

# Safety

Fall 1994

## & THE LAW

A Newsletter to live by from the law firm of ROBERTS & ROBERTS

### Table of Contents

◆ Daytime Running Lights

◆ Family Safety Update

(Page 2)

*Child-Resistant Lighters*

◆ Law Update

(Page 2)

*Auto Insurance*

◆ Workplace Safety Update

(Page 3)

*Crime Prevention*

◆ Consumer Product Warnings & Recalls

(Page 4)

*Check this Listing of Potential Problem Products*

## Will daytime running lights be standard equipment?

The National Safety Council reports that General Motors will be the first automaker in the United States to offer standard daytime running lights. The company will begin installing the headlamps-on safety system on its cars and trucks to improve the visibility of vehicles in all weather conditions. The first GM vehicles equipped with daytime running lights, which turn on automatically when the vehicle is started, will be 1995 models. GM research shows that daytime running lights will reduce the number of automobile crashes.

The National Highway Traffic Safety Administration helped GM get daytime running lights added as standard safety equipment. Nationwide safety regulations

were needed to overcome some states' prohibitions against driving with your lights on. The regulations allowed GM to introduce the feature as standard equipment on a voluntary basis. The Insurance Institute for Highway Safety was also instrumental in encouraging the use of daytime running lights in the United States.

Daytime running lights have been required in Canada since 1989. Reports show that certain types of crashes have been avoided and that many consumers are convinced that a headlamps-on system to improve visibility is a valuable safety feature.

An estimated 25 percent of the Canadian owners of older models without the system are making the conscious decision each day to turn on their headlights during daytime hours.

Daytime running lights can be effective in all weather conditions and are most effective on overcast days, in rain and in the short periods after dawn and before sunset. Daytime running lights make vehicles more visible to oncoming traffic.

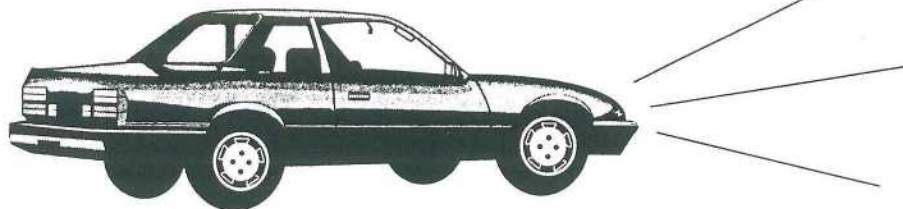
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# Child-Resistant Cigarette Lighters

## Family Safety Update

Children have a natural fascination with fire. This fascination, combined with access to cigarette lighters, however, can result in tragedy.

Cigarette lighters, especially the disposable ones, do fascinate many children. They're colorful, fit easily in their small

hands, have wheels that turn and emit sparks, and produce a small flame.

Parents may mistakenly assume that their children are too young to use a lighter. The U.S. Fire Administration reports that 200 deaths per year are associated with fires started by cigarette lighters. Approximately 140 of the fire deaths are caused by children playing with these lighters and of those 200 deaths, 125 are children under the age of five.

According to the Consumer Product Safety Commission, the risk of death or injury among children is higher from cigarette lighters than from matches. It is easier for a two or three year old to roll the lighter on the carpet than it is to strike matches in order to create a fire.

In response to these alarming figures, the Consumer Product Safety Commission ordered manufacturers of butane lighters to make virtually all of them child-resistant. The new safety regulations require that lighters be designed so that most children under the age of 5 are unable to operate the lighter. The Consumer Product Safety Commission estimates that the new, child-resistant designs will prevent 60% of the

deaths associated with young children who play with lighters.

While new government safety standards will make new lighters safer for small children, there are hundreds of millions of less safe lighters in our homes. These lighters still pose a risk of serious injury or death for children.

### INSTRUCTIONS ON HOW TO OPERATE THE NEW BIC LIGHTER WITH CHILD GUARD



1

To operate, push lever over to the left (1) and up (2) in one continuous motion.



2



3

Rotate sparkwheel and push down on button to ignite flame.



4

Lever will automatically return after release of button. To reignite flame, repeat steps 1-3.

