



Kalfus & Nachman



INJURY AND DISABILITY LAWYERS

NEWSLETTER

OCTOBER 2014

www.kalfusnachman.com

Page 1

October 2014, Vol 3

In This Issue...

- ✓ [Share the Road Safely with Big Rigs](#)
- ✓ [What should you do if your car is subject to a recall?](#)
- ✓ [Have a Happy and Safe Halloween](#)
- ✓ [Community](#)
- ✓ [K&N Trivia](#)
- ✓ [What's Happening Around the Community Nov. 2014](#)

Share the Road Safely with Big Rigs

Trucking keeps finished products and raw materials moving fast 24 hours a day. These big rigs account for nearly 70% of the total freight moved in the U.S. and generate revenue of more than \$255 billion each year. Hampton Roads is the East Coast's third-largest container port, handling over 24 million tons of cargo.



Truck traffic accounts for 3% and from the ports 10% of all weekday travel on the major roadways, in Hampton Roads. In 2010, approximately 17,000 trucks passed through the Top 10 gateways of Hampton Roads each weekday, this is 16% lower than 2009 prior to the onset of the recession in the US. Based on the Traffic Impact of an Inland Port of Hampton Roads Study conducted by the Transportation Planning Organization I-64 carries the majority of truck traffic in Hampton Roads followed by Route 58 and Route 460 leading to the Southwestern & Southeastern Areas of Virginia.

But all these miles traveled in vehicles weighing five tons or more inevitably causes trucking accidents. The [National Highway Traffic Safety Administration](#) (NHTSA) reports that fatalities from big rig accidents involving large trucks increased by 4% in 2012, and injuries were up by even more – 18%! Not surprisingly, the vast majority – 73% – of deaths and injuries involved occupants of other vehicles. In Virginia, the Virginia Highway Safety Office reported in the 2013 Virginia Traffic Crash Facts 95 occupants were killed in Virginia in accidents involving commercial vehicles or 12.8% of all traffic fatalities and 3,079 were injured.

Causes of Trucking Accidents

Although most big rig drivers are alert and experienced, **driver error** is a major cause of trucking accidents, including:

- Driving too fast
- Driver fatigue or sleep deprivation
- Straying from lane
- Excessive speed
- Following other vehicles too closely
- Driver inexperience or inadequate training
- Driving under the influence of prescription or over-the-counter drugs

....continued on page 2

Our Offices

Norfolk
 Military Circle
 870 North Military Highway,
 Suite 300
 Norfolk, Virginia 23502
 757.461.3303

Newport News
 749 B J. Clyde Morris Blvd.
 Newport News VA 23601
 757.245.4878

Roanoke
 Southwest Virginia
 1322 Plantation Road
 Roanoke, VA 24012
 540.343.4878

Call 1-888-hurtline or visit us
www.kalfusnachman.com

We service Virginia and North Carolina

Follow us...

[on Facebook](#)

[on Google+](#)

[on Youtube](#)

[on Twitter](#)

....continued from page 1 **Share the Road Safely with Big....**

Other causes may be the responsibility of the manufacturer or the trucking company:

- Tire failure including inadequate tread depth or mismatched tires
- Brake defects caused during manufacturing or by poor maintenance
- Improper load distribution
- Poor road and weather conditions
- Other equipment failure

Give 'Em a Break!

Trucks take longer to stop, accelerate and turn, and drivers may have limited visibility because of their size and shape. Give a trucker a break when sharing the road:

- Don't merge into traffic or change lanes abruptly in front of a truck.
- Give trucks adequate room when passing.
- Change lanes or slow down to let a slow-moving truck enter a highway.
- Don't pass a truck on the right if that truck is turning right.

Visit The Federal Motor Carrier Safety Administration (FMCSA)'s "[The Unsafe Driving Acts of Motorists in the Vicinity of Large Trucks](#)" for more suggestions.



Attorney Richard Aufenger, III appeared on a Legal Matters Segment of the Hampton Roads Show to give viewers tips on [How to be Safe on the Highway](#). You can also view on our YouTube Video Channel. You can also learn more by visiting our website. www.kalfusnachman.com/truck-accident-attorney.

What should you do if your car is subject to a recall?

