



The
**CZACK
LAW FIRM, LLC**
Czack Has Your Back



Friends of the Firm
Newsletter

Spring 2023

Phones Down. Its the Law!



As of April 4, 2023, it is illegal to use or hold a cell phone or electronic device in your hand, lap, or other parts of the body while driving on Ohio roads. If an officer sees a violation, they can pull you over.

Drivers over 18 years old can make or receive calls via hands-free devices, including:

- Speakerphone
- Electronic watch
- Wireless headset
- Earpiece
- Connecting phone to vehicle

In most cases, anything more than a single touch or swipe is against the law.

Visit CzackLaw.com to get the facts and stay within the law!

Thank You for the Referrals!

We always express our sincere gratitude to those who have referred friends, family members, and colleagues to us for legal representation due to an accident. Your trust and confidence in our abilities means the world to us, and we are honored to have your support.

Our goal is to provide the highest level of legal representation possible to our personal injury clients and their families. We take pride in the fact that so many of our clients come to us through referrals from satisfied clients, and we pledge to continue providing the same level of excellence in the future.

Thank you again for your referrals and for your ongoing support. We're committed to delivering exceptional legal services to our clients, and we appreciate your help in spreading the word about our firm. **We have your back!**



May is Motorcycle Safety Awareness Month



May is Motorcycle Safety Awareness Month, a time dedicated to promoting motorcycle safety and reducing the number of accidents and fatalities involving motorcycles. With the growing popularity of motorcycles, it is important to remember that riding a motorcycle can be dangerous, but taking precautions can greatly reduce the risks.

One of the most important safety measures for motorcycle riders is wearing proper protective gear, including a helmet, gloves, boots, and a jacket. A helmet can greatly reduce the risk of head injury in the event of an accident. It is also important to wear bright, reflective clothing to make yourself more visible to other drivers.

Riders should also make sure their motorcycle is in good working condition by performing regular maintenance and inspections. Properly inflated tires, functioning brakes, and working lights can help prevent accidents.

In addition, it is crucial for motorcycle riders to be alert and aware of their surroundings at all times. This means avoiding distractions such as cell phones or headphones and constantly scanning the road ahead for potential hazards.

Finally, it is important for all drivers to share the road and be mindful of motorcycles. This means checking blind spots, using turn signals, and giving motorcycles plenty of room to maneuver.

By following these safety tips, we can all work together to make the roads safer for everyone. So, this May, let's focus on motorcycle safety and do our part to prevent accidents and save lives.

Learn more and get the facts from The 2023 Motorcycle Safety Fact Sheet at www.CzackLaw.com



CZACK LAW *Injury and Accident Attorneys*

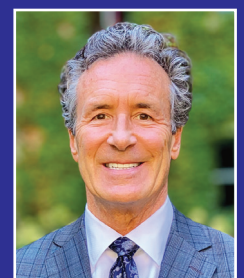
1360 West 9th Street
Suite 300
Cleveland, OH 44113
216-696-9216
mczack@CzackLaw.com
www.CzackLaw.com

Practice Areas

- Serious Personal Injury and Wrongful Death
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The Czack Law Firm, LLC



Michael W. Czack, Esq.
President
The Czack Law Firm, LLC



**CZACK
LAW**

1360 West 9th Street, Suite 300

Cleveland, OH 44113

216-696-9216

mczack@CzackLaw.com

www.CzackLaw.com

Thank You for New Accident Referrals!

Bike Safety Tips for Parents and Kids

Bicycling is a fun and healthy way for children to stay active and explore beautiful northeast Ohio. However, it's important to prioritize bike safety to ensure you and your children are protected while riding. Here are some bike safety tips for parents and children:



- 1. Always wear a helmet:** Make sure your child wears a properly fitting helmet every time they ride their bike. This can greatly reduce the risk of head injuries in case of an accident.
- 2. Follow traffic rules:** Teach your child to ride their bike on the right side of the road, in the same direction as traffic. Also, make sure they understand the importance of obeying traffic signals and stop signs.

- 3. Use hand signals:** Use hand signals when turning or changing lanes to help drivers understand your intentions.
- 4. Wear bright clothing:** Choose bright clothing or reflective gear to be more visible to drivers, especially during low-light conditions.
- 5. Check the bike:** Regularly check your and your child's bike to ensure it is in good working condition. This includes checking the brakes, tires, and chains.
- 6. Avoid distractions:** Remind your child to focus on the road and avoid distractions like texting, listening to music, or playing games on their phone while riding. Be a good example.

