

YOU & the LAW



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Distracted driving factor in thousands of U.S. deaths

If you are like the majority of Americans, you know it's risky to talk on the cell phone and send or receive text messages while behind the wheel, and you believe both activities should be banned. Despite being aware of these risks, you likely have used a cell phone while driving.

As the nation's top highway safety official puts it: "Many drivers see distracted driving as risky when other drivers do it, but do not recognize their own driving deteriorates." David Strickland, administrator of the National Highway Traffic Safety Administration, made reducing distracted driving one of his organization's top priorities. Traffic safety officials have good reason for being concerned; crashes involving a distracted driver killed more than 3,300 people and injured 387,000 more in 2011. Across the nation, 10 percent of injury crashes in 2011 were reported as distracted-affected crashes.

A survey sponsored by NHTSA found that at any given daylight moment across America, about 660,000 drivers are using cell phones or manipulating electronic devices while driving. Another NHTSA survey found that 74 percent of drivers support bans on hand-held cell phone use while behind the wheel and 94 percent support bans on texting while driving. While cell phone use and texting are



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among the more recent activities that compete for drivers' attention, many other distractions have existed for decades. These include:

- Eating and drinking
- Talking to passengers
- Grooming
- Reading, including maps
- Using a navigation system
- Watching videos
- Adjusting a radio, CD player or MP3 player

Texting while driving is particularly alarming to highway safety professionals because it's an activity that requires a driver's visual, manual and cognitive attention. Sending or receiving a text takes a driver's eyes from the road for an average of 4.6 seconds, the equivalent — at 55 mph — of driving the length of an entire football field, blind.

Just about everyone is aware that young people are the most prolific users of text messaging. Texting while driving creates an especially risky situation when it involves teens because this age group usually has less experience behind the wheel. According to NHTSA studies, twice as many teens as adults admit to having extended multi-message text conversations while driving.

To help combat the distracted-driving problem, federal officials have initiated a multi-faceted campaign, which includes:

- ✓ encouraging more states to enact distracted-driving laws;
- ✓ challenging the auto industry to adopt new and future guidelines for technology to reduce the potential for distraction on devices built or brought into vehicles;
- ✓ educating novice drivers concerning distracted driving and its consequences; and
- ✓ providing individuals with actions they can take that go beyond personal responsibility to help end distracted driving nationwide.



Update important documents to avoid wrong person inheriting your assets

In today's society it's common for a person to own a variety of financial assets that will be passed down to designated heirs when the assets' owner dies. Complicating that procedure is the evolving structure of the American family that, in addition to the traditional spouse and children, can include ex-spouses, stepchildren, stepparents and a variety of other relatives.

Financial advisors recommend that you regularly update your documents to ensure that your assets go to the persons you intended to receive them when you die. Besides the assets included in a will, people often separately designate beneficiaries for life insurance, IRA and 401k retirement accounts, and college savings plans.

As a person's family situation changes, so can the beneficiaries he wants to name to receive his assets. People commonly forget to change those beneficiaries as their circumstances change.



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“Laughing heir” is a term sometimes used to describe someone who legally inherits property but had little personal connection to the deceased. Failing to keep your records current could result in some of your assets going to someone who was once close to you, but because of changed circumstances is no longer the

person you wish to be the beneficiary of your IRA or other valuable assets.

Some beneficiary changes are not complicated and can be made by the owner of the assets, but others could be more complex, requiring assistance from an attorney or financial planner.



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Common life changes that can impact a person's choice of beneficiaries include:

Marriage

A single person may have designated his or her parents as beneficiaries. Upon marriage, he or she may wish to change the beneficiaries to be his or her spouse and children.

Divorce

Failure to change named beneficiaries could result in an ex-spouse receiving some of a deceased person's assets.

Death

If a person's named beneficiary dies before the owner of the asset, then the owner should name a new beneficiary.

Where to find information on the Affordable Care Act

A great deal has been written and said about the Patient Protection and Affordable Care Act. Some portions of the law, which Congress passed and the president signed into law in 2010, are already in effect, but some of its other, more significant provisions will be phased in over the coming months.

