



HOUSTON
MOTORCYCLE
ACCIDENT
GUIDE

ATTORNEY HECTOR LONGORIA



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When you crash while riding a motorcycle, you can be seriously hurt. Without the protection of a metal frame around you, these injuries can be debilitating. If you are suffering from life-altering injuries, you may be feeling angry and worried about how you are going to manage things financially. It can be a difficult time. Getting treatment is your top priority, but if you are unable to work, these medical bills can be a huge stressor.

Here at Longoria Law, we provide strong and dedicated legal representation for people injured in motorcycle accidents. We are familiar with the uniqueness of these cases and know how to manage the stigma surrounding motorcycle crashes. Houston motorcycle accident lawyer Hector Longoria has the experience needed to fight to get you the compensation you deserve.

MOTORCYCLE ACCIDENT STATISTICS

Texas is a wonderful state for enjoying the open road on a motorcycle. But it's also a dangerous place to ride. In 2016, **there were almost 10,000 motorcycle accidents resulting in just under 500 motorcycle fatalities in the great state of Texas.**

Motorcycle riders are at particular risk due to the lack of protection compared to those riding in a car or truck. Additionally, motorcycles are much smaller in size and therefore are easier for other drivers to miss. Consider how a typical motorcycle weighs less than 800 pounds, with most passenger cars weighing five times that. The laws of physics make it clear: when there is a collision between a motorcycle and car or truck, the motorcycle almost always loses. The consequences of this can be devastating for a motorcycle rider. Even a "minor" accident that should result in a fender bender between two cars with no injuries can result in permanent injuries like paralysis or even death for a motorcyclist.

RECOVERING FROM THE ACCIDENT

If you ride a motorcycle in Houston or another part of Texas, this underscores the importance of staying safe on the road. But no matter how safe of a motorcycle rider you are, a motorcycle accident is still possible. Should you find yourself involved in one, you're likely to have a lengthy medical recovery. This is bad enough by itself, but you'll also have to deal with piling up medical bills and probably have to miss work until you're healthy enough to leave the hospital. There's nothing like financial pain and stress to worsen your physical injuries. And to make things even more difficult for you, you're likely to deal with an insurance company that's less than eager to fully compensate you for your injuries and property damage.

If you find yourself in a motorcycle accident, there's a good chance you'll need the legal services of a Houston motorcycle accident lawyer.

COMMON MOTORCYCLE ACCIDENT CAUSES

Motorcycles have the advantage of increased mobility compared to passenger cars and trucks. But this also makes it easier for motorcycle riders to drive in a manner that puts them at increased risk of an accident. For example, it's easier for a motorcycle to weave in and out of traffic. Other common motorcycle accident causes include:

- » Head on collisions.
- » Cars or trucks making left-hand turns.
- » Lane splitting by the motorcycle.
- » Speeding.
- » Collisions with fixed objects.

- » Road hazards, like dead animals, sticks, loose stone, breaks in pavement, uneven pavement and slippery road surfaces.

MOTORCYCLE SAFETY TIPS

Hector Longoria is a skilled and experienced Houston motorcycle accident lawyer and can help you get the legal compensation you're entitled to should you get into an accident. But the best scenario for Texas motorcyclists is to avoid the motorcycle accident in the first place. You can reduce your risk by following the below safety tips:

- » Always wear a helmet and other safety equipment, such as a jacket, gloves and protective pants.
- » Take a motorcycle safety course.
- » Always ride defensively and never assume another driver can see you.
- » Ride with your headlight on.
- » Ride in the left or right part of your lane. The center of a lane is more likely to have debris or liquids.
- » Do not speed.
- » Keep a safe distance between you and other vehicles.
- » Make sure your motorcycle is in safe operating condition.
- » Try to avoid being on the road during inclement weather.
- » Only ride a bike you can properly handle.
- » Make sure your bike has anti-lock brakes.
- » Always be on the lookout for road hazards.

DO I NEED TO WEAR A HELMET TO RECOVER DAMAGES IN A MOTORCYCLE ACCIDENT?

Not necessarily. Under Texas law, all riders who are less than 21 years of age must wear a helmet. Those who are 21 years of age and older may ride without a helmet, but only if they have either completed a motorcycle safety course or can provide proof of health insurance that will cover injuries sustained in a motorcycle accident.

That being said, whether or not you are wearing a helmet only becomes a factor if you suffer injuries that could have been avoided or reduced if you wore a helmet. If you were legally required to wear a helmet, but did not, then suffer head injuries, it will be very difficult to recover for your head injuries. But you should still be able to recover for other injuries and damages that weren't related to whether or not you wore a helmet.

If you were not legally required to wear a helmet, chose not to wear one, then suffered head injuries in a motorcycle accident, you can still recover for your head injuries, but you'll need to show that you would have still suffered head injuries even if you had worn your helmet. But assuming you can do this, any recovery you obtain for your head injuries is still likely to be lower than if you had been wearing a helmet.



ADDITIONAL CHALLENGES FACING MOTORCYCLISTS

Another issue injured motorcyclists face is the prejudice against them. In a jury trial, it's more likely that a juror will have a personal bias against motorcycle rider than the average car or truck

driver. This can be due to the fact that some people distrust or are wary of motorcycle riders. Even without this fear or bias, because riding a motorcycle is viewed as a high-risk choice, a juror is inclined to have less sympathy for someone injured in a motorcycle accident. The juror's thought process may be that all of a motorcyclist's injuries could have been avoided if they simply drove a regular car. It's unfair, but it's something that exists and must be dealt with in a jury trial.