By following these safety tips, parents can help ensure everyone's safety while cycling. Remember, safety should always come first!

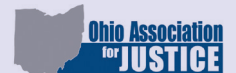
LEARN MORE: "Bike Safety Tips" from the NHTSA (National Highway Traffic Safety Administration) at CzackLaw.com



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PHONES DOWN IT'S THE LAW



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- ✓ **Speakerphone**
- ✓ **Earpiece**
- ✓ **Wireless headset**
- ✓ **Electronic watch**
- ✓ **Connecting phone to vehicle**

In most cases, anything more than a single touch or swipe is against the law.



CAN I STILL USE BLUETOOTH?

This new law allows drivers over 18 to make or receive phone calls using “hands-free” technology such as Bluetooth or integrated systems within the vehicle, as long as you don’t hold or support the device or manually enter letters, numbers, or symbols. If you must physically manipulate your device, you should pull over to a safe location and park your car before handling.

WHAT'S OFF LIMITS?

With very few exceptions, anything that involves using, holding, or supporting a device **while driving** is off limits. This could include:



Dialing a phone number



Sending a text message
voice to text is legal via “hands free” method



Updating or browsing social media



Video calls or FaceTime



Browsing the internet



Watching videos
GPS/navigational displays are allowed



Playing games

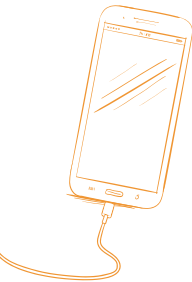


Recording or streaming video

Drivers can listen to audio streaming apps and use navigational equipment if they turn them on before getting on the road or use a single touch or swipe to activate, modify, or deactivate them.

Remember, drivers under the age of 18 are still restricted from using their devices in any way, including hands-free features.





EXCEPTIONS INCLUDE:

- ✓ Drivers reporting an emergency to law enforcement, a hospital, health care provider, fire department, or similar emergency entity.
- ✓ Drivers holding a phone to their ear only during phone conversations, if the call is started or stopped with a single touch or swipe.
- ✓ Drivers holding or using cell phones and other electronic devices while stopped at a traffic light or parked on a road or highway during an emergency or road closure.
- ✓ First responders (law enforcement, fire, EMS) using electronic devices as part of their official duties.
- ✓ Utility workers operating utility vehicles in certain emergency or outage situations.
- ✓ Licensed operators using an amateur radio.
- ✓ Commercial truck drivers using a mobile data terminal.

KEEP IN MIND — EVEN IF YOU CAN, THAT DOESN'T MEAN YOU SHOULD.

Looking at your cell phone while stopped at a light can potentially endanger your family, friends, and neighbors. Drivers have a responsibility to watch for people crossing the street or other drivers and bicyclists who haven't yet cleared the intersection. Ohioans are counting on you to pay attention.



ENFORCEMENT

When the new distracted driving law takes effect on April 4, 2023, the Ohio State Highway Patrol and local law enforcement will issue warnings for six months for violations as part of the effort to educate and help motorists adapt to the new law.

Beginning October 5, 2023, law enforcement will start issuing citations for violating this law.

PENALTIES

1ST offense

Two points assessed to license, up to a **\$150 fine**.*

2ND offense

Three points assessed to license, up to a **\$250 fine**.

3+ offenses

Four points assessed to license, up to a **\$500 fine**, possible 90-day suspension of driver license.

X2

Fines doubled if the violation occurs in a work zone.

For more information, visit:
PhonesDown.Ohio.gov

**Completion of a distracted driving course can help avoid the fine and points.*



Department of
Public Safety



TIPS FOR PARENTS, GUARDIANS, AND KIDS

BICYCLE SAFETY

Bicycling is fun, healthy, and a great family activity.
But a bicycle isn't a toy; it's a vehicle!

