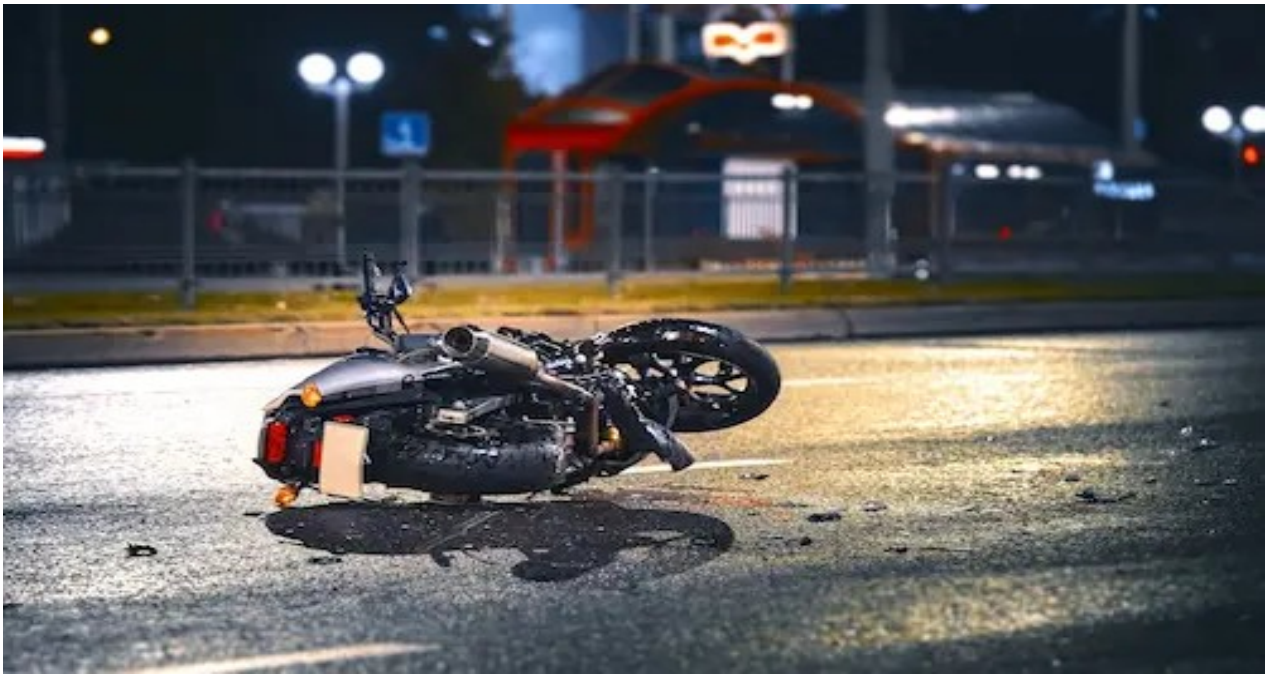




Panchenko Law Firm Explains SB 452 Motorcycle UIM Changes

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Panchenko Law Firm has published an analysis of how North Carolina Senate Bill 452 changes the insurance recovery framework for motorcycle riders injured by drivers. According to the North Carolina General Assembly, SB 452 was enacted in 2023 with a stated effective date of July 1, 2025, and it introduces underinsured motorist coverage requirements that, subject to individual policy terms and statutory exceptions, apply to motorcycle insurance policies for the first time. Riders whose policies were issued or renewed after the effective date may, depending on the specific coverage purchased and applicable statutory provisions, have access to UIM protection that was not generally available on many pre-reform policies.

The legislation also addresses North Carolina's treatment of liability credits in UIM claims. Under prior practice, a UIM carrier could in many circumstances reduce its obligation by the amount a claimant received from an at-fault driver's liability insurer. The firm notes that, following the reform and subject to the terms of a given policy and the facts of a particular case, some riders injured after the effective date may be able to recover liability and UIM benefits with reduced or eliminated offsets, which can affect the total value of a claim where an at-fault driver carried minimum limits. The firm cautions that outcomes vary and that individual circumstances, policy language, and statutory exceptions determine how these provisions apply.

The analysis also addresses North Carolina's negligence standard, which can bar recovery for an injured party found to share fault, subject to recognized statutory and common-law exceptions. In the firm's experience representing riders, insurance investigations in motorcycle claims frequently examine rider-specific factors, including lane position relative to travel speed, use of high-visibility gear even though North Carolina does not require it for adult riders, and pre-crash speed as it relates to an at-fault driver's opportunity to yield. The firm states that how these factors are weighed depends on the evidence and circumstances of each case.

Dmitriy Panchenko, Founder of Panchenko Law Firm, said the interaction between the reform and North Carolina's fault standard is a significant development for riders. "North Carolina's negligence standard means that a finding of shared fault can affect or bar a claim, so investigations in motorcycle cases often focus closely on rider conduct such as lane position, speed, and visibility," Panchenko said. "For riders whose policies fall under SB 452, the new motorist requirements and the changes to liability credits can, depending on the policy and the facts, meaningfully affect the coverage available after a serious crash. Every case turns on its own circumstances, and past results do not predict future outcomes."

Panchenko added that language access remains a factor for portions of the region's riding community. "Russian-speaking and Ukrainian-speaking riders can encounter language barriers when reporting a crash and filing an insurance claim, and a multilingual team helps address those barriers," he said.

The firm observes that motorcycle riders can be particularly affected by negligence analysis because the crash dynamics that produce serious injuries, such as higher speeds and limited protective structure, are also the factors carriers may examine when evaluating fault. A Charlotte Motorcycle Accident lawyer at the firm noted that these questions often arise well before a claim reaches the demand stage.

Panchenko Law Firm, PLLC is a personal injury law firm based in Charlotte and Matthews, North Carolina, representing motorcycle accident victims, car accident clients, and other injury clients throughout Mecklenburg County, Union County, and the surrounding region. The firm reports that it has recovered more than 20 million dollars for clients over the course of its practice, a figure that includes a 750,000 dollar motorcycle wrongful death settlement; the firm notes that prior results depend on the facts of each matter and do not guarantee future outcomes. The firm is led by founder Dmitriy Panchenko and provides representation in English, Spanish, Russian, and Ukrainian. Additional information on these developments is available from the Panchenko Charlotte Motorcycle Accident lawyer team.

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Panchenko Law Firm

Panchenko Law Firm offers exceptional legal services with a client-focused approach, prioritizing trust and advocacy in personal injury law.

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