

\$19.95

# SURVIVING ROAD RAGE:

Survival Steps To Avoid Being A Victim



## Special Road Rage Report

- Take The Test: How do you measure up?
- 5 Tips to defeat road rage.
- Are you in danger?
- It could happen to you: A true member story.



LEGAL DEFENSE  
FOR  
SELF DEFENSE

## What is Road Rage?

Most drivers have been there: a fellow motorist is aggressively changing lanes, tailgating, and generally making the road unsafe for everyone else on the road. This behavior can also include speeding, stopping suddenly, honking the horn excessively, and flashing headlights at other vehicles. Hostile drivers can make an already stressful situation much worse.

“Road rage” is an American term that first began appearing in news stories in the late 1980s when a series of aggressive driving accidents and shootings occurred on highways near several major cities. Road rage is the criminal behavior that occurs when aggressive driving goes unchecked and begins affecting other motorists.

The National Highway Traffic Safety Administration (NHTSA) defines

road rage as the behavior that occurs when an aggressive driver “commits moving traffic offenses so as to endanger other persons or property.” NHTSA further states that road rage comes about through aggressive and angry behavior including: rude gestures, verbal insults, physical threats, and other dangerous driving methods, targeted toward other drivers to intimidate. This could lead to charges for assault with a motor vehicle or other dangerous weapon against a co-occupant or other vehicle.

In addition, road rage fatalities are also up nearly tenfold since 2004. Moreover, a recent NHTSA study found that between 2008 and 2016, approximately 1,500 people died in motor vehicle crashes. Each accident shared an alarming common denominator: road rage.

# TAKE THE TEST

## How Do You Measure Up?

Have you ever flashed your headlights or honked at a driver that was driving too slow?

Have you ever used obscene gestures or rolled your window down to scream at another driver?

Have you ever changed lanes rapidly to get around another car or traveled over the speed limit?

Have you ever sped up rapidly past a slow driver, cut over into the slow driver's lane, and hit your brakes to scare the slow driver?

If you answered "yes" to any of these questions, you may be prone to road rage.

**78%**  
of U.S. drivers  
surveyed (2,705)

Admit to having engaged in road rage over the last year.

Source: AAA Foundation for Traffic Safety 2014

## Could You Be Unintentionally Causing Others to Lash Out? Ask Yourself These Questions:

Do you accidentally drive with your high beams on at all times?

Do you text or scroll through social media while driving?

Do you change lanes suddenly without checking your blind spots?

Do you accidentally leave your turn signal on for miles at a time?

Do you put on makeup, fix your hair, or eat entire meals while driving?

If you answered "yes" to any of the above questions, you may be unintentionally provoking road rage in others.

## 5 TIPS: #1 – DO NOT ESCALATE THE CONFRONTATION

### **Anger and frustration could land you in prison or worse...**

Before you honk at or flip off a fellow motorist and cause that person to react, slow down and collect your thoughts. Snap decisions can have long-term consequences for you and your family.

In a survey conducted by the AAA Foundation for Traffic Safety, 9 out of 10 respondents said they believed that aggressive drivers were a “somewhat” or “very serious” threat to their personal safety. The study also revealed that nearly 8 million drivers have actually exited their vehicle or purposely bumped or rammed another car to confront or agitate another driver. The Foundation found that many drivers admitted to having let their anger and frustration get the best of them at least once in the past year, and engaging in destructive behaviors such as yelling, honking, gesturing at, or purposely tailgating another driver. These actions attributed to up to 56% of all fatal crashes.

### **WARNING SIGNS**

**Slow down and try to avoid a fellow motorist who is:**

- Driving aggressively
- Making threats
- Approaching your vehicle
- Holding a weapon

### **Reasons for Road Rage:**

**Other drivers may become dangerous because of:**

- Stress
- Heavy traffic
- Perceived poor driving



**The bottom line: DO NOT engage the other driver in any sort of way that could escalate the situation.**

## 5 TIPS: #2 – DO NOT RESPOND TO INSULTS OR THREATS

### Do not respond to verbal threats.

The AAA Foundation for Traffic Safety recommends giving perceived angry drivers room and space, avoiding eye contact, and calling the authorities if the situation escalates to a physical confrontation.

### DEALING WITH AN AGGRESSIVE DRIVER

- 1 Be courteous
- 2 Control your anger
- 3 Don't take traffic problems personally
- 4 Avoid making eye contact
- 5 Don't make obscene gestures
- 6 Don't tailgate
- 7 Use your horn sparingly
- 8 Don't block the passing lane
- 9 Don't block the right turn lane

66%  
of traffic  
deaths

Can be linked to  
aggressive driving.

