

# Seufert Law Offices, PA

*We'll Get You Through It*

## From the Captain's Log Boat Ready Yet Dad?



So for some 40 years I've had one boat or another in Portsmouth, NH. And every year the ritual of needing to be put it away in the fall – the “decommissioning” occurs. This means pickling the engines and generator, removing the batteries, draining the water and holding tanks to prevent freezing, washing the exterior, pulling all fenders, line and outside assorted stuff inside, lowering the antennas, taking down the TV antenna, disconnecting the solar panels, removing all food and drinks, folding all sheets and blankets, and then covering with a heavy canvas to keep the snow and ice away. This process usually spans 2-3 days.

In the spring the opposite occurs, - the “commissioning”. This means removing the cover, installing the batteries, filling the water and fuel tanks, starting the engines and generator to warm and then change the oils and filters, removing, replacing, or rebuilding one or more faulty or failing pieces of electronic equipment or engine accessories like alternators, belts, raw water pumps, fresh water pumps, then washing, scuffing, and sanding the old bottom paint for new paint application, removing and replacing the zincs on the engine, hull, and shafts, washing and waxing the hull, and then tackling the list of endless miscellaneous repairs, such as fiberglass or gelcoat repairs, faulty wiring and switches, etc. This process usually spans 6-8 days.



During the boating season most of the boats at the marina have tons of kids hanging off the boats, walking the docks, laughing and screaming with pure delight. But during the fall and spring “decommissioning” and “commissioning” not a kid can be found at the boatyard, just the captains toiling away. But every year when the weather pops above 70 degrees, all the kids ask “Boat ready yet – Dad”? ●

### June 2022 News



# DWI and Driver's License Suspensions



Of course, if you are convicted of DWI, the Court will suspend your license. However, your license can be suspended before you have even been convicted of a DWI offense—and it only takes one offense: no multiple violations over a period of time or accruing points. If you refuse post arrest physical or blood alcohol tests, or take a blood alcohol test which shows a result over the legal limit, the State will seek to suspend your license. This process is called administrative license suspension or ALS. The police officer will seize your New Hampshire Driver's license, if you possess one, and issue you a temporary one with a future expiration date. Your license will be suspended on that date unless you request a hearing. *It's incumbent upon you to request this hearing* within the appropriate time frame. If you do not request such a hearing your license will be suspended.

The ALS hearing is limited to a few narrow issues, some of which are different from those at court. If the request by the State for an Administrative Loss of License is upheld at such a hearing, your driver's license will be suspended. (If you hold an out of state license, your operating privileges will be suspended). The length of the suspension will be six months for a first offense and two years if you have a prior refusal or DWI conviction.

DUI/DWI is a grave offense. The best antidote is to avoid any alcohol/drug impairment. Short of that, **never** get behind the wheel while intoxicated. Too many lives are at stake. ●

## Father's Day Took a While to Get Rolling



Mother's Day began to be widely celebrated in 1907 and became a national holiday in 1914. In Washington State in 1909, Sonora Smart Dodd decided she wanted to honor hardworking fathers across the state after listening to a Mother's Day church sermon.

Dodd's inspiration was her own dad, who raised six children by himself after his wife died during childbirth. Dodd whipped up support among church, government, and business leaders. By 1910, Father's Day was recognized statewide.

Originally, Dodd hoped the first celebration (in 1909) could be on June 5, her dad's birthday. Town officials ultimately needed more time to prepare, so the date was pushed back to the third Sunday in June — where it has remained ever since.

Father's Day didn't catch on immediately with dads. Many balked because the holiday was too sentimental (and involved flowers!); they thought underappreciated moms deserved their own day, not dads; and flowers and other gifts cost money, which often came out of dads' pockets.

In the 1920s and '30s, there was a push to combine Mother's Day and Father's Day into one holiday, Parents' Day. But businesses and marketing gurus fought to keep the days separate — twice the business, give or take. When World War II intervened in the 1940s, the nation was convinced that Father's Day was a way to show support for the troops. The holiday was slowly gaining traction.