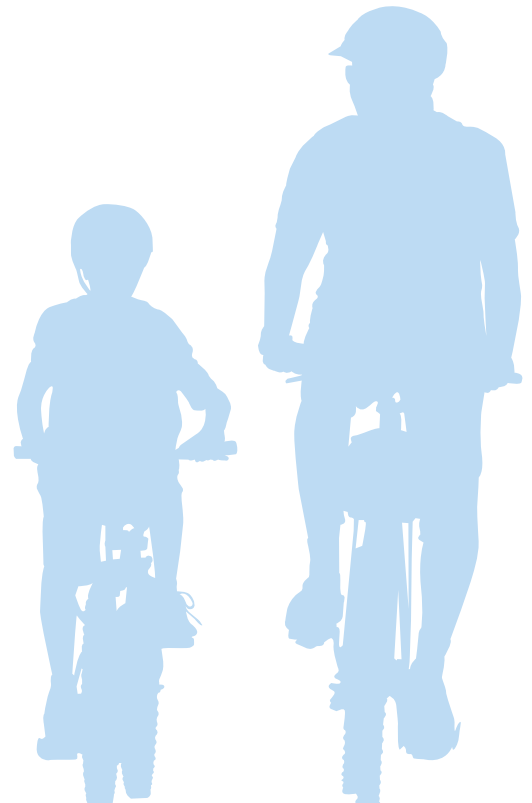
Some bike crashes can cause serious injuries and most are related to the behavior of you (the bicyclist) or the motorist. There are a number of things you can do to prevent a crash, and protect your brain if a crash occurs.

Safe Riding Tips

Before riding, make sure you, your family, and the bicycles are ready to ride. Be a "Roll Model" for other adults and children.

Remember to:

- **Wear a Bicycle Helmet.** Everyone – at every age – should wear bicycle helmets. For more guidance on fitting a helmet, see the National Highway Traffic Safety Administration's *Fitting Your Bike Helmet*.
- **Adjust Your Bicycle to Fit.** Stand over your bicycle. There should be 1 to 2 inches between the rider and the top tube (bar) if using a road bike and 3 to 4 inches if using a mountain bike. The seat should be level front to back, and the height should be adjusted to allow a slight bend at the knee when the leg is fully extended. The handlebar height should be level with the seat.
- **Check Your Equipment.** Before riding, inflate tires properly and check that the brakes work.
- **See and Be Seen.** Whether daytime, dawn, dusk, bad weather, or at night, make yourself visible to others. Wear neon, fluorescent or other bright colors when riding, to be most easily seen. Wear something that reflects light, such as reflective tape or markings, or flashing lights. Remember, just because you can see a driver doesn't mean the driver can see you.
- **Control the Bicycle.** Ride with two hands on the handlebars, except when signaling a turn. Place books and other items in a bicycle carrier or backpack.
- **Watch for and Avoid Road Hazards.** Look for hazards such as potholes, broken glass, gravel, puddles, leaves, and dogs. All these hazards can cause a crash.
- **Use Verbal and Non-Verbal Communication.** This includes eye contact with drivers, turn signals, pointing to road hazards for bicyclists behind you, and stating "passing on your left," or "on your left."
- **Avoid Riding at Night.** It's hard for road users to see bicyclists at dusk, dawn, and nighttime. Use reflectors on the front and rear of your bicycle. White lights and red rear reflectors or lights are required by law in all States.



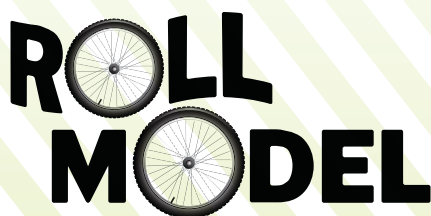
Rules of the Road – Bicycling on the Road

In all States, bicycles on the roadway are considered vehicles, and bicyclists are the drivers, with the same rights and responsibilities as motorists to follow the rules of the road. When riding, always:

- **Go With the Traffic Flow.** Ride on the right in the same direction as other vehicles. Go with the flow – not against it.
- **Obey All Traffic Laws.** A bicycle is a vehicle and you're the driver. When you ride in the street, obey all traffic signs, signals, and lane markings.
- **Yield to Traffic.** Almost always, drivers on a smaller road must yield (wait) for traffic on a major or larger road. If there is no stop sign or traffic signal and you are coming from a smaller roadway (out of a driveway, from a sidewalk, a bike path, etc.), you must slow down and look to see if the way is clear before proceeding. Yield to pedestrians in a crosswalk.
- **Be Predictable.** Ride in a straight line, not in and out of cars. Signal your moves to others.
- **Stay Alert at All Times.** Use your eyes and ears. Watch out for potholes, cracks, wet leaves, storm grates, railroad tracks, or anything that could make you lose control of your bike. Listen for traffic and avoid dangerous situations; don't use personal electronics when you ride.
- **Look Before Turning.** When turning left or right, always look behind you for a break in traffic, and then signal before making the turn. Watch for left- or right-turning traffic.
- **Watch for Parked Cars.** Ride far enough out from the curb to avoid the unexpected from parked cars (like doors opening, or cars pulling out).