Source: National Highway Traffic Safety Administration

If you are confronted by an angry driver, and the situation develops into a shouting match with the other person, you should control your actions before any threats are made. It is important to remember that the law does not allow you to use force to respond to mere words or threats, alone. Unless the other driver has the immediate ability to carry out the threat, the law does NOT justify the use of force or deadly force. Additionally, the law will not protect you if you provoke another person into a physical confrontation. However, if the angry driver exits the car and runs toward you with a weapon in his hand, and you respond with force, you would have a strong legal justification for your use of force. On the other hand, if you use force against verbal threats alone, you may not be able to claim self-defense, and could face serious criminal charges and possible incarceration.

## 5 TIPS: #3 – CALL 911 IF YOU FEEL UNSAFE

### Call 911.

Should the situation escalate to the point where you feel unsafe, get to a safe place and call 911.

When you find yourself in a situation that becomes heated and the other driver will not break away from the encounter, call 911, identify yourself, report you are the victim of a road rage incident, and tell the operator you feel threatened. You should give the 911 operator a description of the other driver, their vehicle, and their location. Tell them if the other driver displayed a weapon, but DO NOT describe your actions. Finally, hang up the phone and drive to a safe location.

We have seen many situations where one person believing the encounter is over, drives away, only to be stopped by law enforcement later down the road because the true road rager called 911 and made a false report that they were threatened with a gun. If at the time of the police stop, you have

**37%**  
of road rage  
linked traffic  
deaths

Were attributed to  
the use of firearms.

Source: National Highway Traffic Safety Administration

a gun in your vehicle and it turns up after a search by the officers, you will most likely be taking a ride downtown and facing criminal charges. The police officer reporting to the scene is operating under the assumption that a person was being threatened with a gun, and a gun was found in your vehicle.

Do not assume that the other driver or an independent witness will not call 911 to report the incident. This assumption can land you in hot water. Be the first to dial 911 and report the situation or you may regret it.

### PICTURE THIS:



It's rush hour and you're running late for work.



A driver suddenly cuts you off and slams their breaks. You honk your horn in warning.



The aggressive driver gets out of their car and starts yelling threats at you.

## 5 TIPS: #4 – DO NOT CONFRONT THE OTHER DRIVER

### Do not get out of your vehicle to confront the other driver.

A face-to-face confrontation with an angry motorist could lead to deadly consequences.



What should you do if the situation gets out of hand?

#### BONUS TIP

Don't respond to aggressive drivers with aggression.

If a road rager gets out of their vehicle and heads toward you, pull over to a safe place out of the way of traffic and call 911. If possible, head to the nearest police or fire station. If you cannot move away safely, remain in your vehicle. Do NOT engage the other driver outside of your vehicle.

As with any 911 call regarding a potential road rage incident, the police will be dispatched to the scene of the altercation. If on scene, police discover

a firearm (even if legally possessed) in the vehicle of either motorist, there is a high probability that the firearm owner will be arrested, even with little or no evidence of wrongdoing.

That being said, if you have a firearm with you in your vehicle, keep your cool. There are criminal complaints filed every day in this country based on incidents of people overreacting, calling 911, and conveying false allegations. Nonetheless, these allegations can only be disproven after a full police investigation. Reacting or showing frustration may prolong the process further.

## 5 TIPS: #5 – YOUR LAST RESORT: DEADLY FORCE

### **If all else fails, at what point is deadly force justified?**

If you are confronted with an inescapable situation with a road rager and you reasonably believe deadly force is immediately necessary to prevent them from attacking you with deadly force, your use of force will likely be justified.



**Knowing the law before you act can mean the difference between a jail cell and the comfort of your own home.**

Suppose you have done everything in your power to avoid a confrontation—you ignored the other driver and you drove away from the situation. Nevertheless, he follows you and forces you to stop. He exits his vehicle and approaches you, unarmed, while you remain within your car. Is deadly force justified in this scenario?

Probably not. It would be difficult to argue an imminent threat of serious bodily injury or death. Verbal threats alone without the present ability or means to carry them out are NOT

enough to justify using deadly force.

However, suppose the other driver had a weapon in his hand. This scenario would be a different story. Based upon his aggressive and threatening behavior toward you, you may be justified in using deadly force against the other driver, if you reasonably believe deadly force is immediately necessary to protect yourself against unlawful force. This may be especially true if the other driver attempts to unlawfully and forcibly enter your vehicle.



