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WE TAKE YOUR PERSONAL INJURY CASE PERSONALLY

FALL
2025

An Illuminating Article Trip and Falls Due to a Lack of Lighting

As it starts to get dark earlier, it is important that your home and property have proper outdoor lighting.

Under New York law, property owners have the duty to keep their property in a "reasonably safe condition in view of all the circumstances." Such circumstances include the likelihood of injury to others and the burden of avoiding the risk of injury to others. The duty to keep the premises safe extends, not only to people on one's property legally, but to trespassers as well. Such a duty, will often include the responsibility to keep the areas and walkways surrounding one's home sufficiently illuminated. Thus, if you tripped and fell due to a lack of lighting, you may be able to sue for damages.

Inadequate or non-existent lighting outside and around one's home can pose a serious hazard to those entering a property they are unfamiliar with. These hazards can be intensified as home and business entrances often contain steps or changes in elevation. Therefore, they can be tripping hazards on their own, when it is dark out. Further, with the increase in food delivery and online shopping, more people are approaching/entering homeowner's property during all hours, including nighttime. The influx in foot traffic makes it imperative that property owners sufficiently illuminate the entrance and exits to their premises. If the "circumstances" of injury involve a person the owner has attracted to their property, such as a delivery driver, the owner's legal duty might be considered even stronger by the Courts, as the presence of the delivery person is a foreseeable event.

Notably, this past month Zalman Schnurman & Miner P.C. obtained a settlement of \$250,000 for an Instacart delivery driver. The driver was approaching a house to deliver groceries ordered online by one of the home's residents. The incident occurred in the winter, when it gets dark earlier. The walkways and entrance to the home were not illuminated. The Instacart driver ended up tripping on a change in the walkway elevation, and suffered a broken foot. The homeowner was represented by her insurance company, with whom a settlement was negotiated.

If you are a homeowner, or tenant, you need to make sure the exterior of your home is adequately lit at all reasonable hours. You may want to consider motion sensor lights, or having the lighting come on automatically on a timer, to keep your property safe for visitors.



Marc Miner

Zachary Miner

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Trips, Slips, and Falls | Wrongful Death | Dog Bites | Traumatic Brain Injuries | Other Types of Accidents



Semi-Truck Tire Blowout Accidents: Who Is Liable?

Tire blowouts are a leading cause of truck accidents. A sudden blowout can cause the driver of a semi-truck to lose control or send the trailer swerving sideways, potentially causing a multi-vehicle crash.

Who is liable for these accidents? Here is everything you need to know.

Who Is Liable for A Semi-Truck Tire Blowout Accident?

Several different parties could be held liable for a semi-truck accident caused by a blown-out tire. These include:

- ▶ **The Truck Driver:** If a driver fails to inspect the tires properly or is aware of a defect they may be held liable.
- ▶ **Trucking Company:** The trucking company could be liable if it failed to maintain a truck, conduct regular tire inspections or pressured a driver to drive with unsafe tires.
- ▶ **Tire Manufacturer:** The manufacturer could be to blame if a design flaw or manufacturing defect caused the blowout.
- ▶ **Cargo Loader:** If the blowout was caused by the cargo being loaded improperly or the trailer being overloaded, the cargo loader may be liable for the accident.
- ▶ **Government Agencies:** Local government entities could be held responsible if poor road conditions, such as debris or potholes, caused the tire blowout.

If you were injured in a semi-truck accident, you could be entitled to compensation. Call our office to receive the help that you deserve.



E-Bike Regulations

Currently, Electronic bikes, also known as E-bikes, do not have to be insured or registered in the State of New York. However, specific municipalities, like towns or cities, can, and do, pass regulations regarding E-bike use. Further, New York State lawmakers are considering legislation that would require E-bikes be insured and registered. Notably, mopeds do not qualify as E-bikes and must be insured. With that in mind, this article will discuss the current E-bike legal outlook and possible future changes.

