

TRANSNEWS

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Volume 19

Trans-News is a newsletter for our customers dedicated to bringing you useful and timely information about safety, loss control, insurance and industry issues.



Please contact us with any questions, comments and ideas!

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SAFETY TIPS

VOLUME 20

ROAD RAGE: RUDES OF THE ROAD

The highways have always been dangerous, but increasingly people are using their vehicles as weapons; or worse, using actual weapons to prove a point about their driving. A recent six-year study by the American Automobile Association found more than 10,000 violent road clashes that resulted in 218 deaths and 12,000 injuries.

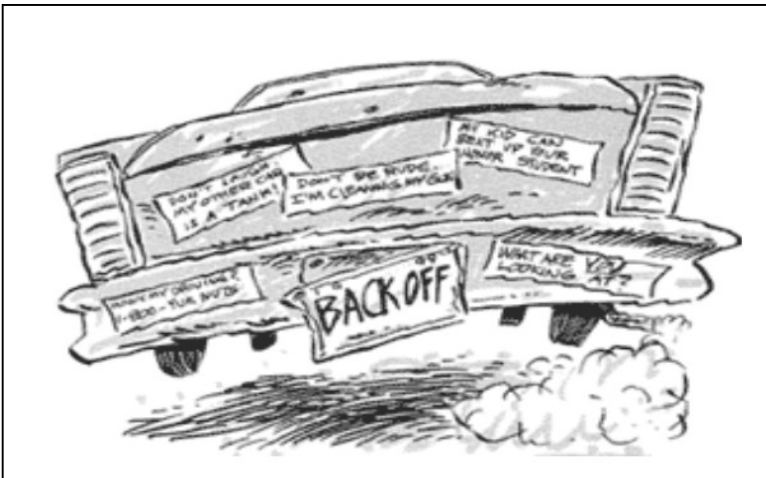
Hey! Who You Calling Aggressive!

Aggressive drivers are more likely to speed, tailgate, fail to yield, weave in and out of traffic, pass on the right, make improper lane changes, run stop signs and lights, make hand and facial gestures, scream, honk and flash their lights. To coexist with aggressive drivers:

- Be patient and flexible. Practice cooperative driving behavior.
- Don't be goaded into confrontation.
- Don't take other drivers' behavior personally.

- Do not respond by blaring your horn, following too closely, cutting them off, or tapping your brakes.
- Give other drivers plenty of space, especially drivers behaving competitively or aggressively.
- If you make a driving error that upsets another driver, smile and try to signal an apology with a hand wave.
- Drive in the right or center lanes unless passing. If you are in the left lane, even if you are driving the speed limit, and someone wants to pass you, let them. It's courtesy to move over if you can.
- Use turn signals when changing lanes or turning.
- Use your horn sparingly.
- Dim your high beams as you approach another vehicle.
- When you merge, make sure you have plenty of room.
- If someone cuts you off, slow down and give them room to merge into your lane.
- Don't tailgate. Allow at least a three-second space between your car and the one ahead. If you feel you're being followed too closely, signal and pull over to allow the other driver to go by.
- Few things make another driver angrier than an obscene gesture. Keep your hands on the wheel. Don't even shake your head in disgust.
- Avoid eye contact. Looking or staring at another driver can turn an impersonal encounter between two drivers into a personal duel.
- Open doors carefully in parking lots.
- If a situation is getting out of hand, use your cellular phone to call for help, or drive to a place where people are around, such as a police station or convenience store. Use your horn to attract

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Larry is as macho as the next guy. Played all the sports, had a couple of rousing fist fights in his youth, and hunts and fishes on the weekends. So, when Mr. Macho was rudely cut off on the interstate by Mr. Inconsiderate, Larry flashed an obvious signal of disapproval. A mile or so later, he and Mr. I. sat side by side at a stop light. Larry glanced over and saw that he was staring into the barrel of a large handgun. He froze in fear. The driver looked at him stonily, shook his head, then lowered the pistol and drove off. As you might imagine, Larry has since become much more tolerant behind the wheel.

SURE-FIRE WAYS TO GET A GREAT NIGHT'S SLEEP

Do you get enough sleep? Half of us don't. Yet adequate rest is as vital to health and peak performance as exercise and good nutrition. And it can be so easy.

- Go to bed and get up at the same time everyday – even on weekends. Why? It will help regulate your body's internal clock to get the 7-8 hours sleep most adults require. Avoid taking naps, they can affect your ability to fall asleep at night.
- Establish a relaxing bedtime routine. Take a warm bath,



read a light book or article, listen to pleasant music. Listening to classical or new age music at bedtime has been shown to help insomnia sufferers fall asleep.

- One possible reason is that the music matches body rhythms and slows the heart rate.
- Skip stimulants like caffeine and nicotine from late afternoon on. Don't use alcohol to induce sleep. As its effects wear off your brain actually grows more alert. Try not to rely on sleeping pills.

