

The higher cost of fuel has forced more Pennsylvania residents to use bicycles for daily travel. However, bicycle and pedestrian accidents are some of the most dangerous incidents on Pennsylvania roadways. Bicyclists and pedestrians often suffer a disproportionate amount of severe injuries and fatalities in accidents, unprotected by the safety devices cars drivers have.

There are some cases where legal fault is obvious; for example, when a driver runs a red light or rear-ends a bicyclist at a stop light. However, when cases are not so clear-cut, both parties will usually contend that the other is at fault. A 2012 Pennsylvania law looks to clarify the rules of the road for bicyclists and motor vehicles — generally encouraging safety and respect between vehicle drivers and bicyclists. Bike riders are required to use all reasonable efforts not to disturb road traffic flow. The law also requires enough driving distance between a bicyclist and a driver, and requires left-turning drivers to yield to bicycles.

While not conclusive, a police report at the accident scene often helps determine fault. If the other driver's insurance company denies fault, filing a lawsuit with the help of an experienced accident attorney will provide your only avenue to recovering compensation.

To further protect bicyclists, Pennsylvania's highest court ruled in 2012 that bicycle accident victims can recover under the full tort protection, even if the victim selected limited tort protection on their insurance policy.

Unlike the more expensive full tort protection, limited tort coverage restricts non-economic damages to those relating to death, serious injury or disfigurement—limited tort coverage may not provide reimbursement for less serious injuries. Assuming that someone else is at fault for your accident, and you are injured as a pedestrian or bicyclist, you are not bound by limited tort protection.

Selecting the right personal injury lawyer may be crucial to the outcome of your case. Call Rosenn Jenkins and Greenwald LLP today.