**“Words alone do not justify your use of force. Your use of force has to be reasonable, immediately necessary, and it also needs to be proportional to the amount of force that is being displayed against you.”**

**Emily Taylor**  
Independent Program Attorney

# ARE YOU IN DANGER?

## Keep in mind...

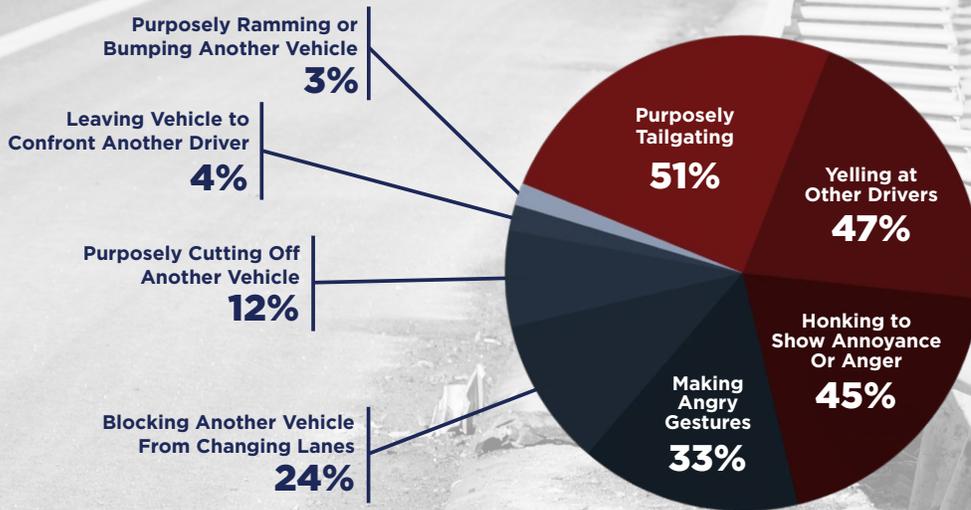
Every state has different laws. If you are travelling between states, familiarize yourself with each state's laws. When you are in another state, you are subject to that state's laws. If you accidentally break a firearms law, it could be very expensive.

The laws of the various states will differ in terms of how you should legally respond in these types of situations. Make certain you know and understand what is permitted in the state you are located. Don't just assume your actions will be automatically justified. Ultimately, it may come down to whether or not a judge or jury of your peers deems your actions to be reasonable under the circumstances.

If you ever find yourself in a situation where you have to use your weapon to defend yourself, make certain you have a plan in place to deal with the legal aftermath. A renowned Legal Defense for Self-Defense U.S. LawShield® membership gives you access to a 24/7/365 Attorney-Answered Emergency Hotline, providing you with immediate legal assistance and guidance at crucial times when you need it most.

Millions of drivers have weapons in their vehicles. The American Automobile Association (AAA) reports that more than 4,000 aggressive driving incidents involved weapons, including firearms and knives, in 2017.

## ROAD RAGE ON DISPLAY



Source: AAA Foundation's Traffic Safety Culture Index, 2014

A sample of 2,705 U.S. licensed drivers age 16 and older who reported driving at least once in the past 30 days (time of survey), are weighted to reflect the U.S. population. \* The sum of percentages is greater than total drivers as more than one factor may be present for the same driver.

# EDUCATION IS YOUR NUMBER ONE DEFENSE

## Know what you can do to avoid and survive road rage.

With this publication, you now have the tools to properly react to hot-headed motorists and the many challenges you can be confronted with.

### TOPICS LEARNED

#### **Do not escalate the confrontation**

Don't let another's actions get the best of you.

#### **Do not respond to insults or threats**

Unless the aggressor has the immediate ability to cause you harm, mere words will not justify deadly force.

#### **CALL 911 if you feel unsafe**

Only describe the driver, vehicle, location, and whether they have a weapon.

#### **Do not confront the other driver**

Stay within the safety of your vehicle. Your last resort is deadly force. Know the laws to prevent your arrest.

**“We receive many calls every week regarding bogus allegations of gun displays by our members in traffic. It’s important to remember to stay calm, leave the area, and call the U.S. LawShield hotline before making a statement to the police.”**

#### **Edwin Walker**

Independent Program Attorney

Come and join us for a live seminar so you can learn more about how to protect yourself and have all of your questions answered.

Receive real-life knowledge and guidance from law enforcement professionals trained to handle life-threatening situations. Then, learn from experienced Independent Program Attorneys as they explain how to navigate the legal aftermath of an incident.