E-bikes are required to be operated in bike lanes if possible. However, E-bikes can be used on streets and highways with a speed limit of 30 miles per hour or less. E-bikes cannot be operated on the sidewalk, unless such is specifically allowed by the municipality one is in. E-bike operators must be at least 16 years old and can have passengers. E-bike laws vary depending on the municipality one is in. Municipalities can even ban the use of E-bikes or require operators to wear reflective clothing, among other things. As stated above, currently, E bikes do not have to be insured or registered in the State of New York. New York State E-bike law differs slightly depending on what kind of E-bike is being used. There are three different categories of E-bike.

1. "Bicycle with electrical assist." A bicycle with electric assist that has an electric motor that provides assistance only when the bicycle is pedaled, and stops providing assistance when the bicycle reaches a speed of twenty miles per hour.
2. "Class two bicycle with electric assist." A bicycle with electric assist that has an electric motor that can be used exclusively to propel a bicycle, and that is not capable of providing assistance when such bicycle reaches a speed of twenty miles per hour.
3. "Class three bicycle with electric assist." a bicycle with electric assist having an electric motor that may be used **exclusively** to propel such bicycle, and that is not capable of providing assistance when such bicycle reaches a speed of twenty-five miles per hour. This third section only applies to E-bikes within a city that has a population of one million or more.

E-bike operators are not legally required to wear helmets when using Class 1 or 2 E-bikes. However, E-bike operators are legally required to wear a helmet when using Class 3 E-bikes. Further, legal changes to E-bikes are on the horizon.

Currently, two major bills are being considered by New York State law makers in relation to E-bikes. "[Priscilla's Law](#)" is a proposed law in the New York State Senate that would require E-bikes to be registered and have license plates. [Senate Bill S2528](#) is a proposed law in the New York State Senate that would require E-bikes and electric scooters, operated in cities with a population of more than one million (i.e. NYC), to be insured. While insurance is not currently required, such does not mean you cannot get insurance for your E-bike. Due to an E-bikes' higher rate of speed, a collision involving an E-bike, can result in greater damages than a collision involving a regular bicycle. Insurance can help protect you and your assets if you are involved in an E-bike accident.

School Bus & School Zone Safety



Fall will be in full swing soon and school is back in session. Each day millions of students ride the school bus. A school bus has been deemed safer for a child than riding in a car. However, children can be at great risk when approaching or leaving the school bus. It is important for all drivers, as well as parents and the students, to be aware of their surroundings and to understand school bus safety.

Stop for the school bus

When you see a school bus slowing down or stopping, it's not just the bus that you need to have your eyes on – but the surrounding area too. Children wait at least several feet away from a bus and often cross the street when they're boarding or getting off the bus. This is why you must stop for school buses and not attempt to pass.

Illegal School Bus Passing

Illegal school bus passing poses a significant threat to children and others on the road. In every state it is illegal for you to pass a school bus while the stop-arm is extended and the red lights are flashing.

Bus Stop Safety

Remind children to stand back at least 10 feet from the place where the bus will stop and that it is not a place to run around and play. Make sure the bus comes to a complete stop before allowing your child to approach and that the door is open and the driver is ready for you to load or unload. If you are crossing the street in front of the bus, double-check your surroundings, make eye contact with the driver to be sure they know you are crossing and leave 5 giant steps in front of the school bus arm.

School Zone

School zones are designated safe spaces for children, parents and school personnel. Lower speed limits, crossing guards and warning signs aim to shield these vulnerable pedestrians. Despite these precautions accidents still happen in school zones and can lead to tragic outcomes. Speeding, distracted driving, failure to yield, illegal passing, a pedestrian crossing outside the school zone area and children running into the street are common causes of school zone accidents.

The consequences of bus and school zone injuries can be severe, especially given the vulnerability of children. Physical injuries, trauma, as well as legal and financial repercussions and the impact that the accident can have on the community can be life altering. If you or your child has been injured in a school bus or school zone accident, don't navigate the legal process alone. We are here to help. Contact our office today.