FREQUENTLY ASKED MOTORCYCLE ACCIDENT QUESTIONS

Why Should I Hire a Motorcycle Accident Attorney?

People involved in motorcycle crashes need to have an attorney represent them. The insurance companies and the defendants are not going to be looking out for their best interest. They need to have an experienced motorcycle accident attorney who's going to help them make sure that they get compensated for all the injuries that they suffered.

Do I Have a Motorcycle Passenger Injury Claim?

There are some clients that are a passenger on a motorcycle who, when injured, will have a claim too. They would have a motorcycle passenger injury claim against the person who's actually driving the motorcycle and against any other motorist who may have caused or contributed to that crash. Passengers also need to protect their rights and hire lawyers to protect them for their injuries.



Am I Entitled to Motorcycle Accident Compensation?

When a client is looking for motorcycle accident compensation, it is important that they know what they are entitled to. This would include medical expenses, pain and suffering, mental anguish, physical impairment, and lost wages – past and in the future. It's important that you meet with a lawyer, so they can understand the full range of damages you're seeking and make sure that they get sought.

What Are Common Motorcycle Accident Injuries?

There's already a negative stigma with driving a motorcycle on roadway, so you're going to need a lawyer who's going to help you on making that claim and making that case. This can make all the difference in the world to make sure you get fair and just compensation for the damage and injuries caused by a negligent driver.



Is There a Difference Between Motorcycle and Car Accidents?

A big difference that we see in the jury with motorcycle accidents is that they tend to blame the vehicle for the crash. Motorcycles are construed as dangerous. It's important that in advocating on behalf of the injured client who was on a motorcycle, to make sure we get evidence and that it's going to help them in their case. We need to make sure, also, that we identify the evidence that shows that our motorcyclist was not at fault for violating any driving safety rules that caused this crash.

Should I Be Speaking to the Insurance Company Following a Motorcycle Accident?

One of my biggest fears when I talk to any client is that they have already been speaking to the insurance company following a motorcycle accident. I always advise my clients not to speak to the insurance companies if they haven't already. They are professionals whose job is to try and get information against you and on behalf of their defendant negligent driver. Therefore, you need to have that same professional on your side to help you with the insurance company. Don't talk to them and go get yourself a lawyer.

Do I Have a Claim for a Motorcycle Forced Off the Road?

It's quite often that you see a vehicle running other vehicle off the road, and it's worse when it's a motorcycle forced off road because the damages can be much greater.

It's important that you bring that claim forward because the negligent driver was violating driving safety rules and caused your motorcycle to go off the road resulting in injuries. You have a claim for those damages and should seek legal counsel.

WHY CHOOSE LONGORIA LAW FIRM?

Free Initial Consultation

When you're injured in an accident, you often feel the financial impact immediately. Choosing the right attorney shouldn't add to that distress. We offer free consultations for all clients so you can get the answers you need without worrying about taking on another financial burden.

No Recovery, No Fee

At the Longoria Law Firm, we handle all personal injury cases on a contingency basis. This means that it will not cost you any money up front to retain us and have us represent you. Furthermore, you don't pay any fees unless we recover money for you.

Over \$200 Million Recovered

With over 20 years of experience, Houston injury lawyer Hector Longoria has obtained Court judgments and settlements for his clients in excess of \$200 million. Don't put your future in the hands of an amateur. Contact us today and let our experience work for you.



ABOUT THE AUTHOR:

Attorney Hector Garcia Longoria was born in Galveston Texas, the youngest of five sons, to Matias and Edelmira Longoria. His mother was a school teacher in Cerralvo, Mexico and his father a police officer in Monterrey, Mexico. Shortly after marrying in 1951, his parents made the decision to come to the United States to build a better life

for their family. In the United States, Hector's parents worked on farms in California and Florida before moving to Galveston, where Hector's father worked as a longshoreman.

Hector's parents were determined to see their children succeed; taught him the value of hard work; and the importance of family and respect. Hector graduated from Galveston Ball High School in 1987. Hector then attended Texas A&M University on a scholarship. In May 1992, Hector graduated from Texas A&M University with a Bachelor of Arts degree in Economics and minors in History and Finance.

With guidance from his parents, Hector then attended law school at the University of Texas beginning in August 1992. During the summer semester in 1993, Hector attended the University of Houston-Mexican Legal Studies in Mexico City, Mexico. In Mexico City, Hector had an opportunity to work as a law clerk for Rich Heather y Mueller S.C. During law school, Hector was also on the Board of Advocates, a member of the National Latino Moot Court Team, a finalist in the Vial Hamilton Endowed Mock Trial, a quarterfinalist in the Susman Godfrey Endowed Moot Court and operations manager for the Hispanic Law Journal. In May 1995, Hector graduated with a Doctor of Jurisprudence from the University of Texas in. Hector became a member of the Texas Bar in November 1995 and has been a practicing attorney in Houston ever since.

As a lawyer, Hector works hard fighting for his client's rights. Hector devotes his practice to representing clients who have been victims of automobile, trucking, industrial, and work-related accidents that result in severe injuries to the client and client's family members. Hector understands the importance of being prepared in front the judge and the jury.

In addition to being admitted to practice in Texas state Courts, Hector is also admitted to practice in the Eastern, Southern and Northern United States District Court of Texas and the United States Court of Appeals for the Fifth Circuit. Hector has also worked on cases in California, Louisiana, New Mexico, Illinois, Pennsylvania, and New York. Please call Hector if you have any questions regarding your legal rights.



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