Recently, Automakers are recalling vehicles that have safety related defects almost daily. Vehicle recalls are at their highest in almost a decade, with nearly 22 million vehicles flagged for safety issues last year alone, according to the National Highway Traffic Safety Administration. Some of these recalls have happened in wake of consumers getting in serious accidents and sometimes death. In June 2014, Attorney Paul Hernandez shared insight on the Hampton Roads Show Legal Matters Segment on What to do if your car is recalled? Here is some of the information he shared.



What is a recall?

An auto recall occurs when a manufacturer (or the NHTSA) determines that a car model has a safety-related defect or does not comply with a federal safety standard. Remember they are for defects that are safety problems. If you're A/C or radio does not work that is not considered a safety defect.

How Notified?

Car Companies are required to inform you by mail. You want to make sure you keep your address updated at your car dealer. However, if you go to NHTSA you can sign up for email alerts

What should you do if your car is subject to a recall? First don't panic. The letter should have instructions on what to do depending on the subject of the recall, if you have questions, call the Dealer.

If Tires are recalled, you only have 60 days from the date of the letter to get them repaired or replaced.

Who pays for repair? The manufacturer is required to pay for the repair of the defective item.

What if I paid for the repair BEFORE there was a recall?

....continued on page 3

Our Attorneys



A.J. Kalfus



Stuart L. Nachman



Paul R. Hernandez



Richard F. Aufenger, III



Jesse M. Suit, III



Thomas A. Fitzgerald, II



Blair E. Smircina



Neal C. Schulwolf



Christopher I. Jacobs



Deborah V. Vaughn



Seth Scott



Colin O'Dawe

**Ask an Attorney
a Question**

....continued from page 2 **What should you do if your car is subject to a recall?**

Manufacturer is responsible; however, there are some limitations.

What if there was an accident caused by a defect that was subject to a recall?

It is very complicated. You need to hire an experienced personal injury attorney to discuss your rights.

To sign up for recall email alerts <http://www.recalls.gov>

Have a Happy and Safe Halloween

Are your kids begging for the latest Halloween costumes like Elsa, Anya or Olaf from *Frozen*, *vampires*, *zombies* and *Teenage Mutant Ninja Turtles*? No matter what they wear, you want their trick-or-treating to be fun and safe.

Before sending your children out to scurry around your neighborhood, take a few minutes to read these Halloween safety tips and hours trick or treating is allowed in your local city.

Select Costumes Carefully

- Choose bright colors and add reflective tape strips to shoes or bags.
- Make sure costumes are not too long and that accessories aren't too large or sharp.
- Avoid high heels or monster shoes, choosing instead well-fitting shoes that lace up.
- Look for flame-resistant labels on costumes and wigs.
- Use non-toxic makeup instead of masks for greater visibility.

Discuss Safe Trick-or-Treating with Your Child

Be sure to have a serious talk with your child about Halloween safety, including:

- Don't go out alone – stay with your group.
- Stick to a planned route.
- NEVER enter a stranger's home or car.
- Take your cellphone and a flashlight or glow stick.
- Walk, don't run, and stick to well-lit areas.
- Don't eat any treats until you get home.
- Cross the streets only at crosswalks and look both ways.

Children should have adult supervision for trick-or-treating.

Adults Can Prepare for Safety Too

Prepare your walkway, driveway and yard for visiting ghosts and princesses. Remove any obstacle that can cause tripping. Keep candle-lit pumpkins away from walks and steps or use battery-operated lights.

Visit our website for more safety tips www.kalfusnachman.com/blog/halloween-safety-tips

Safekids.org has more information and tips to make this Halloween safe and fun for the whole family.



***Trick-or-treating hours for each city are as follows:**

Norfolk, until 8 p.m.
 Virginia Beach, dusk to 8 p.m.
 Portsmouth, until 8 p.m.
 Chesapeake, until 8 p.m.
 Suffolk, until 8 p.m.
 Hampton, dusk to 8 p.m.
 Newport News, until 8 p.m.
 James City County, 6 to 8 p.m.
 **please check with your local law enforcement for any changes

Community

Getting a copy of your Birth Certificate just got easier....

Your Local DMV Now gives you access obtain a copy of your birth certificate. It's in response to the baby boom surge any one born from 1912 to present can obtain it. Gov. Terry McAuliffe calls partnership between the DMV and the Division of Vital Records "A model of responsive service and convenience."