### LESSONS LEARNED IN THE CLASSROOM



**EMPOWER YOU WITH THE SKILLS TO SURVIVE THE DRIVE**

## It Could Happen To You:

### A True U.S. LawShield Member Story

On October 5th, 2017, Joyce was traveling in her truck when she saw another car run a stop sign. To avoid an accident, Joyce was forced to slam on her brakes. Shaken and frustrated by the near collision, she changed lanes, pulled up next to the other car, rolled down her window, and yelled: "Did you not even see me?" In response, the other driver began shouting profanities at Joyce.

Thinking that the interaction was over, Joyce continued down the road, and the other driver tore in front of her, slammed on her brakes, and blocked Joyce's path. At this time, the irate driver exited her car and aggressively approached Joyce's vehicle. Joyce, not knowing whether the woman was going to attack her or her vehicle, removed her pistol (still in its holster) from her purse and placed it on her lap. With the woman quickly approaching, coming within 15-feet of her, Joyce quickly shifted her truck into reverse and began backing up. After Joyce created some distance between herself and the woman, she began traveling a short distance away. While waiting at a red-light, Joyce saw the same woman had followed her and was now taking a picture of her truck from behind. In response, Joyce placed her handgun back in her open purse sitting in the front passenger seat, exited her vehicle, took a photograph of the woman and her car, and immediately returned to her truck. Fearing that the woman would approach her again (this time from behind), Joyce drove away from the woman.

About a week later, Joyce received a phone call from a police detective. She told the detective exactly what happened to her that day on the road. During this conversation, the detective informed Joyce that the woman who was involved in the road rage incident claimed Joyce had fired her handgun at her. Joyce told the detective three times that she would submit her firearm for testing to prove she had not shot her weapon. Joyce also told the detective that she took a photograph of the woman who was chasing her, and she texted the photograph to the detective. The detective was polite and told her that he would speak to the judge and call her back in a few days. The detective never called Joyce back. Subsequently, a S.W.A.T. team raided her house on November 27, 2017 and placed her in custody for Aggravated Assault with a Deadly Weapon.

Joyce was eventually able to bond out of jail and received a court date with the grand jury months later. She was finally no-billed by the grand jury thanks to her lawful actions, her willingness to testify, and the work of the Independent Program Attorneys. Joyce's nightmare was finally over.

If you find yourself in Joyce's shoes, don't forget to call 911 when it is safe and report you were the victim of a crime. As this true story shows, even following the law can land you in jail for a felony.



**LEGAL DEFENSE  
FOR  
SELF DEFENSE**

FOR SELF-DEFENSE,  
**WE'VE GOT  
YOUR BACK**



## LEGAL DEFENSE FOR SELF-DEFENSE

If you must act in self-defense, you shouldn't have to worry about paying for an attorney.



## THE BEST COVERAGE AT THE BEST PRICE

\$10.95 a month. No tiers. No limits. Pay no attorneys' fees for covered events.



## 24/7/365 EMERGENCY HOTLINE

The only attorney-answered emergency hotline.

GET PROTECTED TODAY AT

**[USLawShield.com/RoadRage](https://USLawShield.com/RoadRage)**

© 2019 U.S. LawShield  
1020 Bay Area Blvd., Suite 220  
Houston, Texas 77058

The information provided in this publication is intended to provide general information to individuals and is not legal advice. The information included in this publication may not be quoted or referred to in any other publication without the prior written consent of U.S. & Texas LawShield, to be given or withheld at our discretion. The information is not a substitute for, and does not replace the advice or representation of, a licensed attorney. We strive to ensure the information included in this publication is accurate and current, however, no claim is made to the accuracy of the information and we are not responsible for any consequences that may result as a result from use of information in this publication. The use of this publication does not create an attorney-client relationship between U.S. & Texas LawShield, any independent program attorney, and any individual.

All legal services are provided by independent third party program attorneys. U.S. & Texas LawShield are not law firms but legal services companies or similar entities regulated under state law, which provide benefits and coverage for their members. U.S. LawShield is underwritten by Fortegra Companies in many states. Fortegra Companies are rated A- (Excellent) for financial strength and operating performance by A.M. Best. In these states, all of our products are underwritten by one of the following Fortegra companies, depending on the state: Lyndon Southern Insurance Company, Response Indemnity Company of California, Blue Ridge Indemnity Company and Insurance Company of the South. 100% of the insurance administration, technology, and customer service is provided here, in the USA, for U.S. & Texas LawShield.