They can disrupt your sleep/wake cycle if you depend on them too much.

- Make time for fitness. One

recent study showed that regular exercisers not only slept almost an hour longer than non-exercisers; they also fell asleep in half the time.

- Breathe easier. Are you a snorer? If so you might suffer from sleep apnea – when breathing stops periodically – you may actually awaken dozens of times during the night and not know it. Some tips to help: Lie on your side, not your back; lose those excess pounds; if you smoke, STOP. If the problem continues, talk to your doctor.

Get help if your sleep has been disturbed often during the past month, or if sleep problems interfere with your ability to function during the day.

Stress Kills

"Beginning in the middle of the 14th century, the plague rampaged through Europe, killing a quarter of the population. But today, six centuries later, Europe and the West are facing a less dramatic but equally devastating and more insidious epidemic. Today's disease manifests itself in many forms, but all are rooted in a single poison: stress. Dubbed the "Twentieth Century Killer," stress arises mainly from the psychological demands of life." --To The Point (South African newsmagazine)

According to government figures, 84 percent of men and 88 percent of women have experienced stress. Forty percent experience at least a moderate amount of stress during an average week. And people between the ages of 30 and 44 are experiencing more stress today than people of any other age group.

There are three stages of emotional response to stress--an alarm reaction, followed by a stage of resistance, and concluding with a stage of exhaustion. It is believed that the production of adrenal hormones rises under stress which in turn, may weaken the action of the body's immune system. Decision-

making carries with it a burden of stress and anxiety which may be why research figures indicate a significant link between executive occupations and cardiovascular disease.

Continued intense stress can result in hypertension, not merely brief elevation of blood pressure but chronic high blood pressure. That's not all. Additional ills commonly associated with stress include ulcers and other digestive ailments, headaches, backaches, rheumatoid arthritis, insomnia, obesity, alcohol and drug abuse, accidental injuries, and certain skin diseases.

Because of these alarming facts, it's important that you make a conscious effort to schedule time in your day to enjoy something that has a calming effect on you--a leisurely walk, a cup of tea while watching the sunset, a good book in your favorite cozy hideaway or a relaxing hobby such as needlepoint, knitting, oil painting or wood working. Don't forget music. Sitting quietly and listening to your favorite tunes is very soothing .

Road Rage: Rudes of the Road
(Continued from page 1)

attention. Do not get out of your car. And definitely do not go home if they are in sight.

To Calm The Beast In You

- Adjust your attitude. Strive to be the most courteous person on the road. Others may follow your lead.
- Forget winning. Driving is not a contest.
- Refocus your thoughts and take deep breaths if you feel like you are losing control. Think of a pleasant situation or memory.
- Relieve stress by allowing plenty of time to reach your destination.
- Listen to soothing music or a book on tape.
- Consider you may know the other driver, or he might have a reason for driving erratically.
- If you think you have a problem with anger management, seek professional help.

“Can you hear me now?”

The ability to communicate can be traced back to the cave man as witnessed by the most recent Fed Ex commercial where two cave men communicate with one another by grunting. Not a language in common use today but certainly good enough for a commercial. If any of you reading this article have raised children through their teen years you will understand the language of “grunt.” I have a 25 year old who still speaks in “grunt.” Fortunately for his Mother and me we’ve come to relate most of those guttural sounds to his need for food. But I digress.

Communication can take many forms such as written, oral, hand gestures, body language and sound.

Have you ever wondered though how the Native Americans communicated by smoke signals? How did they define punctuation from words?

It would seem to me that all words would have looked very much alike. But they communicated nonetheless. And how about those drummers in Africa and the Amazon; one extra beat could have started a tribal war.

After all, everyone was listening.

So where am I going with this nonsense?

As late as the 1940’s, and I’m sure many of you will remember the pre-TV days, communication was largely dependent upon radio, newspapers and conversation. The instant communications we take for granted today did not exist. When I was a boy growing up in upstate New York we had party line telephones that only had three digit phone numbers. There was no dialing. All calls had to be routed through the operator. Everybody in the community knew the operators.

You would never call and just ask for a number. It would go something like this:

“Hi Pat how are you?”

“How’s your sister?”

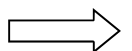
“Did you hear what happened last night?”

After about five minutes of small talk you would ask to be connected to Mary; not a number, just a name. Today, there is nothing that takes place globally to which we do not have instant access. Satellite communication has shrunk the world. What Samuel F.B.

Morse and Guglielmo Marconi created in the 19th century has been dwarfed by communication satellites that provide more information than we can possibly digest.

But the sad fact is we have become captives to communication. We can’t get enough of it. We all have computers at home, computers at work, TV’s that are plasma, flat screen, high definition and when we’re not near any of those spellbinding instruments we’ve got a damn telephone stuck to our ear. And this is what this piece is about; the damn cell phone!

