

GA Law Links Wearing A Helmet To Motorcycle Accident Injury Compensation Claim

December 09, 2020

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The Angell Law Firm, LLC, in Atlanta, has published a new blog post to educate readers on the importance of wearing a helmet as a preventive injury aid. It will significantly help to strengthen their motorcycle accident injury claim. Unfortunately, motorcycle accidents are 27 times more likely to end in a fatality. Given the gravity of the threat posed to motorcyclists and their passengers, wearing a helmet can make a significant difference.

Learn more at https://www.georgiainjurylawyer.com/will-not-wearing-a-helmet-affect-my-motorcycle-accident-claim/

"One of the first factors the insurance company will try to discern after a motorcycle accident is whether or not you were wearing a helmet when it occurred," states The Angell Law Firm. The blog post emphasizes the importance of motorcycle helmet use in motorcycle accident claims and suits.

The Georgia law requires motorcycle riders to wear a helmet at all times. Supporting the law, the Angell Law

Firm personal injury lawyers suggest helmet use as an essential part of the claim process. Opposed to this, not wearing a motorcycle helmet could adversely affect the victim's claim, allowing the defendant's insurance company to assign fault or liability to the victim.

The role of negligence in a motorcycle accident claim helps determine liability for the accident. The whole process considers different factors, including speeding, distracted driving, driving under the influence, and citations issued at the accident scene. The party found negligent is responsible for paying for the damages. However, another critical consideration is wearing a standard helmet.

The blog post emphasizes wearing a helmet that meets national safety standards, suggesting, "Wearing a vanity helmet is as good as wearing no helmet at all."

A party can be considered at fault or negligent for not wearing a helmet. The law considers it as a breach of duty of care to others on the road.

A review of facts enables the insurance company to assign liability to each party.

The blog post gives a clear example of how the insurance company argues against paying full liability to the victim. "For example, if the driver was driving distracted while on his cell phone and crashed into you when you weren't wearing a helmet, the insurance company may say the driver is 75 percent at fault for your injuries, and you are at 25%.?

However, the personal injury lawyers state that not wearing a helmet may not always make a difference in a motorcycle accident lawsuit. However, this is only the case if there are no head injuries. That means if a victim not wearing a helmet suffers a leg or back injury in a motorcycle accident, the insurance carrier finds no valid reason to link the injuries to helmet use. This should not impact the liability of the insurance company.

An experienced Atlanta motorcycle accident lawyer would suggest an accident victim present medical evidence supporting the claim that helmet usage did not impact injuries.

With that said, the blog post stresses the need to wear a helmet. "You should know that riding without a helmet could impact your ability to pursue a personal injury claim successfully." While state law might vary from one state to another, Georgia is a comparative negligence state, with a catch.

That means a victim's claim is reduced based on their negligence in the accident. A motorcycle accident victim may be eligible for compensation only if their fault is 49% or less. They lose their right to compensation if they are 50% or more at fault.

The blog post makes it aptly clear for readers to wear a helmet at all times when riding a motorcycle to be eligible for a claim in the event of an accident. Failure to wear a helmet in a motorcycle accident can drastically reduce the victim's compensation if the other side proves that a helmet could have made a significant difference in the severity of injuries.

This is especially true in motorcycle accident claims where the victim suffers a head injury or TBI. In such cases, the insurance companies try to shift a significant part of the blame of comparative negligence onto the victim. It often becomes tough for the victim to produce substantial evidence in their fight against helmet usage arguments.

"You must prove that not wearing a helmet during your accident did not affect your injuries' seriousness," stresses the blog post, adding, "Two critical pieces of evidence that will help you prove this are your medical records and testimony from a medical expert."

It is here that a victim can depend on an experienced motorcycle accident attorney in Georgia to compile and present evidence, gather records, talk to local medical experts in the legal claims process, and provide testimonies.

The personal injury attorney will look into all pieces of evidence to bolster the victim's claim. This includes proving that a helmet would not have changed the severity of injuries.

The Angell Law Firm is committed to fighting for justice for Motorcycle Accident victims. Do not let insurance companies escape without paying the compensation one deserves. Hire an experienced attorney on one's side today.

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For more information about The Angell Law Firm, LLC, contact the company here:The Angell Law Firm, LLCBryce Angell(770) 336-7752intake@atlantalawyer.com3391 Peachtree Rd NE UNIT 110, Atlanta, GA 30326

The Angell Law Firm, LLC

At The Angell Law Firm in Atlanta, we take serious accidents seriously. We understand that dealing with an unexpected injury can be painful, stressful, and expensive.

Website: https://www.georgiainjurylawyer.com/

Email: intake@atlantalawyer.com

Phone: (770) 336-7752

