

The Road To Justice Starts Here

February 2019



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REFERRALS

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drowsy driving

SOMETIMES FLIES UNDER THE RADAR

There is no shortage of causes for auto accidents, but one culprit that sometimes doesn't receive the spotlight it should is drowsy driving.

According to a National Sleep Foundation (NSF) poll, 60 percent of drivers admitted to having driven while drowsy; 37 percent said they had nodded off while driving. The actual numbers are likely higher. The Centers for Disease Control and Prevention also reports that roughly 6,000 fatal vehicular accidents each year can be attributed to drowsy driving.

The NSF states that driving after having been awake for 18 straight hours produces effects equivalent to someone with a .05 blood-alcohol concentration. After 24 hours, it equates to a

.10% BAC (legal intoxication is .08% in most instances). The results are slower reaction time, lack of awareness of one's surroundings, impaired judgment, and skewed decision making. It's a recipe for disaster.

Frequent yawning, no clear memory of the last few miles driven, and being snapped to attention by the rumble strip are clear signs of drowsy driving. The only antidote to drowsiness is sleep. If you're drowsy, don't get behind the wheel. If drowsiness creeps up on you as you drive, pull over at a safe place and take a 20-minute catnap.

For DUI cases, there are tests that can determine alcohol/drug impairment. Cell phone records can help prove distracted driving.

However, there isn't a clear-cut standard of measure to quantify drowsy driving, which makes these cases more complex.

If you or a loved one has been injured by a negligent driver, contact an auto accident attorney, who can help you attain rightful compensation. ■



three changes THAT COULD AFFECT YOU IN 2019

✓ Penalties Stiffen on “Peeping Tom” Drones

Starting on Jan. 10, 2019, anyone - other than law enforcement, utility workers, first responders and some government officials - caught using a drone to spy on someone in a private place will face increased criminal penalties.

This new law makes using an unmanned aircraft to intentionally or knowingly conduct surveillance of another person in a private place or to place another person in reasonable fear of bodily injury a summary offense that carries a fine of up to \$300.

Using a drone to deliver, provide, transmit or furnish contraband to someone in prison or a mental hospital becomes a second-degree felony punishable up to 10 years in prison and up to a \$25,000 fine.

✓ Turnpike Tolls Increase

Starting in January 2019, a trip on the Pennsylvania Turnpike will cost you 6 percent more regardless of whether you pay in cash or use E-ZPass.

The higher toll is necessary for the turnpike commission to meet its statutory obligation to make annual payments to PennDOT to fund non-turnpike highway and bridge projects and prop up public transit systems as well as to maintain the toll road itself.

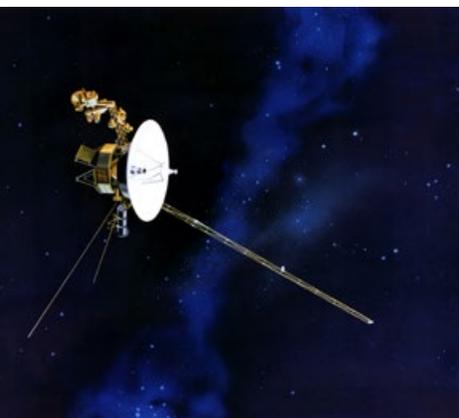
✓ PA Colleges to Post Hazing Violations

A provision in the Timothy J. Piazza Antihazing Law requires colleges and universities in Pennsylvania for the first time to issue and publicly post a report of all reported hazing violations for the past five years.

The report is required to identify the organization(s) involved, the date of the violation, a description of the violation, and the institution’s investigation of the violation.

The report is to be updated every six months and be kept publicly available on the internet.

The law was inspired by the advocacy efforts of Jim and Evelyn Piazza of Lebanon, New Jersey, whose son, Timothy, died on Feb. 4, 2017, a little more than 24 hours after he suffered fatal internal injuries in a series of drunken falls following his acceptance of a bid to join the Beta Theta Pi fraternity at Penn State University. ■



space . . . THE FINAL FRONTIER

For only the second time in human history, a man-made object has left the heliosphere, the protective bubble of particles and magnetic fields created by our sun. NASA announced in December 2018 that Voyager 2, a space probe launched in 1977, had exited the heliosphere and is now over 11 billion miles from Earth.

The mission of the Voyagers 1 and 2 spacecraft was to study Jupiter and Saturn. They had an estimated lifespan of five years. Their mission was then extended to investigate Uranus and Neptune. Over 40 years later, they are both still actively transmitting information back to Earth from interstellar space.

Although technically in interstellar space, they haven’t officially exited our solar system, since they are still within range of the sun’s gravitational pull. And they will be for quite some time—roughly 30,000 years. Information from Voyager 2 currently takes over 16 hours to reach Earth, even at the speed of light. For some context, light traveling from the sun takes eight minutes to reach Earth.

Voyager 2 was actually launched 16 days *prior* to Voyager 1. However, Voyager 2 was programmed to take a more circuitous route through the solar system. Though Voyager 1 was launched later, it would reach Jupiter first, hence the “1” designation.