Where to Ride Safely

- **Use bike lanes or bike paths, if available.**
 - While bicycles are allowed on many roads, riders may feel safer being separated from traffic. A lane or path is a safer choice than riding on a sidewalk.
 - Riding on sidewalks puts you in a place where cars do not look for or expect to see moving traffic.
 - Sidewalk riding puts you at risk for crashes at driveways and intersections.
- **Children younger than 10 years old are not consistently able to make the decisions necessary to safely ride unsupervised in the street.** Therefore, they are safer riding away from traffic.
- **For anyone riding on a sidewalk:**
 - Check the law in your State or jurisdiction to make sure sidewalk riding is allowed.
 - Watch for vehicles coming out of or turning into driveways.
 - Stop at corners of sidewalks and streets to look for cars and to make sure the drivers see you before crossing.
 - Enter a street at a corner and not between parked cars. Alert pedestrians that you are nearby, saying, "Passing on your left," or use a bell or horn.





2023 Motorcycle Safety Awareness Month

FACT SHEET

May is Motorcycle Safety Awareness Month, and the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) is urging vehicle drivers and motorists to remember that *Motorcyclist Safety Is Everyone's Safety*. Ultimately, safe driving and riding practices and cooperation from all road users will help reduce the number of fatalities and injuries on our nation's highways.

Know the Facts

- In 2020, there were 5,579 motorcyclists killed in traffic crashes, an 11% increase from 2019 (5,044). In contrast, an estimated 82,528 motorcyclists were injured, a 2% decrease from 83,814 motorcyclists injured in 2019. Motorcyclist deaths accounted for 14% of the total highway fatalities in 2020.
- Research shows that motorcyclists are significantly overrepresented in traffic crashes and fatalities each year. In fact, in 2020, per vehicle mile traveled, motorcyclists were about 28 times more likely than passenger vehicle occupants to die in a motor vehicle crash and were 4 times more likely to be injured.
- Motorcyclists 55 and older accounted for 27% of motorcyclists killed in 2020. Over the 10-year period from 2011 to 2020, motorcyclist fatalities among the 55-and-older age group increased by 37%, from 1,087 to 1,486. In 2011, the average age of motorcycle riders killed in traffic crashes was 42, whereas in 2020, the average age was 43.
- In 2011 and 2020, roughly half the motorcyclists were killed in traffic crashes during the weekend versus the weekday. Additionally, motorcyclist fatalities on weekdays increased by 15% from 2,402 in 2011 to 2,765 in 2020.

Tips for Motorcyclists

- Observe all traffic laws and always obey the speed limit.
- Wear personal protective gear and a DOT-compliant helmet with a "FMVSS No. 218 Certified" label. NHTSA estimates that helmets saved the lives of 1,872 motorcyclists in 2017. An additional 749 lives could have been saved if all motorcyclists had worn their helmets. Learn how to identify a safe, DOT-compliant helmet at www.nhtsa.gov/motorcycle-safety/choose-right-motorcycle-helmet.
- Never ride while impaired or distracted – it is not worth the risk of killing or injuring yourself or someone else. A DUI costs \$10,000 on average, and can lead to jail time, loss of your operator's license, and higher insurance rates.
- Always complete rider education courses and ride with a current motorcycle license. In 2020, 36% of motorcycle riders involved in fatal crashes were riding without valid motorcycle licenses.
- Obey the speed limit. Thirty-four percent of all motorcycle riders involved in fatal crashes in 2020 were speeding, compared to 22% for passenger car drivers, 16% for light-truck drivers, and 7% for large-truck drivers. Motorcycle riders 25 to 29 years old involved in fatal crashes had the highest speeding involvement at 45%.
- Drive and ride defensively.



