



## Keep the Dirty Side Down

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1-888-NYLAW12

Motorcycle accidents occur all the time. Indeed some of the worst injuries from motor vehicle accidents involve motorcycles. Unfortunately the public perception is that

motorcycle drivers are dangerous and fail to follow the rules of the road. In fact the opposite is true..... Some of the safest drivers on the road today are motorcycle operators. Sure there are bikers who do not follow safety precautions but the vast majority not only follow the rules of the road but also take continuing road safety classes and programs.

When an accident occurs as in most states, New York has certain statutes which must be followed in order to bring a claim for personal injuries. As an example the most important law involving motor vehicle accidents in New York is called the “No Fault Threshold Law”. In short this means that if you are injured by a motor vehicle you must have a serious injury in order to bring a lawsuit for pain and suffering. This has been an increasingly difficult hurdle to meet for many accident victims.

### **THIS RULES DOES NOT APPLY TO MOTORCYCLE ACCIDENT VICTIMS**

So, you must ask what does this mean for me the motorcycle accident victim:

- 1) Motorcycle operators and their passengers do not have to meet minimum injury requirements to sue. Even a single neck sprain can be brought into Court.
- 2) Most experienced lawyers are more inclined to handle your case since there are no minimum injury requirements.

Of course for every benefit that is given to an accident victim – you guessed it- one is taken away. For all victims of car accidents we have in the State of New York No Fault Insurance. This means that regardless of fault all hospital and medical bills are

paid for you. In addition loss of income from employment is reimbursed as well as doctors, nursing and household help benefits are covered (partially).

**THIS BENEFIT DOES NOT APPLY TO MOTORCYCLE ACCIDENT VICTIMS**

What effect does this have on you?

- 1) You must use your own private health insurance to cover all your expenses associated with your injuries.
- 2) If you do not have private health insurance then your case maybe more challenging. You may not be able to receive the care that you need in order to properly document your injuries.

**YOU MUST TALK TO YOUR LAWYER ABOUT THESE CIRCUMSTANCES.**

**11 QUESTIONS TO ASK THE INSURANCE COMPANY WHO WANTS YOU TO**

**“JUST SIGN A FEW FORMS AND GIVE US A STATEMENT.”**

1. Will you put in writing that the accident was not my fault?
2. Will you tell me how much insurance the person hit me has?
3. If I give you a recorded statement, will you give me a copy of the recorded statement that you already got from the person who caused the accident?
4. If I sign this medical release, will you immediately forward to me a copy of everything you get using my release?
5. Will you tell me how much money you have set aside in “reserve” to pay my claim?

6. Will you give me copies of the recorded statements that you have taken from any witnesses?
7. Will you tell me now whether there is any “umbrella” insurance coverage available to cover my claim?
8. Will you tell me whether you have already done video surveillance of me or intend to do so in the future
9. Will you give me a copy of any “index” information that you have already gotten from your computer system looking up any prior claims I may have?
10. Will you give me a copy of any financial information that you may have already obtained on me?
11. Will you tell me which of my neighbors you have already interviewed?

Good luck! Our experience is that the information sharing with insurance companies is a “one-way street.” You give to them and they don’t give to you!

If you or a family member has been injured in a motorcycle accident, please contact Goldstein & Bashner.

## **OFFICE LOCATIONS**

### **Nassau County Office**

1778 Hempstead Turnpike  
East Meadow, NY 11554  
Phone: (516) 595-0692  
Fax: (516) 222-0034

### **Suffolk County Office**

320 Carleton Avenue  
Central Islip, NY 11722

Phone: (631) 851-2063  
Fax: (516) 222-0034

**Bohemia Office**

606 Johnson Avenue Suite 30  
Bohemia, NY 11716  
Phone: (631) 851-2063  
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