not hurt, take pictures of the accident scene, write down the names and telephone numbers of any witnesses, obtain the year/make/model of all vehicles involved in the accident along with a full license plate number, and also obtain insurance

information from the other driver(s) including policy numbers.

- If you didn't require medical attention at the scene but feel you are injured, **you must seek medical attention within 14 days of the accident due to recent changes in Florida law.**
- If you have been injured in an accident, other than reporting your accident to your insurance company, you should not give any statements about your accident to any insurance agent before you consult with an attorney.
- If you hit a car, truck or other vehicle that is parked with no one in it you must inform the owner. Leave a note with your name, address, and license plate number and report the accident to local police.

Serious car, truck, motorcycle, and tractor-trailer accidents require the guidance of an experienced attorney. If you or a loved one has been injured in a car wreck or motorcycle accident, please contact an attorney at **Alley, Clark & Greiwe** for a free consultation regarding your legal rights.



DISRACTED DRIVING

APRIL IS DISTRACTED DRIVING
AWARENESS MONTH

According to the Centers for Disease Control and Prevention, **each day** in the U.S. more than nine people are killed and more than 1,000 people are injured in crashes that involve a distracted driver. The agency says distracted driving includes activities such as talking on a cell phone, texting, manipulating a GPS system, and eating. Distracted driving can change your life and countless others in a split second. Visit www.distraction.gov to download free forms including the parent-teen driving contract and the pledge form. Make a commitment today to change your driving habits and help your family members do the same.



*Distracted driving leads to 26% of all
fatal car crashes*

Source: National Safety Council

Florida's texting and driving ban has produced as few as 1,500 citations since the law went into effect in 2013. The low number is due to the law's limitation to "secondary enforcement" status, meaning police cannot stop and cite offenders for that reason alone. At least five distracted driving measures have been

proposed by Florida legislators for the 2015 session. State Representative Rick Stark (D-Weston) seeks to end the "secondary enforcement" restriction, and he also proposes doubling fines for texting in school zones and school crosswalks. State Senator Maria Sachs has filed the same plan in the Senate, and Sen. Todd Altman also proposes primary enforcement of the existing law. Representative Irving Slosberg (D-Palm Beach) has proposed a plan to bar use of cell phones by drivers on school district property, and he also seeks felony charges for distracted drivers who kill.

Drivers and Cell Phones: Grim Statistics

Younger drivers are more prone to distraction. 10% of all drivers aged 15-19 involved in fatal crashes were reported as distracted at the time of the accident. Drivers in their 20s make up 27% of the distracted drivers in fatal crashes. (NHTSA)

Auto accidents remain the leading cause of death for those under the age of 20. (CDC)

Talking on a cell phone (even hands free) results in a slower reaction time than if you were driving at or above the legal blood alcohol limit. (National Safety Council)

Studies show that 2 out of 3 people killed in car accidents involving teen drivers are people other than the teens such as pedestrians, bicyclists, passengers, motorists, and drivers of other cars. (CDC)

20% of teens and 10% of parents admit they have extended, multi-message text conversations while driving. (UMTRI)

Moving Soon? Please call or email us with any changes to your address or phone numbers.