Tips for Motorists

- Yield to motorcyclists, especially while turning at intersections.
- When driving, avoid distractions that place motorcyclists and other road users at risk.
- Remember, motorcycles are smaller than most vehicles and difficult to see. Their size can also cause other drivers to misjudge their speed and distance.
- Though a motorcycle is a small vehicle, its operator still has the same rights of the road as any other motorist. Allow the motorcycle the full width of a lane at all times.
- Always use a turn signal when changing lanes or merging with traffic.
- If you see a motorcycle with a signal on, remember: motorcycle signals are often non-canceling, and the motorcyclist could have forgotten to turn it off. Proceed with caution to allow the motorcyclist the opportunity to complete the maneuver.
- Check all mirrors and blind spots for motorcycles before changing lanes or merging with traffic.
- Allow more follow distance – beyond three to four seconds – when behind a motorcycle. This gives them more time to maneuver or stop in an emergency.
- Drive alcohol- and drug-free.
- Drive defensively.
- Obey the speed limit.

Facts About Helmet Use

- The use of DOT-compliant motorcycle helmets was 64.9% in 2021, down from 69% in 2020.
- Helmet use continued to be significantly higher in states that require all motorcyclists to be helmeted than in other states that do not.
- DOT-compliant helmet use among motorcyclists on expressways continued to decrease in 2021 at 69.5%, down from 72.9% in 2020 and 73.7% in 2019.
- DOT-compliant helmet use among motorcyclists traveling in fast traffic also continued to decrease in 2021 at 67.5%, down from 70.3% in 2020 and 72.8% in 2019.
- DOT-compliant helmet use among motorcyclists traveling in heavy traffic decreased significantly to 67.1% in 2021, down from 77.0% in 2020, an almost 10% change.
- Helmet use among riders with passengers continued a sharp decrease at 52.1% in 2021, down from 65% in 2020 and 79.7% in 2019. In contrast, helmet use among passengers of riders wearing DOT-compliant helmets increased significantly from 84.5% in 2020 to 92.1% in 2021.

FMVSS No. 218 and Helmet Compliance

- DOT requires that all motorcycle helmets sold in the United States meet Federal Motor Vehicle Safety Standard No. 218, which outlines basic helmet safety requirements.
- Many states have laws requiring FMVSS No. 218 DOT-compliant helmets.
- In states requiring all riders to use helmets, 84.0% of helmets used were DOT-compliant, while 10.3% were not. In states not requiring helmet use, 54.4% of helmets used were DOT-compliant, while 5.4% were not.
- The 2020 National Occupant Protection Use Survey found two significant year-to-year changes: Helmet use among riders with passengers decreased significantly from 79.7%



in 2019 to 65.0% in 2020; and helmet use among passengers of riders wearing DOT-compliant helmets increased significantly from 52.9% in 2019 to 84.5% in 2020.

- How to spot an unsafe helmet: Check for weight, helmet liner thickness, sturdy chinstraps, as well as the DOT certification label to assess if the helmet meets the federal safety standard. Familiarize yourself with brand names and helmet designs that comply with DOT requirements. For example, a full-face design is a good indicator of a safe helmet. For more information on FMVSS No. 218 and novelty helmets, visit www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/14283-identify_unsafe_motorcycle_helmets_070919_v4_tag.pdf.

Facts About Motorcycles and Alcohol Use

- Motorcycle riders involved (killed or survived) in fatal crashes in 2020 had higher percentages of alcohol impairment than any other type of motor vehicle driver (27% for motorcycle riders, 23% for passenger car drivers, 19% for light-truck drivers, and 3% for drivers of large trucks).
- The highest percentages of alcohol-impaired motorcycle rider fatalities in 2020 were in the 45-to-49 age group (35%) followed by the 35-to-39 age group (33%), 50-to-54 age group (32%), and 30-to-34 age group (31%), when compared to other age groups. Forty-one percent of the 2,158 motorcycle riders who died in single-vehicle crashes in 2020 were alcohol-impaired. Forty-five percent of those killed in single-vehicle crashes on weekends were alcohol-impaired.
- Motorcycle riders killed in traffic crashes at night were almost three times more frequently found to be alcohol-impaired than those killed during the day (40% and 14%, respectively).

For more information, visit www.trafficsafetymarketing.gov. For additional statistics, visit <https://cdan.nhtsa.gov/> and search “motorcycle” under Crash Data Publications.