Each Voyager carries a Golden Record, which consists of a phonograph record and a 12-inch gold-plated copper disk containing select sounds and images to portray the diversity of life and culture on Earth—a cosmic time capsule. If extraterrestrials are out there and stumble upon it, it’s a sneak peek at who we are (or were), minus the bad stuff. ■

tougher DUI laws NOW IN EFFECT



Tougher DUI laws took effect in the state of Pennsylvania on Sunday, December 23. The new laws are toughened in an attempt to combat driving under the influence, with stricter penalties and harsher fines.

The law, Act 153 of 2018, makes it a felony if a driver is charged with DUI for a third time and if their blood alcohol content level is 0.16 or higher. The charge will also be a felony if the driver is arrested for a fourth or subsequent time.

The new law also addresses the penalties for motorists charged with DUI who unintentionally cause the death of someone else. The mandatory minimum penalty for such an incident increases from three years to *five* years in prison if the offender has a prior DUI on their record. If the person has two or more DUIs on their record, the mandatory minimum penalty increases from three years to seven years in prison.

If a driver is a repeat offender and is found to be driving on a suspended or revoked license, the penalties increase to at least 90 days in prison and at least \$1,000 in fines. This is for a second offense. A third or subsequent offense brings prison time of at least six months and fines of at least \$2,500.

Before the new law took effect, Pennsylvania was just one of four states in the country to not categorize multiple DUIs as felonies. The law was signed on October 24 by Governor Tom Wolf.

In addition, drivers in Pennsylvania are not allowed to accompany any driver with a learner's permit when they are under the influence of drugs or alcohol of a degree that could lead to the endangerment of themselves or others around them.

There are more than 10,000 crashes involving alcohol statewide each year as well as 300 fatalities stemming from those crashes. There are more than 250,000 repeat offenders of DUI in the state and currently 140,000 drivers who have their licenses suspended because of DUI charges, according to reports.

Have you been charged with a DUI offense in Pennsylvania? A drunk driving conviction could result in a mandatory prison sentence, a permanent record, and the loss of your driver's license. The lawyers at Purchase, George & Murphey, P.C. represent motorists charged with drunk driving, breath test refusal, and related offenses throughout northwest Pennsylvania. If you or someone you know faces allegations of DUI, call (814) 833-7100. ■

lawyer admitted to federal court

Attorney Jennifer Herrmann was admitted in the United States District Court for the Western District of Pennsylvania upon the motion of our own Tim George. U.S. Magistrate Judge Richard A. Lanzillo administered the oath to Ms. Herrmann in a ceremony on December 28, 2018. Ms. Herrmann is an attorney at the law firm of Jasinski, P.C. in Newark, NJ, where she focuses on insurance, labor and employment litigation.

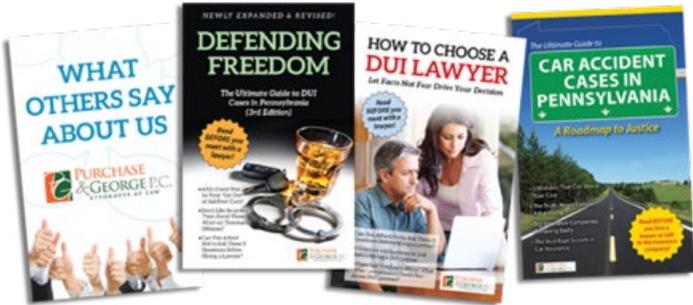
Ms. Herrmann graduated from Villanova University Law School in 2008 and is admitted to practice law in Pennsylvania, New Jersey, and Florida, as well as the United States District Court in New Jersey and the United States District Court for the Eastern District of Pennsylvania.

The Western District of Pennsylvania covers the 25 westernmost counties in the Commonwealth and is one of 94 district courts throughout the United States. Each state, including the District of Columbia, has at least one federal district court. ■





Free Books



This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

foodborne illnesses

CAN BE TOUGH TO STOMACH

The Centers for Disease Control and Prevention estimates that over 48 million Americans per year suffer the effects of foodborne illnesses, one example being the romaine lettuce *E. coli* outbreaks over the past year. Thankfully, most people recover within a day or two without need of medical attention, although enduring the symptoms is no picnic.

However, food poisoning can sometimes be severe and even life-threatening. *E. coli*, salmonella, listeria, and numerous other bacteria and viruses send over 125,000 people to the hospital annually; nearly 3,000 don't survive. Those who do eventually recover may face sky-high medical bills and substantial lost wages. If a restaurant, grocery store, farm, slaughterhouse, or factory is responsible, a claim can be brought against them.

A person filing a claim must establish that a specific food they ate was contaminated—sometimes a tricky venture. Symptoms of foodborne illnesses don't strike immediately. For instance, if you eat contaminated food for breakfast, symptoms might only become evident after you've already had lunch, which muddies the waters considerably. A health authority can confirm if a food is contaminated or not, but they'll need a sample. When others experience the same problem as you, from the same source, it simplifies things.

Next, you must show that the contaminated food is linked to your illness. Having a stool sample tested is the best way to do that. If the sample shows the same harmful microbes as those found in the contaminated food, it significantly bolsters your case.

If you suffer severe consequences from food poisoning, the sooner you contact a personal injury attorney, the better your chances of garnering fair compensation. ■