Much of the debate concerning the Affordable Care Act has focused on how it will impact small businesses, and many of these companies are still searching for information on this issue. To meet the needs of businesses and consumers who are looking for information on the act, the U.S. Small Business Administration prepared several documents that are available on its website.

Here are some basic facts on the act from one of those documents:

The Affordable Care Act does not require all businesses to provide health insurance to their employees.

- ▶ Starting in 2015, businesses with 50 or more full-time or full-time-



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equivalent employees that do not provide coverage to their full-time employees may be subject to an Employer Shared Responsibility payment.

- ▶ Ninety-six percent of America's businesses are too small to be subject to this rule.

Beginning in January 2014, every state will have an affordable insurance Marketplace (commonly known as an Exchange) for self-employed individuals and small businesses.

- ▶ Seventeen states and the District of Columbia have opted to run

their own state-based Marketplaces.

- ▶ Seven states have chosen to partner with the U.S. Department of Health and Human Services (HHS) to run their Marketplaces.
- ▶ The remaining 26 states have opted to participate in a Federal Marketplace run by HHS.

When the Marketplaces open on January 1, 2014, employers in all states will have a range of insurance plans from which to choose.

- ▶ During 2014, in the non-state-based Marketplaces, employers will select a single plan to offer to their employees.
- ▶ In 2014 in states like California and in all other states starting in 2015, employers will be able to choose a variety of plans to offer to their employees.

Additional information regarding how the Affordable Care Act affects small business owners is available at sba.gov/healthcare.

ATMs are popular with consumers and thieves

Since their introduction in the United States in the 1960s, automated teller machines (ATMs) have become wildly popular conveniences for consumers who need to withdraw cash from their accounts regardless of the time or day. However, ATMs also present thieves with increased opportunities to rob people as they make these withdrawals.

ATMs were once located mainly at banks, but their popularity with consumers prompted businesses to install them in a variety of such other places as convenience stores, casinos, theaters and just about any other place where people might need cash.

The machines are available at both walk-in and drive-through locations.

The American Bankers Association and others offer these safety tips for ATM users:

- Be aware of your surroundings. Make sure the area is well lighted.
- Leave immediately if you spot anyone or anything suspicious.
- More ATM robberies occur after dark, so it's best to use an ATM during the day.
- Be ready when conducting a transaction; have your card in hand as you approach the ATM.
- Immediately place the withdrawn



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cash in your pocket or purse and leave the area.

- Watch for someone standing too close behind you at an ATM.



Are your Internet passwords safe?

What do the word “password” and the numbers “123456” have in common? Reports rank them as the first and second most common passwords people use for accessing online activities, ranging from transferring money between bank accounts to buying music for an MP3 player.

As cyber thieves, hackers and other scam artists focus more of their attention on bilking people through the Internet, creating strong passwords becomes ever more important. Estimates place the cost of crimes committed through the Internet to be in the billions of dollars. Sometimes a simple password is the main obstacle that stands between you and a cyber thief.

Google, among the world’s largest Internet services companies, warns users to create and use a unique password for each of their important accounts, such as email and online banking. Google likens using the same password for many accounts to using the same key to lock your vehicle, home

and office. Google also recommends creating long passwords that include numbers, mixed-case letters and symbols.

Microsoft, the giant computer software company, advises consumers to frequently change their passwords and set reminders to update passwords for such important services as banking, credit card websites and email accounts. Microsoft urges consumers to avoid passwords that use:

- ▶ Personal information that could be guessed or looked up, such as your birthday or your name;

- ▶ Sequences or repeated characters such as “123456” or “abcdef;”
- ▶ Words listed in a dictionary;
- ▶ Common letter-to-symbol conversions, such as changing “and” to “&”; and
- ▶ Words spelled backward.

So, how do you remember all of your passwords? If you find it necessary to keep a list, be sure to store it in a secure place. Avoid keeping the list in or near your computer.

Numerous services are available that help consumers safely store passwords. Other services let you know how “safe” a particular password may be. For example, Microsoft provides a free service on its website that allows you to enter a password and instantly find out whether it is “weak,” “medium” or “strong.”



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