It was Herbert Hoover who gave us **“A chicken in every pot and a car in every garage.”** This was his definition of prosperity. Well it must have been Motorola or Nokia who gave us a cell phone in every ear. This is their definition of insanity; prosperity to them insanity to everyone else. If you think I’m kidding just look around you.



"Can you hear me now?"

There are children at the malls in America that are around 10 or 11 years old walking around with phones stuck to their ears.

The next time you fly just look around the airport and listen to some of the most mundane, inane, obnoxious conversations you can imagine. And who the hell wants to listen to that drivel?



Better yet, why should we be subjected to it?

And now they want to allow cell phones in flight. How come they're considering that inconvenience now when all along they've been telling us that our cell phones have to be turned off because they might interfere with the navigation system?

What got fixed all of a sudden?

Have the airlines been lying to us? Can't be! But the use of cell phones that bothers me more than any other usage is while behind the wheel of a moving object such as a car, truck, limo or BUS! By the way, I have yet to see any one get pulled over for violating most state's laws regarding the use of a cell phone while operating a motor vehicle.

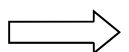
I just saw on the internet (I'm sorry) a young lady in Wales who was ticketed for using two hands to apply make-up while operating a motor vehicle. Sounds like she could qualify as a bus driver over here (joke guys—relax)!

Let's get serious for a moment. There is probably no way that you as a public auto owner/employer can keep your drivers from using cell phones while they're operating your vehicles. It is estimated that as of December 2005, more than 200 million people in the United States use cell phones. This tidbit of information is provided by the Cellular Communications Association. According to the Insurance Information Institute in an article published in January of this year, "There are two dangers associated with driving and cell phone use.

First, drivers must take their eyes off the road while dialing. Second, people can become so absorbed in their conversations that their ability to concentrate on the act of driving is severely impaired..."

One could argue that other driving distractions such as talking with another occupant or listening to a radio could be just as dangerous as talking on a cell phone. Fear not, this has also been researched and it has been documented that cell phone use is significantly more hazardous than other normal distractions.

Even the advent of hands free dialing ala Bluetooth does not decrease the hazards associated with engrossed cell phone conversation. But here is where I know I will get your attention if you are an owner/employer; if an employee is involved in an automobile accident while using a cell phone while on company business, the employer can be held liable. Cell phone records are readily available that will establish the time the phone was in use and the party the user was speaking with.



“Can you hear me now?”

There are a number of recent court decisions from around the United States wherein the court has held the employer responsible for the acts of their employees. In 2004 in California for example, a driver who was involved as a defendant in a civil case involving an accident she caused while talking business on a cell phone was dismissed from the case when her employer agreed to settle for \$5 million.

More and more plaintiff's attorneys are looking at the corporate automobile policy as a means to extract large awards in cases involving the use of cell phones. So what to do about it? Is there anyway you as an owner/employer can protect yourself or insulate yourself from being exposed to this type of litigation?

There is a legal article that you may want to access on your computer if it is still available regarding the legal aspects of employee use of cell phones. It was written by Garen E. Dodge of the law firm Wiley, Rein & Fielding of Washington, D.C. The article is titled

“Steering Clear of Liability When Employees Use Cell Phones While Driving.”

It may still be available on their website at

www.wrf.com/publications.

What I found interesting about the article is a stated company policy that you might want to adopt in some form. While this is not a panacea and there is no guarantee that it will relieve you of liability, you can be sure that without some form of company stated policy, signed by the employee, your chances to get dismissed from an action will be slim and none.

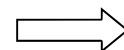
Here then is the suggested wording for your company policy:

“Employees are required to comply with all state and local laws regarding the use of wireless phones while driving. All employees must use a hands-free device while driving. Whenever possible, employees should not make or receive telephone calls while driving. Employees should let incoming calls go to their voicemail and then find a safe place to pull over and park before initiating a call. Under no circumstances should employees use wireless phones during adverse weather or difficult traffic conditions.

This employer takes its phone use policy very seriously. Any violations of this policy will subject employees to disciplinary action, up to and including termination of employment.”

So there you have it. What Morse and Marconi began and Motorola and Nokia have perfected is part of who we are and how we communicate. Technology will continue to advance so that hand held devices will do more and more. And as a result, this advanced technology will require new laws and safeguards to protect us from ourselves. But in the interim, take the next step and if you don't already have a company wireless phone use policy in effect, get one.

Oh yeah, and make sure you have lots of food in the fridge so when the “grunter” walks in the door you only have to point!



Practice Magic

The Professional Driver:

*Maintains vehicle in safe
condition*

Adjusts speed to conditions

Grants right-of-way to others

Identifies hazards in time to act

*Complies with laws and rules
of the road*