Fall Word Search

N	M	S	G	H	N	O	T	G	N	I	H	S	A	W
O	G	L	B	R	I	C	H	U	R	C	H	Y	O	Y
S	N	C	E	R	E	L	O	O	S	R	E	L	Q	G
K	I	E	K	U	O	E	L	A	Z	L	L	G	O	T
C	R	D	R	F	R	A	N	K	L	I	N	A	G	U
A	P	A	A	N	L	V	D	A	W	I	L	S	O	N
J	S	R	P	I	N	E	V	W	A	L	N	U	T	T
N	O	S	R	E	F	F	E	J	A	L	S	G	Y	S
D	A	O	R	L	I	A	R	I	P	Y	D	C	R	E
E	C	U	R	P	S	N	B	M	C	U	O	E	O	H
L	I	N	C	O	L	N	M	A	I	N	O	N	K	C
A	S	U	N	S	E	T	M	P	R	M	W	T	C	D
K	N	O	S	N	H	O	J	L	S	I	G	E	I	T
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BROADWAY
CEDAR
CENTER
CHERRY
CHESTNUT
CHURCH
DOGWOOD
ELM
FOREST
FRANKLIN
GREEN
HICKORY
HILL
JACKSON
JEFFERSON
JOHNSON
LAKE
LINCOLN

MAIN
MAPLE
MILL
OAK
PARK
PINE
RAILROAD
SPRING
SPRUCE
SUNSET
SYCAMORE
VALLEY
WALNUT
WASHINGTON
WILLOW
WILSON
WOODLAND

Compensation That Comes With Compassion

If you've been injured in an accident or by medical malpractice, you need money to help pay for your care and living expenses. Getting the compensation you deserve can be a complex and lengthy process. At Zalman Schnurman & Miner P.C., we offer the compassionate and skilled representation you need for litigation — and work tirelessly to ensure you receive rightful compensation.

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What **our clients** are saying:

In each newsletter we feature a five-star review one of our clients posted on social media. If you are a satisfied client and have not yet left us a review on Google, or another site, it's never too late. We would love to hear from you.

★★★★★ *Mr. Miner was consistently helpful and supportive throughout our case. He guided both me and my wife every step of the way, and promptly returned our calls whenever we reached out. After three other attorneys declined to take our case, Mr. Miner accepted it and successfully achieved the outcome we had hoped for. We highly recommend reaching out to Mr. Miner for a consultation. – Medhat M.*

**Our website has been updated.
Check it out at: 1800LAWLINE.COM**

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5-Star Reviews



Zalman Schnurman & Miner recently reached a milestone of 50 Google reviews with an overall 5-star rating (49 5-Star reviews, and 1 anonymous 3-Star review). This is in addition to other reviews left on sites such as Yelp, AVVO, Lawyers.com and LinkedIn. We appreciate each and every review we receive, as it provides important feedback and acknowledgment of the work we do. It is our goal that every client, and every person that comes in contact with our firm, receives 5-Star service and treatment. Anything less is not satisfactory.

Some recent comments by our clients have included: "Helpful and Supportive", "most professional and compassionate attorneys", "great empathy", "really helpful", "they made the entire process stress free", "was the only law firm that gave me answers", "every time we call, they were there for us!", "always there to promptly answer questions", "excellent guidance and made the claim process easy and comfortable".

The above are all qualities that we try to continually promote and achieve. We do our best to be helpful, supportive, and compassionate. We do this, by among other things, listening to our clients, always returning calls, and explaining the process in a professional manner.

In addition to the compassion we show to our clients, our clients appreciate the results we achieve, which are also reflected in our reviews with comments such as: "Achieved the outcome we had hoped for", "terrific negotiator", "winning record", "win win", "won our injury case", "fighting hard and making sure that I got every penny that was due me", and "the best part about it is we WON!"

We achieve winning results by working hard, doing early investigation, knowing the law, and working tirelessly.

We are looking forward to our next 50 5-Star reviews.