



# BICYCLE ACCIDENT GUIDE

Navigating Your **Bicycle Injury Claim**

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Accidents that result in personal injury happen on a daily basis. Whether its on the road, in a public place or at work, when people are injured, knowing what to do next very important.

Due to the fact that all personal injury cases will vary and each state has it's own laws as to when and how you can pursue compensation, this guidebook is a great first step in understanding what to do next.

In this FREE guide, you will learn more about types of claims, do's and don'ts when you've been in an accident, the process of filing a claim, and much more.

If you have any additional questions or would like to set up your FREE consultation with a personal injury attorney, please feel free to contact us on (800) 863-5312 or visit the Zinda Law Group website at [www.zdfirm.com](http://www.zdfirm.com).

Sincerely,

*Jack Zinda*

Zinda Law Group Founder

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## Aggressive Drivers vs. Cyclists: Who Loses?

If you are one of those people who enjoys riding bikes, then you most likely have heard and even been involved in some pretty harrowing escapes. Riding a bicycle for fun is great exercise. There's nothing like it to clear your head and help you focus on other more serious tasks. But as all bike riders know, most motorists just don't watch out for bike riders.

Sometimes motorists are preoccupied and not watching what they're doing. This can be dangerous for those out walking or bicycling along a roadway. Other times, motorists can be just plain aggressive. Maybe they had a bad day or a fight with their wife. Whatever the motivation, those drivers who display aggressive behavior toward cyclists are endangering their lives. Once a cyclist has been hit or driven off the road into a ditch, their injuries can be quite severe.

That's when you need an experienced Texas bike injury lawyer on your side. Zinda Law Group PLLC has been helping Texans for years to seek damages against negligent parties. Though personal injury attorneys sometimes get a bad rap, the truth is that we fight to make sure the guilty party pays and victims seek adequate compensation for their injuries.

If you've been involved in any type of accident, then you know that the insurance company will try to get you to sign documents right away giving up your rights to compensation. They know that the best opportunity to get your signature on legal papers is directly after an accident when you're still stunned and in shock. That's why we encourage victims to seek legal counsel immediately.

## Bicycle Rules of the Road

Each year thousands of people are injured or killed in bicycle accidents. Much of the time, these accidents are the result of distracted drivers who aren't paying attention and simply don't see the cyclist. In order to ride safely on today's roads, it's important for riders to know the "Rules of the Road". Though each city and state has its own specific set of rules that govern bicycle riding, in Texas all bicyclists must operate under the Texas Motor Vehicle Laws while on public roadways.

In most states, bicycles riders moving about on public streets have the same rights and responsibilities as automobile drivers. They are required to follow the same rules and regulations as any other vehicle on the road. For instance, if a street is designated as "one way" then a bicycle rider must ride on this road in the same direction as all other traffic and is not allowed to go against the traffic flow. Below, are a few other rules and regulations for cyclists.

- Bicycle riders must yield to pedestrians in crosswalks.
- Cyclists must display proper illumination.
- Riders must observe all traffic signs, such as "stop" and "yield".
- If stopped by police, cyclists are not required to show a drivers license.

Many states offer free engraving on items like bicycles so that you can identify and claim your bike in case it is stolen.

Each year in Texas, over a hundred people are killed, and thousands more injured in bicycle collisions. The key to safe bicycle riding includes being visible at all times. It is also important to be predictable, communicating your intentions to motorists. Never just assume that they see you or know what you're going to do next. Drivers should take care when approaching bicycle riders. They must respect the right-of-way of bicyclists because they are entitled to share the road with motorists. Drivers should look carefully when turning onto a road where a cyclist is riding.

Below are four basic bicycling safety tips:

1. Ride with traffic.
2. Maintain control of your bicycle at all times.
3. Be visible, alert, and communicate your intentions to those around you.
4. Protect yourself from head injury by wearing a helmet.

## Common Causes of Bike Accidents

Every year, bicycle riders suffer an astounding number of severe injuries. Over a hundred fatalities each year occur when cyclists are involved in accidents with motor vehicles. The latest statistics show that these bicycle accidents are most often the fault of the automobile driver. Motorists simply don't watch out for bicycle riders.

As many bike riders know, automobile drivers rarely respect the rights of cyclists. This equates to serious accidents involving bicycles. There are various other reasons why accidents happen involving bicycles. Below, are several reasons for these occurrences.

- **Negligent manufacturers or retailers** of bicycles, bicycle parts, bicycle accessories and/or vehicles. Some accidents are caused by defective products.
- **Dangerous conditions on public property.** Accidents happened due to negligent design, maintenance, or upkeep of public property including construction, tree trimming, or other obstructions and obstacles.
- **Dangerous conditions on private property.** Some accidents can be caused by negligent or defective maintenance or upkeep on private property.
- **Negligent motorists.** this is the number one reason for accidents involving bicycles. Motorists make sharp turns in front of cyclists or follow them too close. They also drive them off the road or sideswipe them as they are traveling along the shoulder.

In order to avoid accidents, cyclists should always use hand signals. Whenever possible, use bicycle lanes while riding. Also, do not ride with more than the legal allowable number of riders on the bicycle. Proper turn lanes should be used when possible

### You Have Rights

There are laws in Texas to protect the rights of bicyclists, but most riders aren't aware that they are protected by special cyclist laws. The injuries that bicycle riders often receive are life-threatening. You may need serious ongoing therapy and medical treatment. You could miss out on weeks or months of work and need multiple surgeries in order to make a full recovery. Your bills will pile up fast.

