

Watch Out For Motorcycles

Motorcycle Insurance: Basic Definitions of Coverage & Florida Law (Over 21 & No Helmet, Minimum Insurance Required)

This general discussion below will highlight the most common types of insurance coverages(s) available, including the basic definition of each type of coverage and the current Florida law requiring minimum insurance coverage for those persons over the age of 21 and not wearing a helmet. Otherwise, Florida law does not require a motorcyclist to carry insurance coverage and you may wish to revisit your insurance policy for your own protection to make sure you have the following coverages:

Bodily Injury Liability Coverage:

When you are at fault or partially at fault, this coverage pays those sums of money to another person when "you" are legally obligated to pay as damages for any "bodily injury" from the use of your motorcycle.

Property Damage Liability:

When you are at fault or partially at fault, this coverage pays those sums of money to another person when "you" are legally obligated to pay as damages for any "property damage", from the use of your motorcycle.

Passenger Liability:

When you are at fault or partially at fault, this coverage pays those sums of money to any passenger "you" are legally obligated to pay as damages for any bodily injury by the accident, from the use of your motorcycle.

Uninsured/Underinsured Motorist:

Valuable insurance coverage protecting you and your family when you are hit by driver or a vehicle either underinsured or not insured at all. For an example, let's say someone hits you from behind or turns left in front of you, you suffer damages, and you find out later they had either no insurance or inadequate insurance coverage to make you whole again. To the extent you are legally entitled to recover damages against such a driver (or the owner of the vehicle), you can make the claim for damages to your own

insurance carrier to the extent of your damages, subject to the limits of such coverage. Alternatively, if the bad driver or owner of the vehicle had insufficient insurance coverage (low limits), then you may recover the difference, if any, between the low limits and the damages sustained, again subject to the limits of coverage.

This coverage is so important that Florida law requires that every motor vehicle policy having Bodily Injury Liability coverage also contain uninsured and underinsured motorist coverage, unless the named insured makes a written rejection of coverage on behalf of all insureds under the policy. Any rejection or selection of lower limits shall be signed on a form approved by the state and the heading of the form must be in bold type print stating: "You are electing not to purchase certain valuable coverage which protects you and your family or you are purchasing uninsured motorist limits less than your bodily injury liability limits when you signed this form" For additional information, see Section 627.727, Florida Statutes and the terms of your insurance agreement.

Medical Payments Coverage:

Pays benefits for your own medical bills arising from the accident, subject to the limits of coverage. If you are over 21 and not wearing a helmet, in Florida, you must carry at least \$10,000.00 coverage. See, Section 316.211 Florida Statutes quoted below.

Collision Coverage:

Pays for direct and accidental loss to any insured motorcycle and its original factory equipment caused by a collision, regardless of fault. Thus, if your motorcycle is damaged by an accident, regardless of fault, you can submit the claim to your own insurance, subject to a deductible, if any.

Comprehensive Coverage:

Pays for direct or accidental loss to any insured motorcycle, not caused by collision, for such things as: fire, falling objects, accident breakage of glass, loss or damage from vandalism or malicious mischief, theft or larceny, lightning, explosion, earthquake, windstorm, hail, water, flood, or contact with a bird or animal.

Rental Coverage:

Pays for a rental car as your vehicle is either being repaired or appraised as a total loss for the period until your vehicle is returned or the reasonable period to obtain a replacement vehicle for the vehicle totaled by the collision.

Roadside Assistance:

Depending on the way your insurance agreement is written, this coverage may provide such benefits as: Emergency Road Service; 24 hour Emergency Towing Service; Road Map Service; Locksmith Service; and Emergency Trip Interruption Reimbursement.

Florida Statutes provide:

A person may not operate or ride a motorcycle unless the person is properly wearing protective headgear securely fastened upon his or her head which complies with Federal Motorcycle Vehicle Safety Standard 218 promulgated by the United States Department of Transportation ... Section 316.211(1) Florida Statutes.

[A] person over 21 years of age may operate or ride upon a motorcycle without wearing protective headgear securely fastened upon his head or her head if such person is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while operating or riding a motorcycle. Section 316.211(3)(b), Florida Statutes.

A violation of this section is a non-criminal traffic infraction, punishable as a non-moving violation ... Section 316.211(7).

Generally Speaking:

Overall, insurance coverages vary from company to company or policy to policy. Thus, you should carefully read your own insurance agreement and the related declarations page showing those coverages you have purchased, to knowing the protections you have in case you are unfortunately involved in an accident, so there are no surprises after any accident.

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