

Bicycle Accidents 101

by Daniel S. Foster

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As the summer is kicking into high gear I want to tell you about my summer romance that is really awesome. I have recently fallen in love with a new hobby, road biking. Several of my friends road bike and promised me that I would love the hobby and it would fit in perfectly with my running regimen. It was intimidating at first. I needed to learn how to clip into the pedals, how all the components of the bike worked, and most importantly I needed to appreciate that contrary to popular opinion cycling shorts are cool and make me look like a badass. Before I started riding, I thought riders looked ridiculous in their spandex shorts carrying bananas in the backs of their shirts. But I was wrong, these people actually look really cool and I can't believe I ever thought any other way. I recently rode in my first event and it was a sea of spandex, click-clacking bike shoes, and smiles as far as the eye could see.

Another thing I have also learned is that riding a road bike can be hazardous to your health. As I was told by my friend, "there are two kinds of riders, those who have crashed their bikes, and those that will crash their bikes." There are many reasons for wrecking: speed, weather, terrain and most concerning, cars! Cars have a tendency to hit riders by getting too close to them on the road or turning in front of bikes sending riders flying through the air. There are also drivers who stop at an intersection and don't look for bikes, they only look for cars. And we cannot forget about the drunk drivers or aggressive drivers who make cyclists feel like second-class citizens. It only takes a second to turn a cyclist's world upside down.

As a personal injury attorney I have had the privilege to represent many cyclists who have been injured by careless drivers. The primary injuries we see are dislocated shoulders, fractured clavicles and the ominous traumatic brain injuries. Of course I have represented several families who have lost loved ones when they were killed by drivers. It's horrible to think that something that is such an enjoyable activity can have such life-changing consequences.

As bike riding season is in full swing I have some good advice for those of you who like to ride ... be careful and look at your automobile insurance. Yes, that's right, I said look at your automobile insurance. Cyclists who are injured by a car can in many cases utilize their automobile medical payment provision to pay for medical bills in the event they are injured. The same goes for pedestrians, runners, or anyone who is injured by a negligent driver. Even if the other driver is at-fault you should always open a claim with your own automobile insurance for the medical payment coverage. In most cases this will not trigger any premium adjustment or deductible payment! In addition, cyclists, pedestrians and runners who are injured by drivers can often seek pain and suffering compensation through their own automobile insurance policy. If you are smart you will have purchased uninsured/underinsured motorist coverage to protect you and your family in the event you are injured by a driver who had no insurance or inadequate levels of insurance. You have heard me harp about uninsured/underinsured motorist coverage many times and I will continue to do it! It is critical for your family's well-being to maximize this coverage. Hopefully you will never need it, but for my clients that have been seriously injured in car versus car accidents, pedestrian versus car accidents, and bicycle versus car accidents, their own automobile insurance was their savior.

So you may ask "Danny, how does this work? I thought automobile insurance only covered automobile accidents?" Well I am glad you asked that question. Your automobile insurance will usually cover claims if you injure a cyclist or pedestrian, and in turn your own uninsured/ underinsured motorist coverage will cover your pain and suffering injuries as well as your medical expenses if you or a family member is injured while cycling. You can always call my office to discuss your injury claim or your auto insurance coverage!

So this summer while you are enjoying all the wonderful cycling opportunities afforded to us by this state make sure that you keep an eye out for aggressive drivers, or clueless drivers, because almost 100% of the time the cyclist will lose out when they collide with a car. And finally, if you happen to see me in all my cycling spandexed glory, try not to laugh, I have a very frag-ile ego.

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