

# Insights and Updates

[Winter 2016 • New York]

## Child seat-belt laws

Safety first is a slogan used in thousands of situations from apple picking (e.g., watch out you don't twist your ankle on a loose apple) to wrestling bears (e.g., bears are dangerous). Perhaps nowhere is "safety first" more important than when driving with children. In recent years, many states have enacted strict child seat-belt rules in order to protect children of all ages when traveling in an automobile. New York is no exception.

Under New York State Vehicle and Traffic Law Section 1229-c, every child under the age of 16 must be in a safety restraint of some kind when in a vehicle. The type of restraint depends on the age and sometimes the weight of the child.

Children under the age of four are required to be secured in a federally approved car seat. The car seat must be attached either by a safety belt or some sort of universal child-restraint anchorage system. There is an exception to this law for children under the age of four who weigh more than 40 pounds. Any child who fits in this classification may be restrained in a booster seat with a lap and shoulder belt.

Children from age four to seven must be restricted using a booster seat with lap and shoulder belt or a child safety seat. Of course, there is an exception to this rule for children who are more than four feet, nine inches tall or more than 100 pounds: Children in this class are permitted to use a seat belt that has

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both a lap belt and a shoulder harness. Children over the age of eight are permitted to use a seat belt that has both a lap belt and a shoulder harness.

Adhering to New York's laws keep your children safe, and it will help minimize damages in the event of an accident. If you have any questions, contact our agency. We'll be more than happy to discuss your automobile liability with you.



## Bad can sometimes be really bad

Nobody plans to have an accident. By definition, an accident is unforeseen. Really bad accidents are just as unforeseen as bad accidents, so it makes sense to be protected when a loss occurs at both ends of the severity spectrum. Your homeowners policy and auto policy provide the first line of defense for bad accidents; but for really bad accidents, you need an umbrella policy.

Although the concept for excess liability coverage is the same, insurance companies typically do not use standard umbrella policy forms. This means each policy could offer more coverage in some areas and less in others. Independent agents have more companies to choose from in the selection of a policy that meets the needs of the client.

First, you will need to decide on the amount of protection that seems

appropriate for your wealth and peace of mind. Limits offered will be multiples of a million dollars. Since umbrella policies add limits to your homeowners and auto policies, you will need to make sure these policies meet the underlying requirements of the umbrella policy.

While some policies just add limits to primary policies, a true umbrella will go beyond that. It also will fill some gaps in those policies. Below are a few potential exposures to which an umbrella could respond:

- You rent a car in Germany and are liable for damage you cause with it, as well as for damage to the rented car.
- You rent a large watercraft and are liable for damage you cause with it, as well as for damage to the rented watercraft.
- You are sued for libel, slander or invasion of privacy.

- You leave the water running in the bathtub at a house you rented while on vacation and there is significant damage from the overflow.
- You leave the door unlocked at a house you rented while on vacation and a thief takes valuable furnishings from the home.
- You have been sued for damages, such as shock, mental anguish, humiliation or discrimination.
- You need more protection for injuries to you or your family when caused by an uninsured or underinsured motorist.

Call our agency and let's examine your need for protection if a really bad accident occurs. The accident may be unforeseen, but your protection can be planned ahead of time.





## Why should I get flood insurance?

Flood insurance is one of those coverages that many homeowners aren't sure they will ever use. Therefore, they are less likely to purchase it. Many homeowners believe they aren't at risk of a flood. Others choose to save some money by not purchasing coverage. This could be a costly mistake for homeowners.

Why should you purchase this coverage? To begin with, you may have no choice. Flood insurance is mandatory for any home with a federally backed mortgage located in a "high-risk" flood zone. In addition, some lenders may require the coverage even if the home is a moderate or low-risk zone, and even though it is not federally mandated.

New flood maps are released periodically, including throughout 2016. These maps include updates from Federal Emergency Management Agency to the local flood zones. FEMA will shift the boundary lines of the flood zones based on new and more accurate information of floodplains. FEMA uses statistical analyses of records of river flow, storm tides, and rainfall, hydrologic and hydraulic analyses, topographic surveys, and information

obtained through consultation with the community to determine what, if any, changes to the maps need to be made.

With flood maps being constantly updated, the chances of updates to your area are pretty substantial. You should check your status on the flood maps annually. They can be found on FEMA's website at: <https://msc.fema.gov/portal>.

**"People outside of mapped high-risk flood areas file more than 20 percent of all National Flood Insurance Program flood insurance claims."**

If you aren't mandated to get flood insurance, you still should consider this coverage. Just because you aren't in a high-risk flood zone does not mean you will never experience a flood. In the fall of 2016, the east coast of the

United States was hit by Hurricane Matthew. As the flood waters rose, so did the number of affected homes that did not have flood insurance. Many of these homes were flooded not by sea water, but by rain and runoff that overwhelmed drainage systems in their communities. The damage in these homes is not covered by any provision in their homeowner's policy, since most policies exclude flood damage. Some homeowners may qualify for federal aid, which is minimal and barely covers a fraction of the loss.

Even though flood insurance isn't federally required, anyone is vulnerable to floods. According to FloodSmart.gov, people outside of mapped high-risk flood areas file more than 20 percent of all National Flood Insurance Program flood insurance claims and receive one-third of federal disaster assistance for flooding. If you have questions concerning your status in a flood zone or are considering flood insurance, give us a call today.



## Loss prevention for the winter months



Now is the time to prepare to ensure we have a safe winter. Here are a few things to keep in mind to help minimize loss during the colder months:

- Your fireplace hasn't been used in a year. Before you start your first fire, make sure it has been cleaned properly to avoid a potential fire.
- Before you allow the snow to build up on your roof, invest in a roof rake to stop the ice dams at the roof eaves before they form.
- It is always a good idea to have plenty of snow melt or other type of grit for the driveway or walkway to avoid slips and falls.
- As winter comes, so do the holidays. Avoid plugging in too many lights or fixtures into the same extension cord to avoid a potential fire.
- Lastly, many people like to light those candles that add a nice aroma to the house. If you are going to light candles, ensure they are away from curtains or anything that could possibly catch fire. Also make sure they are kept away from any inquisitive children.

A change of seasons should bring a change of mindset in how to prepare and have a safe season. If you have any questions about your coverage, give our agency a call. We'll be happy to help.

## News from our agency

Is your car covered if someone else is driving? The comprehensive and collision sections of your auto-insurance policy are attached to your car, not to you, so most insurance policies with comprehensive coverage will cover your vehicle if another person is driving it.

In addition, an auto-insurance policy's liability coverage also follows the vehicle. Therefore, if you loan your car to a friend who has his or her own auto-insurance policy, your policy will be responsible if that person causes an accident.

Before you hand over the keys, also pause to consider:

- Is the person a licensed driver in good standing with his or her own auto insurance policy?
- Is the driver a newly licensed individual in your household?
- Do any new drivers in your home need to be added to your policy before getting behind the wheel?

Before you offer to help a friend in need, give our agency a call. We can review your auto policy to make sure you have all the coverage you need to ensure you have the needed protection.

