Motorcycle Accident Claim Process

Navigating your rights after a motorcycle accident in Florence, CO.

Based on Florence Motorcycle Accident Lawyer by McCormick and Murphy

Step 1: Understand Helmet Laws

In Colorado, helmets are only mandatory for riders under 18. Adult helmet use is optional.

- Not wearing a helmet does not automatically negate the other driver's liability.
- Insurance companies may argue helmet use could have reduced damages, but they must prove it.



Step 2: Assess Accident Liability

The other driver's actions are the primary cause of the accident, regardless of your helmet use.

- Focus on proving the other party's negligence.
- Your helmet use is irrelevant if your injuries are not head-related.



Step 3: Address Insurance Company Arguments

Be prepared for insurance companies to potentially reduce your claim based on your helmet use, especially if head injuries are involved.

- The defense must demonstrate that a helmet would have measurably reduced your injuries.
- Do not accept their arguments at face value.



Step 4: Evaluate Your Claim

Even if you were not wearing a helmet, you may still have a valid claim.

- The success of an insurance company's argument depends on the specifics of your injuries and the evidence.
- Do not assume your case is weak due to helmet use.



Step 5: Consult an Attorney

Contact a lawyer to have your motorcycle accident claim evaluated.

- An experienced attorney can assess the evidence and advise on the best course of action.
- Legal representation can help counter insurance company tactics.

Resources & Further Reading

Related guides for this process:

- Motorcycle Accident Checklist

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- Motorcycle Accident Action Sheet

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Your helmet use doesn't prevent a valid claim; seek legal advice to protect your rights.