WE WELCOME DARRELL JACKSON TO THE K&N FIRM

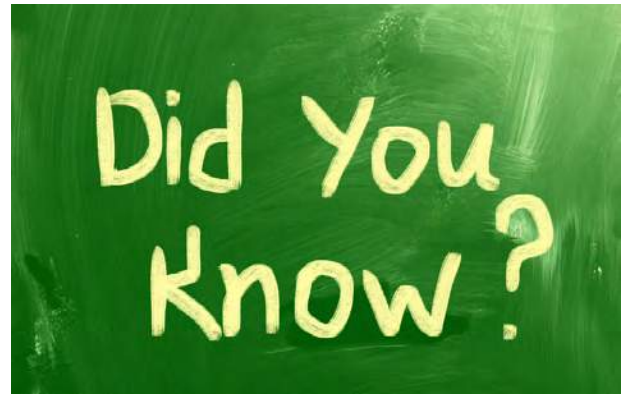
Darrell joins the Kalfus & Nachman Firm, as a top notch investigator. He brings with him over 32 years of law enforcement and investigative experience. He will be a huge asset to the firm and working closely with our clients. WELCOME DARRELL.

USS John Warner (SSN-785) will be a Virginia Class Submarine, headquartered in Norfolk, VA. It will be the first submarine in its class to be named after a person. The submarine was christened at Newport News Shipbuilding Sept. 6, 2014 during a ceremony attended by Senator John Warner, Ship's Sponsor Jeanne Warner, Navy personnel and thousands of shipbuilders. WELCOME TO THE FLEET.



K&N Trivia

In December, Kalfus & Nachman will have been incorporated for 35 years. Tell us the original name of the cooperation when it was formed and the date, the first to post on the K&N Facebook Page we will win (2) tickets to the Hampton Roads Soul Music Festival: 95.7 R&B presents the featuring The Whispers, Stephanie Mills, Mint Condition & Chrisette Michele. Doors at 6:30pm. Artists are scheduled to appear and subject to change.



Contest Rules: (one entry per person, must be over 18 years old to win, must be posted on Facebook before 10/31/2014 @11:59 pm., Kalfus & Nachman reserves the right to disqualify entry, winner will be selected by Kalfus & Nachman) www.kalfusnachman.com

Kalfus & Nachman

Norfolk

Military Circle
870 North Military
Highway,
Suite 300
Norfolk, Virginia 23502

Roanoke

Southwest Virginia
1322 Plantation Road
Roanoke, VA 24012

Newport News

749 B J. Clyde
Morris Blvd.
Newport News
VA 23601

What's Happening Around the Community Nov. 2014

Nov. 1, 2014

Light the Night Walk
Neptune's Park, VB

Nov. 1, 2014

2014 TWP Masquerade Gala
Waterside Marriot, Norfolk

Nov. 1 - 30, 2014

Bruce Munro Exhibition - Light
Hermitage Museum & Gardens, Norfolk

Nov. 2, 2014

4 The Love of Cheese 2014 concert
Sandler Center for the Performing Arts, VB

Nov. 6, 2014

EWI Wine Tasting Fundraiser
Simply Fresh, Town Center, VB

Nov. 8, 2014

19th Annual India Festival
Convention Center, VB

Nov. 16, 2014

World Music Ensemble, Hollins University, Roanoke

Nov. 16, 2014

Southampton-Annual Fire Truck Parade of Lights,
Hampton

Nov. 21 - 30, 2014

McDonald's Holiday Lights at the Beach
Boardwalk betw. 2nd & 34th Street, VB

Nov. 22, 2014

30th Annual Grand Illumination Parade
Downtown Norfolk

Nov. 27 - Jan 1, 2015

Celebration in Lights
Newport News Park

Nov. 28 - 30, 2014

Christmas Market
Convention Center, VB

Nov. 28 - Dec. 31, 2014

Winter Wonderland
Hunt Club Farm, VB

FREE & CONFIDENTIAL!

LAW NIGHT OPEN
NIGHT 5-10 PM
THURSDAY NOVEMBER 13

**ACCIDENT & SOCIAL
SECURITY QUESTIONS
ANSWERED**