

In This Issue[Tips to Boost Safe Bicycle Use](#)[Now It's Illegal: Texting While Driving in New York State](#)[Facebook features Fan page for Elmira businesses](#)**Quick Links**[Read the NYInjuryLawBlog](#)[Find Our Answers to Your Legal Questions](#)**September 2009 e-newsletter****Share the Road, Safely**

- The road is for both bicycles and cars; riders and drivers need to be cautious.

As an avid bicyclist and a New York and Pennsylvania personal injury attorney, I am very aware of the issues and dangers surrounding bicycling on the roads in our region. September days are great for cycling in the Finger Lakes area. I thought a reminder about bicycle safety was in order:

Tips for Cyclists

- **Don't let familiarity breed carelessness.** You have heard the saying, "Most accidents occur within 5 miles of the victims' homes." I haven't seen statistics lately to prove it, but it makes sense. If your body knows the route, your mind can start to wander and that is going to cut down your reaction time should something go wrong.
- **Wear a helmet.** It's tempting to give it a pass on a ride in a low traffic area, a hot day or anytime you would rather not arrive at a destination with sweaty hair. Even if you aren't worried about your own brain, think about children. A child that sees you without headgear is going to take it as proof that adults don't think it's necessary to follow safety advice. Why should he or she?
- **Give your bike a safety tune up.** The New York State Vehicle and Traffic Law has a list of requirements for a road-worthy bike in New York. It includes braking ability, a horn or other warning sound maker, and specifics about reflectors and lights. When you are getting your bike ready to hit the road, check the safety features as well as the tire pressure.

Tips for Motorists

- **Be on the lookout for bikes and motorcycles.** We handle a lot of bike injury cases and the motorists ALWAYS say the same thing: I never saw them! As a driver, it is YOUR JOB (and your legal obligation) to see what is there to be seen. Please take your job seriously.
- **Give ample space to bikes.** Bikes are very subject to wind, potholes, cracks in the pavement, gravel, etc., so it is always a good idea to give ample space around bikes because many times cyclists are subject to conditions that require quick movements.
- **Share the road.** Like it or not, bikes have the same rights to the road as cars so please don't get frustrated when you see a bicyclist using the travel lane of the road. Just remember that that cyclist you see might be your child, a friend or a neighbor and that they may be riding in the travel lane of the road because that is the safest place for them to ride.

We have beautiful roads for driving and riding in the Twin Tiers so please use them safely together!

Thanks for reading, and keep safe,

Jim Reed

**New York Bans Texting While Driving - Finally!**

New York State has passed legislation that will ban the use of texting or the use of a keypad on any electronic device while driving. The ban starts Nov. 1.

"The risks associated with texting while driving are well documented," Gov. David Paterson said Thursday. "As we learn more and more about just how dangerous this practice can be, I urge all New Yorkers to drive with caution and get in the habit of putting their cell phones away while driving to protect their own lives and the lives of others."

Some critics argue that the law will be difficult to enforce and lacks bite. The maximum penalty for breaking the new statewide law is a \$150 fine that can only be applied if the driver also committed another infraction.

Advocates argue that the legislation is better late than never. New York made the hand-held use of cellphones while driving illegal eight years ago. The ban does send the message that distracted driving is dangerous. Including New York, 18 states and the District of Columbia have banned texting.

Pennsylvania is also looking at a texting ban, as the federal government becomes more likely to link highway funding to states' willingness to apply the law. There are sure to be more states joining the movement as 2009 winds up.

Support Elmira Businesses on Facebook**facebook.**

A new Facebook page puts the spotlight on some of Elmira's great small businesses. Become a fan of "[Support Elmira Businesses](#)," where you can find photos, stories, links and conversations.

Recent updates include the grand opening of the [Riverside Suites in Elmira](#), a exhibits at the [Chemung Valley History Museum](#) and the intriguing concept of [3/50](#) - find three local businesses you don't want to close and make sure you spend \$50 a month (total) at those sites. It's not much to spend to help keep the community vibrant and sustain the local economy.

Rich Lavere of [Lavere Media](#) set up the Fan page and has been updating it with photos, text and links. I think it is a dynamite way for all of us to remind each other of the great local businesses that are in our own back yard.

A Fan page on Facebook is an easy-to-access resource and a great way for small businesses to get the word about their services without paying the expense of advertising. Check it out!

September Signals New Risks on the Road

It is the beginning of another school year, and that means more school-bus traffic, more crossing guards and more teenage drivers on the roads. Many accidents involving students are caused by drivers trying to pass a school bus or sneak through a crossing - so drive please drive defensively and patiently.

Sincerely,

Your Friends At The Ziff Law Firm