## Law Update

*Q: My family was injured in an auto accident and the accident was my fault. We have auto insurance, but our insurance policy excludes liability claims by family members. Does my family have any rights?*

*A. Yes. Although your auto insurance policy excludes coverage for bodily injury claims by family members, the courts have ruled that this exclusion is invalid for claims up to \$20,000.00 per person. The law requires that we have at least this amount of auto insurance for the protection of everyone – including members of our family.*

## SECURITY: A requirement for workplace safety

Homicide is the leading cause of death in the workplace for female employees. It was the third largest cause of death among all workers in the last decade according to the National Institute for Occupational Safety and Health (N.I.O.S.H.). An estimated 8% of all rapes, 7% of all robberies, and 16% of all assaults occur at work.

Although no federal job-safety regulations exist for workplace homicides, employers have a general responsibility to protect workers, according to N.I.O.S.H. More significantly, the courts are holding employers responsible for providing reasonable crime prevention measures in the workplace.

The businesses that are at the highest risk for violent crime are in the retail and service industries. In the retail industry, liquor stores, convenience stores, grocery stores, and gasoline stations are especially at risk. In the service industry, high risk jobs involve hotels, motels, real-estate offices, private security services, eating and drinking establishments, and transportation services. Taxicab drivers have the greatest risk for being killed while on the job.

According to a study published by the National Safety Council, 66% of these violent crimes occurred between 7 p.m. and 7 a.m. Another study in Texas found that nearly half of the work-related murders involved robbery. Without adequate security measures, working alone in a retail or services business, which involves the exchange of money, presents an unreasonable risk for violent crime.

Businesses which answer "yes" to one or more of these questions should review their workplace security measures:

- Do employees work alone or in small numbers?
- Do employees handle cash transactions with the public?
- Do employees work late-night hours?
- Do employees guard property?
- Do employees work in high-crime areas?

N.I.O.S.H. recently published a series of safe work practices that can help reduce the risk to employees:

1. Ensure that workplaces have good external and internal lighting.
2. Use drop safes to reduce ready cash.
3. Post signs that say "limited cash on hand."
4. Provide training on conflict resolution and nonviolent response.
5. Teach employees to avoid resisting robbery.
6. Close during high-risk hours.
7. Increase staffing.
8. Install silent alarms and protective barriers.



*The Occupational Safety and Health Administration's hotline for emergency reporting of major workplace hazards is 1-800-321-OSHA.*

# Workplace Safety Update

## ROBERTS & ROBERTS

*Roberts & Roberts is an East Texas law firm with a history of helping people injured by unsafe practices and products. Randell C. Roberts and Bruce L. Roberts are certified by their state and national professional boards as specialists in Personal Injury Trial Law and Civil Trial Advocacy. They are also members of the:*

- Institute for Injury Reduction
- Institute for Product Safety
- National Safe Workplace Institute
- National Safety Council
- Texas Safety Association
- American Society of Safety Engineers
- National Head Injury Foundation
- National Spinal Cord Injury Association

*If you know of someone who is injured, Roberts & Roberts wants to help.*





# Consumer Product Warnings & Recalls

You may obtain more information about product recalls by calling the Consumer Product Safety Commission at 1-800-638-2772, the National Highway Traffic Safety Administration at 1-800-424-9393, or the Food and Drug Administration at 301-295-8060 for drugs, 301-427-1122 for medical devices, or 202-485-0197 for foods and cosmetics.

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Approximately 194,000 baby pacifiers manufactured by Eugene Trading, Inc. are recalled. Called "Deary Baby Rattle Baby Soother Spain Style," they fail to meet a federal standard and could present a choking hazard to infants.

• • •

An estimated 63,000 computer monitors sold by Dell Computer Corporation of Austin, Texas are recalled. Internal components of the Model No. DEL-1460N1 monitors can overheat and catch fire.

Approximately 252,000 Mazda 626 and 926 passenger cars are recalled. The rod that actuates the door latch mechanism can detach from the handle and fall in the path of the window, possibly resulting in a front door opening inadvertently. The recalled models include the 1991 626 sedans and 1988-89 922 luxury sedans.

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A projected 39,000 extension cords are recalled because they may pose an electric shock or electrocution hazard. The Model GF1812 Ground Fault Interrupter extension cords were manufactured by Columbia Wire & Cable Corporation.

• • •

An estimated 30,000 1994 Chevrolet and GMC C/K pickup trucks are recalled. An improperly tightened nut can result in the left-hand lower control arm separating from the frame causing a loss of control.

• • •

Black & Decker Household Products Group is recalling 750,000 under-the-cabinet coffee makers made between 1984 and 1988 because of thermostats that could present a fire hazard. These coffee makers carry either the Black & Decker or General Electric brand name with model date codes between 406 and 822.