### What to do Following a Bicycle Accident

Right after an accident, the injured are usually confused and in pain and may not be thinking right. But time is of the essence and it's so important to an attorney so that he or she can go to work on your behalf right away. Sometimes evidence can be lost and witnesses may forget what they saw.

## Does My Auto Insurance Cover Me in a Bicycle Collision?

The first thing someone wants to know when they've been involved in a motor vehicle accident while on their bike is whether or not their auto insurance will cover the damages. There may be hospital bills, lost wages and you will normally need a new bike. With bicycles these days costing upwards of a thousand dollars, this alone can be a huge concern.

Though every insurance policy differs somewhat, normally, your car insurance will cover a bike accident if the following criteria are met:

- This accident **must involve a motor vehicle**. It doesn't matter if you are on a bike, motorcycle, ATV, in a van or truck, as long as at least one of the vehicles in the accident is an automobile, your auto insurance should cover it.
- You must have **P.I.P coverage** on your auto policy. This is also sometimes referred to as "Med-Pay".

In Texas, the minimum P.I.P coverage is \$2500. If you enjoy riding your bike out on the streets a lot or if you ride a fairly expensive bicycle, then you might consider increasing your coverage. One accident between an auto and a bicycle might destroy the bike and leave its rider with huge medical bills.

If you or a family member has been injured while riding your bike then you may need a qualified Texas bike injury lawyer. Since injuries can be severe for bike riders, you could need ongoing therapy and you will want to recover any lost wages. Though your own auto policy may cover some of the expenses, if the automobile driver was at fault, his insurance should have to pay all expenses. Very often though, insurance companies stall or try to blame the bike rider for the accident.

## Facts About Bicycle Lawsuits

A bicycle injury lawsuit requires us to look at all conditions at the time of the accident. We investigate such things as:

- Auto liability insurance of the motorists involved
- Whether you were wearing a helmet while riding
- Conditions of the road
- The speed at which the other vehicle was traveling

## Safe Passing Laws

The state of Texas has struggled over the past ten years to pass "Safe Passing" laws for cyclists. The "Safe Passing" legislation has been up for legalization several times but has failed to be enacted into law. Some Texas cities are working on their own laws to protect vulnerable road users. This can include more than just cyclists. The last bill in Congress added any slow moving vehicles such as tractors. It also added equestrian riders, child skaters, runners and disabled persons. Though the bill failed, several cities are now passing legislation to protect this vulnerable group of road users.

### Laws are Made to Protect the Vulnerable

Ordinances that increase the safety of cyclists by regulating the conduct of motor vehicle operators define the "safe" distance for passing a cyclist as 3 feet for cars and 6 feet for trucks. It also stipulates that a motorist may not execute a right-hand turn in front of a cyclist without leaving a safe distance. Motorists are not allowed to throw objects at cyclists or other vulnerable road users.

A task force from various city Bicycle Associations has introduced the safe passing concept while working with city staff to enforce them. The local police department and the city legal department continually labor to craft enforceable policies and laws that protect cyclists and other vulnerable groups.

### Cyclists Must Take Extra Precautions!

In Texas and many other states, bicycle riders must take extra precautions in order to remain safe on Texas roads. Thousands of accidents involving bicycles occur each year injuring many riders. At times, the culprit may be dangerous road conditions. The City, County or State who maintains roads has a duty to maintain public property so that it's safe to use.

### Faulty Equipment Causes Accidents

Other accidents can occur from faulty bike manufacturers. A bicycle manufacturer may be at fault for creating a poorly executed design or design flaw. However, in most bike accidents, a negligent motorist is found to be at fault. Motorists simply do not watch out for cyclists on the road. They make sudden turns in front of them or drive too close to them. In cases like this, serious accidents can occur severely injuring the cyclist

### Texas Bicycle Accident Lawyer

Every year, thousands are injured in bicycle accidents all across America. Many of these accidents are very serious or even fatal for the bicycle rider and most involve motor vehicles. Statistics prove again and again that these accidents are usually the result of negligent drivers.

Every year there are over 50,000 people injured in bicycle accidents according to the NHTSA, in the United States alone. Most bike riders understand that when they're out on the roadways, it's their job to watch out for themselves and the traffic surrounding them.

# About Zinda Law Group, PLLC

## Representing All Types of Clients in Personal Injury Cases

The attorneys of Zinda Law Group, PLLC, represent injury victims in a wide range of personal injury cases. We know firsthand that the injuries suffered from an accident can be severe and life-altering for both the victim and their family.

## Experienced Accident Litigators

Our experienced and knowledgeable attorneys seek to determine if someone is responsible for your injuries. If so, that person or entity may owe you monetary damages, including compensatory or punitive damages.

Compensatory damages attempt to put an injured person back in the position they were in before being injured. They include lost wages, past and future medical expenses, and pain and suffering. In some cases, punitive damages are also awarded. Punitive damages are given to the injured person in order to penalize wrongdoers and deter others from repeating the offense.

## How Zinda Law Group Can Help

If you have been injured in an accident, the attorneys at Zinda Law Group can provide the exceptional representation you need to seek a full recovery after careful review of your claim. Our firm offers experienced, knowledgeable, and compassionate representation to injury accident victims across the United States.

Our dedicated attorney team will fight for your full recovery, including medical expenses, lost wages, pain and suffering, and more. We offer a free consultation to new clients and work on a contingency fee basis, which means if we don't win your case, you don't pay us anything. Call Zinda Law Group toll free at 800-863-5312 so we can start fighting for you!