



BY ROB REITER

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Protecting Outdoor DINERS

A new law in California creates insurance incentives for installation of safety barriers to protect outdoor diners and other pedestrians.

As outdoor dining and similar streetside venues became commonplace throughout the U.S. during the pandemic, so too did deaths and injuries from vehicles crashing into those diners and pedestrians. California Assemblymember Dr. Bill Quirk (D-20) saw the same trend in his state and introduced legislation that created incentives for installation of safety barriers in the context of outdoor dining and related activities on streets, sidewalk, and parking lots. Quirk's bill, AB1989, was approved by Gov. Gavin Newsom on August 26, 2022.

Quirk used data from the Storefront Safety Council as part of the documentation showing how risks at outdoor dining areas have increased as such venues have become more common. These tragedies happen all around the U.S. when property owners fail to protect outdoor diners and others from errant drivers. It just takes one crash to end a life — and put a restaurant or small retailer out of business.

COMMERCIAL PROPERTY INSURANCE DISCOUNTS

Quirk's bill essentially expands the ability of insurance companies writing policies in California to provide or offer a discount on a property owner's insurance when the property owner installs vehicle barriers to protect diners and others in an adjacent outdoor area covered under that property owner's commercial property insurance policy.

As it stands currently, outdoor diners, waitstaff, shoppers and others are vulnerable when there is no proper barrier between them and vehicles. This new law is meant to give prop-

erty owners in California a financial incentive, in the form of reduced commercial property insurance costs, for installing bollards or similar standards-based barriers to protect people.

In addition, vehicle-pedestrian incidents in parking lots and storefront crashes nationwide happen far more often than most people realize. Yet they are very predictable and usually preventable.

UPDATED NATIONAL NUMBERS VALIDATED BY LLOYD'S OF LONDON

According to Storefront Safety Council data, which was reviewed and validated by Lloyd's of London in April 2022:

- Storefront crashes occur more than 100 times per day in the U.S.
- Nearly half (46%) of all storefront crashes result in injury, and 8% result in a fatality.
- Each year in the U.S., as many as 16,000 people are injured and as many as 2,600 are killed in vehicle-into-building crashes.

ABOUT THE DATA

The stats are based on more than 10 years of data collection by the Council. Its national database of compiled storefront crashes numbers over 24,000 incidents, with additional confirming data on more than 15,000 other vehicle-into-building and related incidents.

The Storefront Safety Council's crash statistics are among the most complete ever assembled for accidents on private property. Because federal and state agencies do not regularly receive such data as part of any national reporting system, the Council's data collection of accidents involving commercial properties (such as parking lots, shopping centers, strip malls and many roadside locations) is unique and very useful to government officials, researchers, underwriters, risk managers and safety professionals. ■

Rob Reiter is a storefront safety expert who also co-founded the Storefront Safety Council, which is comprised of volunteers from a variety of backgrounds who are passionate about ending vehicle-into-building crashes. Founding members include experts in perimeter security, parking, personal injury law, risk management, architecture and related professions and industries. Reiter has worked with major mall and shopping center owners, numerous major airports and the Times Square Alliance for the protection of Times Square Plaza in New York City. For more information, visit www.storefrontsafety.org.



According to data verified by Lloyd's of London, crashes happen nationwide more frequently than once thought.