Still, it took until 1972 for Father's Day to become a national holiday — 58 years after Mother's Day. Given what women deal with during pregnancy and childbirth, the trade-off seems more than fair. ●



# When Ride Injuries Overshadow the Thrills

June 2022 Notable Dates

**June 3**  
National  
Doughnut Day

**June 6**  
D-Day

**June 14**  
Flag Day

**June 19**  
Father's Day

**June 19**  
Juneteenth

**June 21**  
Summer solstice

**June 27**  
Sunglasses Day

Amusement parks are a prime destination for thrill seekers. Roller coasters, water rides, Ferris wheels, funhouses, drop towers ... they get the adrenaline flowing!

With more than 300 million U.S. park attendees per year, ride injuries are bound to happen. Per 2016 U.S. Consumer Product Safety Commission statistics, over 30,000 people visited ERs for conditions ranging from motion sickness to spinal-cord injuries.

Fatalities are rare, but they happen. A recent example (March 2022) is the 14-year-old boy who horrifyingly plummeted to his death at ICON Park in Florida while on a free-fall ride.

Some cases of injury and death occur due to rider misconduct. A ride passenger might stand up or unlatch bars or safety restraints. Another may ignore clear instructions or warnings that those with preexisting medical conditions (e.g., back/neck injury, cardiovascular condition) should not ride.

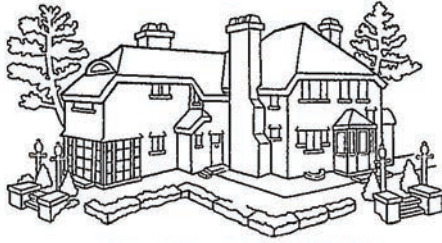
However, negligence on the part of amusement park owners, maintenance personnel, ride operators, or manufacturers/designers may be the cause of an injury or fatality. Ride accidents frequently involve the following:

- **Mechanical issues** — cables snapping, brake failure, restraint malfunction, ride getting stuck
- **Structural integrity** — corrosion, loose bolts
- **Operator error** — stopping rides too abruptly, failing to deploy safety nets, improperly restraining riders, insufficient training
- **Collisions** — with other riders, cars, or walls
- **Ride ejections** — falling out of cars, slides, swings, or inflatable devices
- **Lack of clear warning signage or instructions**
- **Design flaws and manufacturing defects**

Fixed-site amusement parks are regulated by state and local governments; regulations may vary from state to state. There is no federal oversight.

If you are injured on an amusement park ride due to negligence, contact our firm to achieve the compensation you deserve. •

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*Protect Your Family, Protect Your Rights*



Boat Ready  
Yet Dad?

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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.

## Factors Affecting Motorcycle Crash Case Settlements

Accurately predicting the value of a motorcycle crash claim can be difficult, but there are some core considerations that can shape a settlement offer.

Motorcyclists are sometimes behind the eight ball from the outset. Studies have shown that many people have an unfavorable view of motorcyclists, including jurors. Jury awards are generally lower for motorcyclists than passenger-car claimants, a fact that hasn't escaped the attention of insurance adjusters, who may low-ball settlement offers.

Obviously, the extent of damages and injuries influences the amount of a case settlement. Another key component is determining how likely it is that the defendant will be found liable. If liability is questionable the defendant may roll the dice in court. If they win, the plaintiff gets nothing. Therefore, a settlement offer will be lower. If the plaintiff's case is solid, a defendant might not risk going to trial, where, if the defendant loses, the plaintiff's award will be greater. This leverage will likely result in a higher settlement offer.

A plaintiff who was physically active prior to a crash—and whose “quality of life” has been curtailed by his/her permanent injuries—will generally have a higher case valuation than someone who was not as active. In addition, if a person's permanent disability does not affect their livelihood, their lost earnings award will be diminished.

If a defendant has few assets, the plaintiff will likely only receive the limits of the defendant's auto insurance policy—in a settlement or verdict. In some cases that will fall short of the total damages.

If you have been injured in a motorcycle crash you probably should consult an attorney experienced in these type of case. ●

